

## LEGAL TERMINOLOGY

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A fortiori	Latin term used to denote a reason, which is similar to the existing one, but more stronger in nature.
Ab Initio	Latin term, commonly used in association with contracts and marriages. It means 'from the very beginning'. The marriage is void ab initio, means that the marriage was not valid from the beginning itself.
A Priori	Latin term, which means that 'from the cause to the effect'. It is based on the assumption that if the cause is a generally accepted truth, then a particular effect must follow. So, a priori judgment is considered to be true, but based on presumption and not on factual evidence.
Abandonment	The voluntary relinquishment of a right by express words or by action. This term can be used in the context of rights or obligations under a contract, over property, person (spouse or children) or voluntary withdrawal from the commission of a crime.
Abandoned Property	Such property, which has been abandoned by the owner.
Abatement	This term refers to the plea to squash and end a suit. It may also denote reducing or lessening of something. For example, in case of an eviction case, where the landlord is seeking unpaid rent, the tenant may make a plea for rent abatement, citing the poor living conditions of his premises.
Abduction	Refers to the crime of taking away a person by fraud, persuasion or force. It is different from kidnapping, which is done by force or threat only.
Abet	To aid or assist someone in committing a crime or inducing another to commit a crime. The person who gives assistance is called the abettor.
Abeyance	The condition of being suspended temporarily. If the ownership of a property is yet to be ascertained, it is said to be in abeyance.
Abscond	Fleeing the jurisdiction or hiding in order to escape legal proceedings or criminal prosecution. A person is said to have absconded, when he deliberately leaves the jurisdiction to avoid arrest or other such legal proceedings.
Absolute	A right is said to be absolute, when it is free from any condition or qualification. Absolute liability makes a person held liable for his action and no defense is available.
Abuse	Improper or excessive use of any legal right or process. It is abuse of discretion, when a court does not use appropriate laws or if the decision is based on erroneous facts. It is abuse of process, when civil or criminal legal procedure is initiated against any one for a malicious reason.
Acceleration Clause	A contractual provision, which hastens the due date of payment or obligation, as a penalty for default in the payment/obligation.
Access	A term used in family law and refers to the right of a spouse, which allows to spend time with children on a regular basis.
Accessory	A person is said to be an accessory, if he/she helps or encourages the commission of a crime. He is an accessory before the fact, if he knows about the commission of the crime beforehand. He is an accessory after the fact, if he conceals the facts about the crime or aids in the escape of the perpetrator. An accessory may or may not be present at the scene of the crime.
Accident	An unforeseen incident caused by carelessness, ignorance or unawareness. The affected party can claim compensation if the accident results in injury.
Accomplice	A person who knowingly and voluntarily participates in the planning or commissioning of a crime. Such a person is differentiated from an accessory by being present or directly assisting the crime, and is liable for the same charge and punishment as the principal criminal.
Accord and Satisfaction	When disputing parties agree for a settlement and end the dispute regarding their reciprocal rights and obligations, an agreement is reached, which, when carried out will be capable of satisfying both parties. This method of discharging a particular claim is referred to as accord and satisfaction.
Accused	The term used to denote a person who is charged with the commission of an offense.
Acknowledgment	The term used for the certification given by an authorized official, that the person who has executed the document has appeared before him and declared under oath that the document and the signature in it are genuine.
Acquittal	The verdict of a jury, declaring that a criminal defendant is not guilty.

Action	A litigation or a legal proceeding which results in a judgment on completion. If the action is against a person, it is an action in personum, and if it against a thing (usually property), then it is an action in rem.
Act of God	A natural calamity (like earthquake, tornado and flood), which cannot be prevented by anyone. It is a natural process which happens without any human interference.
Actus Reus	The Latin term for a guilty act, which can be an action done or failure to do an action.
Ad Damnum	The specific clause of a legal complaint that deals with the damages suffered and claimed by the plaintiff.
Ad hoc	For a specific purpose. This term is commonly used as 'Ad hoc' committees, which are created for specific purposes.
Ademption	The revocation of a gift in a will by destructing or disposing of the gift before death, so that at the time of his/her death, the property no longer belongs to the person who has made the will.
Adjourn	To postpone the session of a court or any other similar tribunal to another date.
Admissible	Those evidence which can be legally used in a court.
Admission	A statement of a party involved in a claim, admitting all or some part of the other party's claims is called admission.
Admiralty Law	Otherwise known as maritime law, and deals with the law regarding shipping, navigation and transportation by sea,.
Adoption	The legal process which makes a person (usually a child) a legal member of another family. On finalization of the proceedings of adoption, the rights and obligations of the biological parents get terminated, and the same is vested with the new parents of the adopted child.
Adultery	The term which denotes voluntary sexual intercourse of a married person with a man/women, other than the spouse. Adultery is often used as a ground for divorce.
Adverse Possession	Acquisition of rights to a particular property belonging to another, by possessing it for a statutory period (usually 12 years). The continued use of a land or property by a person (other than the owner), for a statutory period without any complaint from the owner, makes him entitled to the 'title to the land', which is known as 'possessory title'.
Advocate	A lawyer, who represents a party to a case in a court of law.
Affidavit	A sworn statement in writing, confirmed on oath by the party who makes it, before someone who is officially entitled to administer oaths.
Affirmation	A solemn statement by a person that the evidence he or she is giving is true. An affirmation is equivalent to oath, as the witness may have no religious belief or he cannot take an oath, as per his religious beliefs.
Affray	A fight that takes place in some public place between two or more persons, to the terror of other people.
Agent	A person who is authorized by another to act for the latter (known as principal). The relationship between the principal and the agent is termed as an agency.
Aggrieved Party	A person whose pecuniary status has been affected by a decree or judgment, statute or any other legal proceeding. Such aggrieved parties can challenge the legality of the judgment or statute.
Agreement	A term that denotes the mutual consent between two or more parties regarding their rights and obligations in relation to a particular issue or thing. An agreement can be in a written form or verbal.
Alibi	Is a claim made by the defense counsel that the accused was somewhere else at the time the crime was committed.
Alienate	Alienation is the transfer of title to property (lands and tenements) and possession by one person to another.
Alimony	A periodical payment made by one spouse to the other in case of divorce, separation or while a matrimonial action is pending. Otherwise known as maintenance or spousal support, this amount is decided by the judge and a court order is passed to this effect.
Allegation	A statement made by a party in a pleading, which he/she is prepared to prove.

