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# Legal Terminology (Quickstudy: Law)

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**LEGAL TERMINOLOGY**

(NOTE: translates the Latin and other foreign languages only included where necessary to further explain defined term)

**ADR:** Alternative Dispute Resolution, which includes non-trial methods of resolution, such as arbitration, mediation and negotiation

**affidavit:** (Latin, from the stronger's sworn word) a written statement made by a person under oath, used to support or prove the truth of a statement in court

**affirmative defense:** a defendant's response to a complaint by a plaintiff in a lawsuit that raises new facts or arguments that, if true, defeats the plaintiff's legal right to bring a claim, even if all allegations the plaintiff has made are factually accurate

**agency:** a relationship between two parties in which one party (agent) may legally act on behalf of another party (principal) and creates a legally binding obligation for the principal

**allocation:** a formal inquiry of whether the defendant has a statement, made by the court in connection with the defendant's moving judgment

**amended complaint:** in a civil lawsuit, a complaint filed with the court that modifies and replaces the original complaint to correct or complete an original filing in that same action

**American Bar Association:** also known as the ABA, a voluntary national organization of lawyers open to lawyers in good standing from any state

**amicus curiae:** (Latin, friend of the court) a person who is not a party to a lawsuit but who petitions the court or is requested by the court to file a brief in the action, expressing a rationale for the case due to a strong interest in the subject matter

**annotated statutes:** unofficial codes that include cross-references to case law or secondary sources referencing such statutes

**answer:** in civil procedure, a defendant's first pleading that addresses the merits of the case by admitting or denying all allegations made by plaintiff

**antenuptial:** an action done before a marriage; frequently refers to an agreement made between parties before marriage, setting property rights in event of a dissolution of marriage (also referred to as prenuptial)

**appeal:** a proceeding undertaken to have a decision reconsidered by bringing it to a higher authority, also known as an appellate court, the party challenging the lower court's ruling is the appellant, the party against whom the appeal is taken is the appellee

**arbitration:** a method of ADR whereby parties subject to a decision rendered by an impartial referee usually agreed upon by both parties (frequently used in labor disputes)

**arm's-length transaction:** a dealing between two parties who are presumed to have equal bargaining power or who do not have a prior relationship

**arraignment:** a criminal proceeding where the accused is notified of the charges against him/her and where he/she must enter a plea of "guilty" or "not guilty"

**assault:** the threat or use of force on another that causes a person to have a reasonable apprehension of imminent harmful or offensive contact

**assent:** agreement, approval or permission by a party

**assignment:** the transfer of rights or property from one party to another

**assumpsit:** in common law, an equitable cause of action for recovery of damages under a contract not under seal

**at bar:** CONSIDERED MATERIAL

**barment:** a legal relationship created when a person (donor) transfers property to another person (donee) for self-protection, with the intent that such property will be reclaimed

**bankruptcy:** a statutory procedure by which a usually insolvent debtor undergoes a judicially supervised reorganization or liquidation of the debtor's assets for the benefit of creditors in a federal court

**battery:** in criminal law, a use of force that results in harmful contact; in civil law, an intentional and offensive touching of another without lawful justification

**bench trial:** a trial before a judge without a jury

**beneficiary:** a person who will receive something as a result of a legal arrangement to transfer property, such as in a trust, insurance policy or estate

**bequeath:** the action by which someone gives a gift of personal property (to bequest) in a will, compare with devise, which denotes a gift of real property

**beyond a reasonable doubt:** in a criminal case, the standard of evidence at which a defendant's guilt must be established

**black-letter law:** colloquially, the basic rules of law, often found in textbooks

**breach:** generally, a violation of a law or obligation; in contract law, the failure to carry out a promise under a contract

**brief:** a written statement setting out the legal arguments of a party in litigation; briefs are prepared by attorneys and filed with the court as the written documentation of their arguments in a case, including the authorities that support the legal and factual theories

**bright-line rule:** a straightforward legal rule of decision in which matters can be settled clearly and with certainty; compare a rule with a "slippery slope" in which a decision has no clear demarcation of boundaries for application

**burden of proof:** the determination of which party has the duty to prove a disputed assertion or charge

**burglary:** a crime defined both in common law and by statute, involving entering a structure with the purpose of committing a crime

**caption:** in a court paper, the introductory part at the top of the first page, containing such information as the names of the parties, the name of the court, the docket or file number, and the title of the document

**case:** generally known as a civil or criminal proceeding, or suit

**case law:** the body of law formed in the collection of reported cases in a given jurisdiction; case law is generally taught to law students through the case system, which studies case law historically and inductively; case law interprets statutes and also is the basis for common law



## Synopsis

Not sure about the meaning of a word? Want to find out what a phrase entails?

The perfect study aid for law students and the ideal quick reference for legal professionals, this up-to-date, comprehensive 3-panel (6-page) guide provides the most commonly used legal terms complete with fluff-free definitions in an easy-to-read A-to-Z format. Including such need-to-know terms as, affidavit, defendant, estoppel, juvenile, quid pro quo, res ipsa loquitur, zoning, and more, this guide proves beyond a reasonable doubt why QuickStudy is America's #1 legal reference chart!

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I am not an attorney, but I find this quick study guide useful. For those of us that deal with forensics and thus, by default, the law, it's almost a must have. Beats packing around Black's Law Dictionary, unless you need something to stand on in order to reach the top shelf. I find it very handy to use whenever I forget the meaning of some esoteric Latin legal phrase and do not wish (or simply

cannot access) a legal/Latin dictionary. True, there are various simplistic definitions included with the tough ones, but they don't take up much room. You will like it if you wish to spare your memory being all cluttered up with legalese, and instead making room for more important things - like the English vocabulary.

and practice daily as well as learn other terms that I had not truly grasped before. I would recommend to beginners and intermediate

great for students on the go that are taking a legal class and is helpful in other areas because it has the terminology needed

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Thank you for product that will help me in my fall classes. I will check back for more as my studies change.

Very Interesting Chart, lots of information packed into one form of illustration! I look forward to using this in the next term of Paralegal studies.

Nice overview of legal terms for a newbie attorney or paralegal. Quick reference and concise definitions and terminology.

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