Amendment	A term used to denote any changes made in a bill, law or other court documents. As per the law of procedure, amendments must be authorized by the court and the amended document supersedes the original one.
Amicus Curiae	The literal meaning of this Latin term is 'friend of the court'. It can be a person who is not a party to the case, but is allowed by the court to provide information about the case.
Amnesty	A legislative or executive proclamation granting pardon for committing some specific crime. Amnesty is usually granted to a whole group of criminals or supposed criminals, especially political criminals.
American Law Reports	A publication series which reports all court cases from all United States jurisdictions, legal doctrines and principles.
Annulment	Annul means to invalidate something, and the term annulment refers to the judgment that declares a marriage as void. As per such a judgment, the persons are to be considered as never having been married at all.
Appeal	A request or an application made by the defeated party (to a lawsuit) to a higher court for reviewing the decision of the lower court. The party who is making the application for appeal is called an appellant, and the party who opposes the appeal is called appellee. The court which has the jurisdiction to hear the appeal and review the decision of a trial court is known as appellate court. Appeal bond is a guaranty by the party who files the appeal to the effect that the court costs will be paid and the appeal will be filed within the statutory time limit (appeal period).
Appearance	Being present before a court of law as a party to a suit, either in person or through an attorney. An appearance notice is a document which demands the appearance of people before the court on the specified dates.
Application	Filing of the requisite court form to initiate a legal proceeding or a request made to a court.
Approver	A criminal who confesses the crime and accuses his accomplice for the same. An approver is granted permission to give evidence against the accomplice.
Appurtenances	Things incidental to the principal thing, which is commonly referred to as dominant. In case of land, appurtenances include easement and right to way.
Arbitration	The alternative process of solving disputes, in which the disputing parties agree to abide by the decision of an arbitrator (a private and impartial person, who is chosen by the parties for solving the dispute. In most places, the provisions for arbitration are governed by statutes.
Argument	A reason advanced to prove a point or to rebut it.
Arraignment	A legal proceeding in which the accused is brought before the court to formally read the complaint against him. An arraignment is meant to inform the accused of the charges against him/her, and the person is required to enter a plea whether he/she is guilty or not.
Arrest	To detain a person with lawful authority, especially those who are suspected to have committed a crime. The term is also used to denote a seizure of personal property by legal authority.
Arrest of Judgment	The court withholds the pronouncement of the judgment, upon the application of a party to the dispute who claims to prove a material error in the records or trial, which can make the entire proceeding invalid.
Arson	The willful burning of the house or other structures belonging to others without any legal authority is called arson. Burning of wild land areas without any lawful authority also comes under arson.
Articles	Agreements are usually divided into separate paragraphs and each paragraph is referred to as an article. The same term applies to the separate sections of the Constitution.
Articles of Confederation	The first constitution made the original thirteen states of the United States of America, and came into force on March 1, 1781. It was the supreme law of the land till March, 1789.
Artificial Person	Unlike a natural human being, an artificial person is a legal entity, created by law, who may be attached with legal rights and duties.
Assault	Any willful attempt or threat to inflict injury on some person, with an ability to carry out the threat. It also includes a display of force to frighten the victim and make him believe that the former is capable of causing bodily harm.
Assets	Property of any kind, which is owned and possessed by any person, corporation, estate, or other entity. Assets include real and personal property, like cash, real estate, securities and vehicles, and should be of some economic value to its owner.

Assignment	The transfer of property rights (real or personal) to another person through a written agreement. The person, who is the recipient of the rights is called an assignee, and the one who had transferred the rights is called an assignor.
At-Will Employment	At-will employment is a doctrine of American law that defines an employment relationship in which either party can immediately terminate the relationship at any time with or without any advance warning,[1] and with no subsequent liability, provided there was no express contract for a definite term governing the employment relationship and that the employer does not belong to a collective bargaining group.
Attachment	The process of legally seizing a property in order to force the person to appear before the court or to ensure that the owner of the said property complies with the decision of the court in a pending suit.
Attempt	The intentional and overt act, which if succeeds, would have been considered as a crime. The attempt to commit a crime in itself is a criminal offense.
Attestation	The act of signing a document as a witness, affirming that the information given in the legal document (will, deed, etc.) is true.
Attorneys	An attorney, who is otherwise called a lawyer, barrister or solicitor, is a person authorized by the state to practice law. The term 'attorney' is mainly used in the United States to denote a practitioner in a court of law. The main responsibilities of attorneys include providing legal counsel, representing and defending their clients before courts and drafting legal documents.
Award	The term used to denote the final decision of a court in some lawsuits. Mainly used in case of judgments granting money or other damages to the party in whose favor the judgment is delivered. It is also used to denote the final decision of an arbitrator.
Bachelor of Laws	A degree granted to a person who has successfully completed graduation from a law school. This degree is abbreviated as L.L.B, and nowadays some law schools grant a Juris Doctor (J.D.) degree instead of the former.
Bad Faith	A concept which refers to the malicious intention of a person who enters into any transaction, like a contract or a legal procedure. The action of such a person involves an intention to deceive or mislead another, so that the former gains some advantage.
Bail	The amount deposited or the property pledged to a court in order to secure the release of a person who is in custody as a crime suspect. The money deposited or the property pledged acts as a guarantee to ensure the appearance of the person released as required by the court.
Bailment	A transfer of possession of property by one person called the bailor to another called bailee, for a specific purpose and for a fixed period is called bailment. The bailor retains the right to recover the possession of the said property once the purpose of the transfer is fulfilled.
Bait and Switch	A type of fraud associated with retail sales, wherein the store lures customers by advertising that some products are offered at very low prices, but induces them to buy other expensive products, citing the excuse that the advertised product is no longer available or is not of good quality. Bait and switch can be a cause for a personal lawsuit for false advertising, if damages are proved.
Bankruptcy	The inability of an individual or an organization to pay off the debts to the creditors. The condition of bankruptcy is legally declared by the bankruptcy courts, which hear and decide petitions filed by individuals and organizations for being declared as bankrupt, and to eliminate or repay the debts as per the bankruptcy laws.
Bar	A collective term used to denote all attorneys or lawyers who are permitted to practice in a particular jurisdiction. A bar association is an organization or body of lawyers. A bar examination is a state test covering a wide range of legal topics, and those who want a license to practice law or become lawyers must pass this test.
Barrister	A Barrister also termed as Barrister-at-Law or Bar-at-Law is a member of one of the two classes of lawyer found in many common law jurisdictions with split legal professions. Barristers specialize in courtroom advocacy, drafting legal pleadings, and giving expert legal opinions.
Battery	Causing bodily harm to another person willfully and intentionally is called battery, which is a crime, as well as a ground for a lawsuit as a civil wrong if there is any damage.
Bearer	As per the law of negotiable instruments, a bearer is a person who is in actual possession of a negotiable instrument, like a check, bank draft or a promissory note.
Bench	A term used to denote the seat of the judge in a court room or the judge himself. It is also used as a collective term for all judges in a court.

Beneficiary	An individual or an organization entitled to some assets or profits, through some legal device like a will, trust, insurance policy, etc.
Bequests	Gifts of personal property left by a last will or testament.
Bifurcation	The process of dividing the trial into two parts - a liability phase and a penalty phase. While both phases are tried separately, in some cases, different judges may be empaneled for the different phases.
Bigamy	The condition of being married to two persons at the same time. Having two spouses at the same time is a criminal offense.
Bill	A draft of a proposed law which has been presented before a legislative body for approval. An approved bill is enacted as law. The term is also used to denote a statement, whereby one person acknowledges himself to owe unto another, a certain amount or some particular thing. Learn more about how does a bill become a law.
Bill of Exchange	A bill of exchange is an unconditional written order from one person (drawer) to another (payor), asking the latter to pay a fixed amount to a third person (payee) at a fixed date. A check is like a bill of exchange drawn on a bank account.
Bill of Lading	A receipt received by the shipper of goods from the carrier, describing the type and quantity of goods being shipped, the carrying vessel, the shipper, the consignee and the port of loading and discharge.
Bill of Rights	The first ten amendments of the U.S. Constitution that deals with the fundamental rights and privileges guaranteed to the people, like freedom of speech, religion, due process and speedy trial to the accused.
Black Letter Law	Well-known principles of law that are not doubted or disputed.
Blackmail	A form of extortion, where the victim is threatened to act against his/her will or to cause injury to another person. The most common threat associated with blackmail is to release any information (usually true), which can be embarrassing, damaging or disgraceful to the victim. It is not the revelation of the information which comprises the crime, but demanding money or threatening to withhold the same.
Bona fide	The Latin word for 'good faith'. A bona fide purchaser of a property, means a person who is genuine, without any knowledge of defect in title.
Bond	A written instrument which is executed by a person, wherein a definite promise is given regarding the fulfillment of a legal obligation.
Breach	The act of violating a legal obligation or a failure to do a duty. It is breach of contract, when a party to a contract fails to perform the terms or violates the terms of the contract. A failure on the part of a trustee to perform his duties is called a breach of trust.
Bribery	The receiving or offering money or some valuable item to any public official, with the objective of influencing his official decisions contrary to his duty.
Brief	A document stating the facts of a case and the legal arguments which is supported by relevant statutes and precedents. Such documents are prepared by lawyers who represent the disputing parties, and are submitted to the court.
Burden of Proof	The responsibility of proving a fact regarding issues raised by disputing parties in a court case. Generally, the plaintiff has to prove that the allegations in the complaint are true. The defendant is given sufficient opportunity to rebut the same, but if the defendant raises some factual issue while defending the claims of the plaintiff, the former has the responsibility to prove the same.
Burglary	Breaking into a building or illegal entry into the building with the intention of committing a crime. Whether the crime is committed or not is not relevant as far as burglary is concerned.
By-law	The set of laws adopted and enforced by a local authority. Generally used to denote those rules, which are passed for the governance of a corporation or other entity.
Canon Law	The laws of the church, which are based on religious beliefs and customs. These laws are not binding, as far as the judicial system is concerned. Canon law deals with the matters related to church, like funerals, baptism and church property.
Capital Punishment	The sentence of death, awarded to those who commit very serious crimes. It is otherwise known as the death penalty.

Case Law	As opposed to the statutes and treaties, case laws are legal principles developed by the courts through the years while deciding cases. A case law is a collection of reported judicial decisions related to specific topics, and is an important part of the modern legal rules.
Causa Mortis	A Latin term which means, "in expectation of the approaching death". This term is mainly used to denote gifts, which are given by a person who is expecting death. Such gifts are called deathbed gifts or gifts causa mortis, which are deemed to be effective only if the death of the person is imminent due to a known condition, and he/she dies as a result of this condition. In case of recovery of the donor, such gifts can be revoked.
Cause of Action	A set of facts, which may entitle a person with a right to sue another person. If such facts are proved, it would result in a judgment in favor of the plaintiff.
Caveat	A Latin term for a formal warning. This term refers to a notice sent to a judge or court official with a request to suspend the proceedings in a particular lawsuit, until the merits of the notice are determined or until the notifier is given an opportunity to be heard.
Caveat Emptor	A common law rule, which is a Latin term meaning, "let the buyer beware". This rule applies to the sale of all goods, especially those relating to real estate. As per this rule, the buyer has the full responsibility to check and verify the quality of the goods for sale or the title to the land, in case of real estate.
Cease and Desist Order	It is an order issued by any authority or judge to halt any activity, or else face legal action. It can be sent to any person or organization. This order or request can be sent by any person asking the recipient to stop some activity to avoid legal action.
Certificate	The term 'certificate' has different meanings as per the context. It can be a document which certifies the truth of some facts, like marriage, birth and death. It can be a document which certifies the ownership of a property, like a stock certificate. While some certificates are issued to people who complete some course, there are certificates which authorize persons to practice certain profession. Some certificates are issued by courts, certifying the facts or decisions of the concerned cases, like the certificate of divorce and certificate of appointment of estate trustee with a will.
Certified Copy	A copy of a document, which is attested by the concerned authority to be the true copy of its original.
Certiorari	The Latin term, which means 'to be informed of'. This legal term refers to the order issued by a higher court to an inferior court, tribunal or public authority, directing the latter to certify certain records in a particular case and return to the former. Certiorari, which is otherwise called cert, is a type of writ seeking judicial review. The mechanism, which was adopted by the Supreme Court of the United States, in order to manage the rising number of petitions of certiorari is called the 'cert pool'.
Chain of Title	The legal term used to denote the history of transfers of title to property from the present owner to the original owner. Such records regarding properties are maintained by a registry office or civil law notary.
Change of Venue	A legal term used to denote a change in the location of the trial. A venue should be a place which is deemed to be proper and convenient for filing/handling a particular case. Though the venue is decided as per the rules of every state, the parties can also ask for a change in the venue. However, a change of venue is usually granted to avoid prejudice against any party to the case.
ChamPERTY	A practice of sharing the benefits of a lawsuit, by a person who is not a party to that lawsuit. A person who has no interests in a lawsuit, offers assistance to one of the litigants to conduct the legal proceedings, on condition that the former receives a portion of the judicial award.
Chapter 7 Bankruptcy	Chapter 7 is a basic liquidation for individuals and businesses; also known as straight bankruptcy; it is the simplest and quickest form of bankruptcy available.
Chapter 11 Bankruptcy	Chapter 11 is a reorganization, used primarily by business debtors, but sometimes by individuals with substantial debts and assets; known as corporate bankruptcy, it is a form of corporate financial reorganisation which typically allows companies to continue to function while they follow debt repayment plans.
Chapter 13 Bankruptcy	Chapter 13 is a rehabilitation with a payment plan for individuals with a regular source of income; enables individuals with regular income to develop a plan to repay all or part of their debts; also known as Wage Earner Bankruptcy.
Charge	This legal term is used to denote a formal accusation of an offense against a person, and is considered as the first step to prosecution. This term can also refer to the instructions given to the jury by the judge before the verdict and is known as charge to the jury.
Charity	As per legal terminology, the term charity refers to organizations, which are created and operated exclusively for the benefit of the society, rather than pecuniary benefits. These organizations, which are exempted from

federal taxation, hold their assets in trust to serve the purpose for which they are created. The purpose can be religious, scientific, educational or anything which benefits the society.

Chattel	All movable items of property, which do not include land or those permanently attached to land. While buildings and trees are not considered as chattels, furniture or growing crops (like corn) are deemed to be chattels.
Check or Cheque	A check/cheque is a negotiable instrument, like a bill of exchange drawn on a bank by one of its depositors. The bank has to pay the specified amount to the bearer of the instrument (check/cheque) or the person named therein.
Circumstantial Evidence	As compared to direct evidence, like the testimony of the eyewitness, circumstantial evidence can be considered as indirect evidence or facts which are inferred from the proven facts. Circumstantial evidence can be best explained with fingerprints, which can prove the presence of a particular person at the crime scene or his/her contact with an object used in the commission of a crime.
Citation	An order issued by a court to a person to appear before it to answer the charges or to do a certain thing. This legal term also denotes the reference to previously decided cases.
Civil Action	Civil actions are generally classified as those which are not criminal in nature. Such cases involve disputes between private parties, organizations or the government.
Claim	An assertion of a fact which establishes a legally enforceable right to some form of compensation or remedy.
Codicil (Will)	A document that amends or adds to an existing will is called a codicil. A codicil does not replace the original will, but only amends it. As in the case of a will, a codicil should also be dated, signed and witnessed as per the relevant rules.
Coercion	Coercion refers to the crime of forcing a person to commit an act against his will, by using threats, physical violence or trickery.
Collusion	A secret understanding or agreement between two or more parties to deceive a third party or to mislead a court.
Commitment	The warrant or order issued by a court to send a person to the prison. A commitment can be final, after the sentence is pronounced or till further hearing.
Common Law	A type of law that has evolved from earlier decision of courts. Contrary to statutory laws, common laws are based on the traditional customs, but are enforced through judgments.
Commutation	The reduction or lessening of a sentence of a convicted person by officials authorized by law. Usually, the executive head of the government is vested with this power.
Compensation	Damages recovered for an injury suffered or in case of violation of a contract. This term also refers to the rewards received by an employee for his work.
Complaint	The first document filed in a court to initiate a lawsuit. A complaint states the brief facts of the case, on the basis of which, a legal remedy is sought. The person who files the complaint is called the plaintiff and the party against whom the complaint is filed is called the defendant. The four parts of a complaint are: caption, opening paragraphs, allegations and claims, prayer and verification.
Computerized Research Entity	Examples include Westlaw and Lexis.
Confession	A voluntary admission by the accused person that he has committed the acts, which constitute the crime.
Conflict of Interest	A situation that arises when the lawyer's judgment is affected by influences other than the client's best interests.
Conspiracy	An agreement between two or more persons to commit an illegal or unlawful act, and the act if committed would amount to an offense. Conspiring to commit such acts is also an offense.
Constitution	This legal term refers to the fundamental law of a state or a nation. It is as per the provisions in the constitution that the government is founded and the divisions of sovereign powers are regulated.
Contempt of Court	A misconduct inside the court or any willful disobedience to a court order.
Contract	A voluntary agreement between two or more legally competent parties, in which the parties are obliged to do or refrain from doing certain things.

Conversion	A conversion is a voluntary act by one person inconsistent with the ownership rights of another.
Conviction	A decision taken by a judge after a criminal trial, which finds the defendant guilty of the crime.
Copyright	A type of intellectual property, which gives the owner the exclusive right to control the publication, distribution and adaptation of creative works, for a certain period of time.
Criminal Action	A criminal action is prosecuted by the state against a person, who is charged with a public offense. Criminal cases deal with those actions which are harmful to the society.
Damages	Damages are the pecuniary compensation given by the process of law, to a person for the actionable wrong that another has done him.
Dangerous Offender	A person who has committed a serious personal injury offense, and the law believes that it is highly probable that he can commit the crime again, and is considered high risk for the community. Such prisoners are sentenced to federal prisons for an indefinite period of time.
Deceit	It is a false and fraudulent representation as to a matter of fact, made in order to induce a person to act thereon.
Decision	An act of deciding a dispute. Or a conclusion, determination; giving a judgment or order.
Decree	A judgment that resolves the rights of the parties with regard to all or any of the issues in a particular suit. Such judgment issued by a judge has the force of law, but could be either preliminary or final.
Death	Death is defined as the cessation of beating of the heart and the act of breathing. The tax which is payable or levied on transmission of property on the death of the owner thereof is called death duties.
Death Penalty	Death Penalty is usually awarded by courts for heinous crimes such as murder, rape, and in serious crimes against the state. The methods of meting out death penalty are several like hanging, the electric chair, and also the lethal injection.
Debenture	Various forms of instruments are called debentures. A debenture is a document which either creates or acknowledges a debt. The term debenture is usually associated with a company of some kind, and are securities given by a company, but they are often granted by clubs and occasionally by individuals.
Debt	A sum of money due from one person to another. Debt means any pecuniary liability, whether payable presently or in the future, or under a decree of the civil court or revenue court. A person who owes a sum of money to another person is called a debtor.
Decedent	A person, who is no longer alive.
Deed of Trust	A formal written contract effectuating the sale and conveyance of property by the seller to the buyer for a price.
Deem	The word 'deemed' is used a great deal in modern legislation. Sometimes, it is used to impose for the purposes of a statute an artificial construction of a word or phrase that would not otherwise prevail. Or sometimes, it is used to give a comprehensive description that includes what is obvious, what is uncertain and what is in the ordinary sense impossible.
De Facto	In simple terms, it means 'in fact'. Even when it is not a legal or formal authority or right, some rights are recognized as de facto rights. For example A de facto guardian is not a legal guardian, i.e. he is not a natural guardian nor is he appointed by law. If a person, even though he is a stranger, who is interested in the child and takes charge of the minor and his property, he is called a de facto guardian.
Defamation	A false statement either spoken or written, or is published or intended to be read by others, which can cause harm to a person's reputation is called defamation. If a statement is published it is libel and if the statement is spoken, it is slander.
Defamatory Libel	When a false statement is made (either written or printed), which harms the reputation or status of a person, and is without legal justification.
Defeasance	Rendering something null and void. The termination or annulment of interest in accordance with the stipulated conditions (as in if a deed completely or partially negates something on the happening of some condition.)
Defendant	A person against whom a lawsuit is filed is called a defendant.



Defense	A term used to describe the act of an attorney representing a defendant, to show why the plaintiff or the prosecutor does not have a valid case. Defense Attorney or Defense Counsel is a person who represents a defendant in a civil or criminal case.
Delegatus Non Potest Delegare	This Latin maxim means that a person to whom, an office or duty is delegated, cannot lawfully delegate the duty to another, unless he is expressly authorized to do so.
Delict	Delicts are small offenses, where a person by fraud or deceit causes damage or tort to someone. Delicts can be public or private. Public delicts are those offenses which affect the entire community, and private delicts are directly injurious to a particular individual.
Delinquent	This is a person who has disobeyed the law, or is guilty of some crime or failure of duty. It also refers to failure of a payment that is due.
Demand Letter	It is a document served by one party to another, stating their version of the facts, and making a legal claim for compensation to resolve the dispute.
De Minimis Non Curat Lex	This Latin maxim literally means that the law does not concern itself with trifles. This common law principle basically means that even if technically there is a violation of law, the judges will not sit in a case of minor transgressions of law or where the effect is very minor.
Democracy	It is a form of government wherein the supreme power is with the people, wherein the executive or administrative head are chosen by the people through periodical elections.
Demurrage	It is the agreed damages to be paid for delay of the ship in loading or unloading beyond an agreed period.
De Novo	This Latin term means 'new'. It is usually used in case of a new or fresh trial. (as if previous partial or complete decision had not been made)
Deportation	Deportation implies a legal procedure of permanent exclusion of person from a country to another. In the United States, If you have been deported, you are not allowed to enter the US again for at least 5 years. The main reasons for deportation is usually when a person overstays with an expired visa or commits some serious crime.
Deponent	A deponent is a person who gives his testimony in a court of justice or one who makes an affidavit. Deposition is an act of giving public testimony, especially the evidence put down in writing by way of answers to questions by a witness.
Deposition	Testimony of a witness or a party taken under oath outside the courtroom.
Descendant	A person who is in direct line to an ancestor, such as a child, grandchild and great grandchild. Descendants include natural born children and legally adopted descendants.
Detention	The act of retaining a person or property in temporary custody while awaiting trial.
Deterrence	Any law or legislation enacted has to be coupled with a penalty or punishment for non conformity thereto, which will act as a deterrent for breach thereof.
Detinue	It is a form of action which lies in conversion for loss or destruction of goods, which a bailee (not the owner) has allowed to happen in breach of his duty.
Devastavit	When a personal representative in accepting the office accepts the duties of the office, and becomes a trustee in the sense that he is personally liable for all the breaches of the ordinary trust, which in courts of equity are considered to arise from his office. The violation of his duties of administration and mismanagement of the estate, which results in an avoidable loss is termed as devastavit.
Dicta or Dictum	A statement of law made by a judge in the course of a decision of the case, but not necessary to the decision of the case itself, is called dictum, and often as obiter dictum. These are not binding on the parties and often go beyond the occasion, and lay down a decision which is unnecessary for the purpose at hand.
Digital Millennium Copyright Act	This is a federal act which addresses a number of copyright issues created by the Internet that protect Internet Service Providers.
Diplomatic Immunity	Where a representative of a country is stationed in another country, he is offered immunity for any offense he may commit in the country where he is stationed and is immune from the jurisdiction thereof.
Dismissal	A dismissal in a court setting has a definite connotation implying a final disposal by the tribunal rejecting the case of the suitor. A defendant may also be dismissed from a lawsuit, i.e. the suit is dropped from against that party.

Dispose	The act of ending a legal case or termination of a judicial proceeding.
Dissolution of Marriage	A dissolution of marriage is a legal termination of the marriage bond.
Directed Verdict	A directed verdict is a verdict in the defendant's favor, after the plaintiff presents his case, but without listening to the defendant's evidence. It is generally given by a judge, if he feels that the plaintiff has failed to offer the minimum amount of evidence necessary to prove his case.
Direct Evidence	Evidence presented in a case must always be direct evidence, which means that it cannot be hearsay or circumstantial evidence, but has to be clear evidence of a fact or happening.
Direct Tax	A tax which is levied on a taxpayer who is intended to suffer the final burden of paying tax.
Disability Insurance	A disability is a physical impairment that substantially limits one or more major life activities. An insurance policy that pays benefits in such a case is called disability insurance.
Discharge	A discharge is to perform one's legal duty and complete the obligation. In a criminal context, if an offender is discharged, the wrongdoer has no criminal record. In an absolute discharge, a conviction is not entered against the accused, and in a conditional discharge, a conviction is not entered against the accused if certain conditions are met.
Discrimination	Discrimination indicates an unjust, unfair or unreasonable bias in favor of one and against another on the basis of a protected characteristic, such as race, gender, caste or disability.
Dishonor	To refuse or neglect to accept or pay when duly presented for payment of a bill of exchange or promissory note or draft.
Distress	It is a seizure of a personal possession, without legal process, of a wrongdoer, into the hands of an aggrieved party, in order to obtain payment for money owed or performance of a duty.
Divorce	Divorce is a termination of a marriage otherwise than by death or annulment. It is derived from the Latin word 'divortium', which means to separate from.
Doctrine	A legal doctrine is a rule or principle of law, framework, set of rules, when established by a precedent through which judgments can be determined in a given legal case.
Domicile	A state in which a person has permanent residence, and intends to keep living there even if he leaves that place for a while, or a state where the business headquarters are located.
Domestic Violence	Use of physical force by someone in the household to hurt or dominate on the other. Domestic violence can include physical violence, sexual assault and emotional abuse.
Double Jeopardy	Double jeopardy is based on the principle that no person can be punished more than once for the same offense.
Double Taxation	Double taxation is taxation of the same property for the same purpose twice in a year, or taxation of corporate dividends twice.
Drunk Driving	When a person operates a vehicle while he is under the influence of alcohol, he commits the crime of drunk driving. State laws have specified the level of alcohol present in the blood which can be termed as drunk driving.
Due Process	A principle wherein it is a fundamental right to have a legal process, like a hearing conducted for each individual so that no unjust or unequal treatment is given to any person.
Duress	Any intimidation or restraint on action or anything tending to restrain free and voluntary action. Generally speaking, duress may be said to exist whenever one, by the unlawful act of another, is induced to make a contract or to perform some other act under circumstances which deprive him of the exercise of free will.
Dying Declaration	A dying declaration is the evidence provided by a person who is on his death bed, and are given the same weightage as regular evidence. The reason behind this is that a person who is dying and knows it, generally will not tell a lie.
Earnest Payment	This is a kind of deposit made in real estate transactions, where the money signifies the commitment to the contract and the project. The remaining money has to be paid on a particular date or after certain conditions are fulfilled.

Ear Witness	A ear witness is similar to an eyewitness, but as the name suggests, an ear witness testifies in court that he has heard something, instead of actually seeing it.
Easement	An easement is a right annexed to land. It is the right held by a person to use the land belonging to another person for a special purpose.
E-commerce	E-commerce means electronic selling of goods or service over the Internet.
Egress	The right of a person to leave a property.
Eighth Amendment	The Eighth Amendment to the constitution of the United States prohibits the Federal Government from imposing excessive bail, fines or cruel punishments. The Eighth Amendment was adopted in 1791 as part of the Bill of Rights.
Ejusdem or Ejusdem Generis	The rule of ejusdem generis means that when particular words forming part of the same class or same category are followed by general words, then the general words must be construed in the context of particular words.
Emancipation	When a minor has achieved independence from his parents either by attaining the age of majority, getting married or fully self-supporting. It is also possible for a minor to get emancipated by getting an order from the court.
Embezzle	Fraudulent misappropriation of money or assets by an agent or employee, who is entrusted to manage those assets.
Eminent Domain	Government's power of compulsory acquisition of private property for public use is called an eminent domain.
Emolument	The advantage or benefit which the employee is entitled to by virtue of his office or employment in addition to his salary.
Emphyteusis	A right subject to assignment and descent, charged on productive real estate. The person who has this right can enjoy the property on the condition of taking care of the estate or paying taxes or rent annually.
Enactment	The act of passing of a bill by a legislative approval and sanction, after which it is established as a law.
Encroachment	An intrusion on the property of another.
Encumbrance	It is a burden (claim, lien or liability) attached to the land or interest in land by the owner of the land. Examples are charge, mortgage, etc.
Endorsement	Endorsement is to inscribe or sign one's name on the back of a check in order to obtain cash or credit represented on the face of it.
Endowment	Endowment is an act or process of providing money or property for a particular reason or purpose. It is usually given gratuitously to any institution whose income is derived from donations.
Equity	Equity is a body of rules that are present besides the common law. It is usually used by judges in case they feel that the common law is not suitable for that particular case to achieve a just result.
Escheat	The process by which a person forfeits his property to the state if he dies without any heirs or descendants.
Escrow	Prior to closing a sale, occasionally a deed or some funds are delivered to a neutral third person to be delivered to the other party or parties, upon the performance of a condition like payment of money, etc. It is then said to be delivered as an escrow.
Estate	An estate denotes all the property which a person owns, including personal property, real property, stocks, bonds, bank accounts, etc., at the time of his death.
Estate Law	It is the part of law which governs the rights of an owner with respect to his property when he dies, i.e. wills and probates.
Estoppel	Estoppel is a rule of law that prevents a person from denying or asserting certain facts on account of his own actions which resulted in proving those facts earlier. The court does not allow a contradiction of something that you have already accepted as true.
Euthanasia	Commonly known as mercy killing, euthanasia is the act of bringing about the death or deliberately ending the life of a person who is terminally ill.
Evasion (tax)	A deliberate attempt of avoiding to pay tax by fraudulent means is called evasion of tax.

Eviction	Any wrongful act of a permanent nature done by the landlord with the intention of depriving the tenant of enjoyment of the premises.
Evidence	It is the usual means of proving or disproving a fact or matter in issue. This information is presented to a judge to convince the court of the facts. Evidence can be oral, documentary, circumstantial, direct or hearsay.
Examination in Chief	The examination of a witness by the counsel that calls him to testify is called examination in chief.
Excise	A tax levied by the Federal or State Government on the manufacture of goods within the country, sale of goods or services of a particular occupation.
Execution	This legal term in a wider sense, refers to the enforcement of or giving effect to the judgments or orders of the courts. It can also mean carrying out of a death sentence.
Executor	An executor is a person to whom the last will of a deceased person is, by the testators appointment, confided.
Executory Contract	A contract in which something is to be done after the contract is concluded.
Ex Parte	The Latin expression means 'for one party', where the court allows only one party to be present to pass an order for the benefit of that party itself. This is an exception to the general rule where both the parties have to be present for the judge to pass an order.
Ex Post Facto	This means 'after the fact'. These laws make an act which was legal when committed, illegal after committing it. These laws are specifically prohibited by the US Constitution, Article I, Section 9.
Expropriation	Confiscation of private property or rights by a government authority, with the purpose of public interest or maintaining social equality.
Express Trust	An express trust is a trust expressly declared by a will, deed or any written instrument or can be created orally too. For constituting an express trust, three matters have to be designed - the property subject to the trust, the persons to be benefited and the interests which have to be taken.
Expunge	The official and intentional destruction or erasure of records or information. When an offender who is a minor reaches majority, his records are expunged.
Extortion	An act of obtaining property or valuable security by intentionally putting a person in fear of injury or even dishonestly inducing a person.
Extradition	Extradition is a process whereby under treaty or upon basis of reciprocity one state surrenders to another state at its request, a person accused or convicted of a criminal offense committed against the laws of the requesting state.
Ex Turpi Causa Non Oritur Actio	This Latin doctrine means "an action does not arise from a base cause," i.e. a claimant will not be able to take action on an act which arises out of his own illegal act.
Extrinsic Evidence	Evidence regarding a contract that is not included in the written version of the contract like the circumstances that surround the contract or statements made by the parties. The court can use extrinsic evidence, if it feels that the contract is ambiguous in nature.
Eyewitness	A person who was actually present at an event and saw the event, usually a crime and testifies in court is called an eyewitness.
Face Amount	The original amount stated on the face of the insurance policy as stated in the document without calculating interest.
Fact	Any information, event, or anything that occurred which can be proved in a court of law.
Fair Comment	Fair comment is usually a defense used for a criminal prosecution of libel. It proves that the statement made was based on facts and was not made with dishonorable motives. If he proves that, then he can say that his comment was a fair comment. The US Supreme Court has ruled that even if a statement that is not true is made on a public figure, it will not be libel unless it is proved that the intention was malicious.
False Arrest	Restraining personal liberty without lawful authority is called false arrest. It involves illegal arrest, actual detention, and complete loss of freedom.
False Impersonation of a Citizen	Assuming the identity of a citizen to gain benefit, avoid an expense, or cause harm to a person is called a false impersonation.

Family	Family includes a group of persons related by blood, marriage or adoption, who live together under common household authority.
Family Allowance	Family allowance is an amount determined by law, given to the deceased person's family members to support the spouse and children during the time it takes to probate the estate.
Family Court	A court that has jurisdiction over family related or domestic matters which include divorce, alimony, adoption, maintenance, child custody etc.
Family and Medical Leave Act	Family and Medical Leave Act (FMLA) requires employers to provide up to twelve weeks of unpaid leave annually to any employee for any serious medical condition of the employee or a member of the employee's immediate family, or for the birth or adoption of a child. The FMLA covers all public employers and private companies with more than fifty employees.
Fault	In the legal sense, fault mostly is synonymous to negligence. It can also mean responsibility for an act or intentional omission that causes damage to another.
FCC	Federal Communications Commission; a government agency licenses and regulates interstate and foreign communications
Federal Court	Federal courts are courts having jurisdiction over matters of the US Constitution, labor law, federal taxes, federal crimes, etc. These courts derive their power directly from the constitution.
Fee	The general meaning of the term fee is money charged for professional services rendered. It can also mean an inherited or heritable estate in land.
Felony	A crime of grave nature, unlike a misdemeanor, which has a serious punishment of imprisonment of more than a year and sometimes even death.
Filing	The process of submitting a document to the court's clerk for the court's consideration or proving of evidence, etc.
Final Beneficiary	An individual or institution entitled to receive trust property upon the death of a beneficiary. In a family, if the wife is receiving income from the trust left by her husband, the daughter being the final beneficiary receives the principal amount of the trust.
Final Decree	A decree is final when the adjudication in the suit completely disposes off the suit, i.e makes a final judgment in a court case where there is no scope for an appeal.
Final Judgment	When the final decision of the case is put in writing, and where there is no further need or scope of perfecting an order or decision, it is referred to as a final judgment.
Final Settlement	The mutual understanding reached by the parties to resolve a dispute, usually recorded in writing, which they arrive at by compromising and negotiating terms or demands.
Finding	This term covers material questions which arise in a particular case for decision by authority having the case, or the appeal which, being necessary for passing the final order or giving the final decision in the appeal, has been the subject of controversy between the parties.
Finding of Fact	It is the decision which the judge takes on the factual question submitted to it for decision.
First Degree Murder	A murder that was committed by premeditation, or during the course of a serious felony, or by heinous and cruel methods is termed as a first degree murder.
Fixture	An article that has been so annexed or attached to the real estate, that if it is removed it would get damaged, and is regarded as part of the property is called a fixture.
Floating Easement	A floating easement is a right to use another person's property as an access to use a property connected to the former, but without specifying the manner or limiting the right in any manner.
Forbearance	Refraining to do something that he has a legal right to, voluntarily.
Foreclosure	The legal proceedings initiated by a creditor to regain the collateral for loan, when the loan is in default.
Foreign Divorce	A divorce obtained in the court of a foreign country. The divorce jurisdiction of a foreign court depends solely upon the domicile of the parties.
Foreign Laws	The system of laws prevailing in a geographical area outside the country.

Forensics	When scientific principles and methods are utilized in investigation of crimes for presenting evidence in a court of law.
Foreseeable Risk	It is the anticipated danger that a reasonable person should be able to expect in a given set of circumstances.
Forfeiture	A loss or deprivation of goods or property in consequence of a crime, offense, breach of contract, or by way of penalty of the transgressions or punishment for an offense.
Forgery	Whoever marks any false document or part of a document, with the intent to cause damage or injury to any other person, or to deceive someone into believing something is real, commits forgery.
Fraud	Deceit, trickery or intentional perversion of truth in order to induce another to part with something of value, or to surrender a legal right.
Fraudulent Transfer	Every transfer of the immovable property made with the intent to defeat or delay the creditors of the transferors is called a fraudulent transfer.
Free Speech Right	The First Amendment of the United States Constitution, which gives the people the right to express their thoughts without censorship or restraint by the government.
Friendly Witness	A witness who is called by you for helping your case and who you do not need to testify is called a friendly witness.
FTC	The Federal Trade Commission (FTC) is an independent agency of the United States government. Its principal mission is the promotion of consumer protection and the elimination and prevention of anti-competitive business practices, such as coercive monopoly.
Full Disclosure	Mostly in cases of real estate, it is the act of providing all material information about the property intended to be sold, transferred or leased, which can influence the decision of the buyer.
Full Faith and Credit	A doctrine contained in the US Constitution that requires all states to respect the records, judicial proceedings, and public acts of all other states.
Fundamental Right	Fundamental rights are certain rights conferred by the constitution and are guaranteed to all the citizens. They are binding as directly valid law, and no legislation or government who is in violation of them can have legal force or validity.
Gag Order	When a judge issues an order prohibiting the attorneys and parties to go to the media or public with the information about the case, as he thinks it will influence the decision, it is called a gag order.
Gambling	To play a game for money or other stakes, or taking a risk for gaining an advantage.
Garnish	It is a court order usually issued not against a debtor but a third party that holds funds for the debtor to set aside funds for the benefit of the creditor.
Garnishment	A court order seizing a person's property, credit or salary through a third person known as a garnishee, for paying the debt of the creditor.
General Damages	Pecuniary loss for injuries suffered, or breach of contract which cannot be calculated exactly, or cannot be given a value for the injuries are known as general damages. They include pain and suffering, harassment etc.
Genericide	A process by which a brand name or trademark has become a generic description for a product or service, rather than referring to the specific meaning intended by the brand or trademark holder. Some examples are Band-aid, Coke, Escalator, Q-tip and Beer.
Gift	Gift means the transfer by one person to another of any existing movable or immovable property, voluntarily and without any consideration in money or money's worth. Any person who acquires any property or money under a gift is called a donee and a donor is the person who makes the gift to another.
Gift Tax	In the United States, if the value of a gift or combination of gifts from one person to another exceeds \$13,000 a year, then a Federal tax called gift tax is levied on the gifts.
Golden Rule Argument	The golden rule argument is when the lawyers try and persuade the jury to make a decision on the case by trying to put themselves in the plaintiff's shoes, and then deliver the verdict. This form of argument is not always preferred by all judges.
Good Cause	A legally substantial reason presented before a judge for a ruling, that is not arbitrary, irrational or unreasonable, is said to be a good cause.

Good Faith	A thing shall be deemed to be done in good faith, if it is in fact done sincerely and honestly, without any intention to defraud another person.
Good Title	A title to a property that is free from any reasonable doubt, valid in law and does not hold a considerable chance of litigation.
Goods	Goods include all materials, articles, commodities and all other kinds of immovable property, but does not include newspapers, actionable claims, stocks, shares and securities.
Goods and Chattels	Personal property of any kind, but sometimes limited to tangible property.
Goodwill	The advantage or benefit which is acquired by a business, beyond the mere value of the capital, stocks, funds or property employed therein, in consequence of the general patronage and encouragement which it receives from consent or habitual customers.
Governing Law	A provision stipulated in the contract which determines which state laws should be followed in the event of a dispute.
Governmental Immunity	A personal favor granted by the government to its employees against any crime without the consent of the government.
Grace Period	The period of time beyond a particular date, during which a debtor not paying his debt will not be charged a fee. Usually most credit card companies give a grace period of 20 days before interest is charged.
Grand Jury	A body of persons chosen randomly and sworn to inquire into a matter of fact, and to declare the truth upon such evidence as is presented before them by a prosecutor. There are different types of juries, and grand juries do not decide whether a person is guilty or not, they only decide whether a person should stand trial.
Grand Jury Witness	A witness who testifies before a grand jury.
Grand Larceny	The unlawful taking and carrying away of personal property over a certain value set by state law, with the intent to deprive the rightful owner of it permanently.
Grand Theft	The theft of property or services whose value exceeds a specified amount and considered as a felony is called a grand theft.
Grandfather Clause	A provision or clause created by a new law, that exempts the persons who were already in the system and is applicable only to the persons that are new to the system is called a grandfather clause.
Grant	A grant may be defined as a transfer of property by an instrument in writing without the delivery of the possession of any subject matter thereof.
Grant deed	A deed to a property containing an implied or express promise that the transferor has a good title of the property, and that there are no encumbrances of any kind, or if there are, then they should be expressly mentioned in the deed.
Gratuitous	Something given voluntarily or not involving a return benefit, compensation or consideration.
Gross Estate	The total estate that a person owns at the time of his death, including his real and personal property, that may be passed by will or by intestate succession. While calculating the estate tax, the gross estate is taken into consideration.
Gross Income	The entire income of an individual or business from all sources, before subtracting pensions, exemptions or adjustments is called gross income.
Gross Lease	A lease in which the tenant pays a fixed amount of lease for the property, per month or year, irrespective of the maintenance, taxes and other costs that the landlord pays.
Gross Negligence	The intentional failure to perform a manifest duty in reckless disregard of the consequences as affecting the life or property of another is considered as gross negligence.
Grounds for Divorce	The legal reasons or facts and materials to be taken into consideration by the adjudicating authority while giving a divorce.
Group Insurance	A single or blanket insurance policy under which individuals in a group are covered as long as they remain a part of it.
Guarantee	Guarantee includes any obligation undertaken usually to agree to pay another's debt or the document in which this assurance is made.

Guardian	A person who in the opinion of the competent authority is legally appointed to take charge of a minor or his property is called a guardian.
Guardian ad Litem	Where the defendant is a minor, the court shall appoint a proper person to be his/her guardian, who protects the interests of the child during the course of legal proceedings.
Guardianship	When the court appoints a guardian for a minor, the relationship that is created by law is called guardianship.
Guilty	A defendant is said to be guilty either if he admits that he has committed a crime or the finding by a judge or jury that the defendant has committed the crime.
Habeas Corpus	A writ of habeas corpus is a prerogative writ of the highest constitutional importance. It is designed to afford immediate relief from illegal confinement or restraint. Such a court order directs the authorities to bring the detained person before the judge for a hearing to determine the legality of the detention.
Habitual Offender	A person, who has been convicted of multiple felonies, and who by force or habit has grown accustomed to a life in crime. Such offenders are usually, in case of further criminal convictions, given a severe punishment.
Halliday Order	A special court order which is specially designed for reasons of privilege, privacy, confidentiality or the potential personal embarrassment of the party, wherein the plaintiff first obtains the records sought by the defendants to determine what in his or her view is private and confidential, and what is relevant, before the documents reach the defendants.
Harassment	Employment discrimination consisting of unwelcome verbal or physical conduct that is so severe or pervasive, that it affects the terms and conditions of the victims employment. It can be in the form of words, actions, gestures, demands, etc.
Hazard Insurance	An insurance policy that protects against physical damage to the property caused by unexpected and sudden events such as fire or storms.
Healthcare Power of Attorney	A document giving another person the right to take medical or health care decisions on behalf of the maker if he is unable to do so.
Hearing	The entire process of the trial before a tribunal, judge or jury, beginning with the examination of witnesses, presenting evidence and argument until the final decision or order of the court is termed as a hearing.
Hearsay	When a witness testifies in the court providing evidence, that he or she does not know personally, but what he has heard someone else say.
Heir	Any person who is entitled under state law to succeed to the property of a deceased person is called an heir. Though usually it includes the family members of the deceased, it may also include any person who is to inherit his property.
Holding Over	A tenant who continues in possession after the efflux of time with the consent, express or implied, of the landlord, is said to be holding over tenant.
Holograph Will	A will that is written by the testator with his own hand is called a holograph will.
Home Invasion	Home invasion is an unauthorized and forceful entry into a residential premises with forced confinement, assault or battery of the occupants.
Homicide	The killing of a human being by another human being is known as a homicide. Homicide may be culpable (criminal), justifiable or excusable.
Hostile Possession	Occupation or possession of real property, in contravention of the owner's rights, with the intention, whether express or implied, to possess the land exclusively.
Hostile Witness	A witness who testifies against the party, who called the witness to testify is called a hostile witness.
Hotchpot	In a partition suit, all the properties are mixed together in order to facilitate a proportional division between all the parties. This blending of properties is called hotchpot.
Human Rights	Human rights are basic rights or freedom to which all human beings are entitled to, without the government interference. Some examples of human rights are liberty, freedom of expression, equality, etc.
Hung Jury	If a jury cannot reach a final decision in a particular case, it is called a hung jury. In such a case it results in a mistrial.



Husband-wife Privilege	A right wherein the married couple is not obligated to divulge their private conversations even to the court.
Hypothecation	The act of pledging a thing as a security for a debt or demand without parting with the possession.
Identity Theft	It is a crime in which a person obtains key pieces of personal information in order to impersonate someone else for their personal benefit.
Illicit	Unlawful/forbidden by law or contrary to accepted morality.
Illusory Promise	A statement that seems like a promise, but in reality is very ambiguous and does not bind the person by any liability.
Immunity	A personal favor granted by law contrary to the general rule. There are different types of immunities, such as diplomatic immunity and sovereign immunity.
Impanel	Act of the clerks of the court to select a list of possible jurors for the trial of a particular case.
Improvements	In real estate, this term describes such items as curbs, gutters, sidewalks, street lights, and sewer systems constructed to enhance development.
In Camera	When a legal trial is held before the judge in private chambers, where the public is not permitted to witness it, then it is called an in camera hearing. These are common in cases regarding family matters.
Inadmissible Evidence	Any testimony, documentary or tangible evidence that fails to meet the state rules, because it is considered unreliable to be taken into consideration as evidence.
Indemnify	The act of securing against damage, loss, injury or penalty.
Indictment	An indictment is a formal accusation that a person has committed a crime.
Injunction	An injunction is a court order that requires a party to do or refrain from doing specific acts. A party that fails to comply with an injunction faces criminal or civil penalties and may have to pay damages or accept sanctions.
Insolvency	A person is said to be insolvent when he/she is unable to pay the debts as they come due, or when the value of the debts exceed the value of his/her assets.
Intellectual Property	Property that is intangible and created by the human mind like books, inventions and trademarks, is called intellectual property.
Intentional Tort	An intentional tort requires an overt act, some form of intent, and causation. In most cases, transferred intent, which occurs when the defendant intends to injure an individual but actually ends up injuring another individual, will satisfy the intent requirement. Causation can be satisfied as long as the defendant was a substantial factor in causing the harm.
Intentional Tort Defenses	Defenses to an intentional tort include: protection, self-defense, defense of others, defense of property, consent, necessity.
Interim Orders	A temporary order made by a judge during the trial, until a final order is passed.
International Law	International law comprises the rules of conduct, which the states feel themselves bound to observe in their relations with each other.
Interrogatories	In civil and criminal law, interrogatories (also known as requests for further information) are a formal set of written questions propounded by one litigant and required to be answered by an adversary, in order to clarify matters of fact and help to determine in advance what facts will be presented at any trial in the case.
Intestate	A person is deemed to die intestate when he dies without making a valid will.
Ipsa Facto	Latin term, which means, "by the act itself". It is used by lawyers when the point is so clear that there is no need for any elaboration.
Irrevocable Trust	A trust that once made, cannot be revoked or changed. They are permanent in nature.
Jeopardy	A person is said to be in jeopardy when he or she is placed on trial and is at the risk of conviction and punishment. Jeopardy attaches after a jury is sworn to try the case.
Joint and Several	Usually used in a judgment of negligence or recovery of debt, when there are two or more defendants, each of the defendants are responsible for the entire debt or damages regardless of the individuals share.

Joinder	When various lawsuits or various parties are joined together in one lawsuit, because the factual conditions or issues are the same for all the parties it is called a joinder.
Judgment	A judgment is the final court decree or order given by the judge based on all the facts and evidence presented by the parties.
Judicial Review	It is a process wherein the courts have the power to examine the decisions of the lower courts or executive and legislative actions to determine whether it is against the constitution. It has the power to revoke the act if it is against the principles of the constitution.
Judicial Proceeding	The entire process in the court by which a legal judgment is reached upon by the judge or jury is called a judicial proceeding.
Jump Bail	When a person fails to attend court after he is released on depositing bail, he is said to jump bail.
Juris Doctor	A juris doctor is the degree awarded to a student who has completed his or her graduation in law in the United States.
Jurisdiction	A valid legal authority to hear and give a judgment on a case. If a court does not have a valid jurisdiction, the judgment passed will not hold any value.
Jurisprudence	The word jurisprudence comes from the Latin word 'juris prudentia', which means the study of knowledge or science of law. It covers the study of the entire legal system and legal philosophies .
Jus Naturale	Latin term for 'natural law'. It is the set of principles that are not derived from the constitution or any legal authority, but from the universe and are applicable to all human beings.
Just Cause	Also known as good cause or lawful cause, it means a legally valid or sufficient cause to prove your claim. The plaintiff has to prove to the court that there is a just cause for his claim to be granted.
Justice	The fair and undiscriminated treatment of all individuals while deciding on a judgment or a public officer authorized to decide cases in a court of justice.
Juvenile Court	A special court designed for hearing cases involving the rights, welfare and health of children under the age of 18. Children charged with a crime have their cases heard in juvenile courts.
Juvenile Delinquent	A minor charged with a crime is called a juvenile delinquent. They usually have different punishments that do not apply to adults, and are tried in juvenile courts.
Kidnap	Forceful and unlawful abduction, and detention of a person against his/her will, with the intent to demand ransom, to make him hostage, to threaten a third person, to cause physical harm to the person or to abuse sexually, or for any such reason.
Kin	The closest relatives of a person, especially by blood, but includes those who are related by marriage and adoption too. This term is mostly used to denote those relatives, who are entitled by law to inherit the property of a person who dies without leaving a will.
Kick-out Clause	A provision incorporated in sales contracts, which allows the seller to void the agreement in case of receiving a better offer before the closure of the sale. This clause is mostly used in real estate contracts.
Knowledge	An awareness of the actual facts. A person can be guilty of an unlawful act, if he is doing it with actual knowledge of the facts. For example, a person buying stolen goods, with the knowledge of the real facts that the goods are stolen, makes his act a crime. But some people may buy the goods without any knowledge of the facts. So, knowledge plays a vital role in proving such crimes.
Laches	The legal doctrine, which takes away the right to seek remedy from those people who cause unreasonable delay in asserting or claiming a legal right, thereby causing disadvantage to the opposing party.
Larceny	Earlier, the crime of theft was referred to as larceny. This legal term denotes unlawful taking away of another's property, without the consent of the latter. This term is still in usage in some common law jurisdictions.
Law	A set of rules established and enforced by a governing authority of a state, and is applicable to the people of that state. These laws are enforced by threat of punishment, in case of violation.
Lease	A form of contract, whereby the owner of a property allows another to possess and use the same for a limited period of time, subject to certain conditions, in exchange of rent or some value. The owner retains the ownership and has the right to take back the possession after the stipulated period. A person who grants a lease is called the lessor, and to whom it is granted is called a lessee.

Legacy	The term legacy refers to a gift of money or personal property by will. Usually, it does not cover the gifts of real property by will, which is termed as 'devise'. A person to whom a legacy is given is called a legatee.
Legal Terrorism	This term refers to the misuse of legal provisions in order to gain some advantage. It is using or threatening to use some legal proceedings against a person or a group of people, by the perpetrator, in order to satisfy his motives. Such misuse of laws are termed as legal terrorism.
Legal Transplant	In almost all countries, some laws are enacted on the same lines of the existing legal provisions in some other country. Such borrowing of laws or enactment of new laws, after getting inspired by some foreign examples is called legal transplant, which is otherwise known as legal diffusion too.
Legalese	The language in which legal documents are written.
Lemon Laws	These laws make it mandatory for the manufacturers to repair defective cars. If they fail to do so within a reasonable time, they have to make a refund of the purchase price after deducting some amount for the use of the car.
Letter Rogatory	A formal request made a court in one country to a foreign court for judicial assistance, is called letter rogatory. This mechanism is mainly used for the service of process, and for taking evidence. If 'A', staying in the US, wants to sue 'B', a resident of Brazil, the former has to approach the US court, which issues a summons against 'B', and requests the Brazilian court through a letter rogatory, to serve the process on 'B'. The same applies in case of examining a witness staying in another country.
Lexis (or LexisNexis)	LexisNexis Group is a corporation that provides computer-assisted legal research services.
Liability	An obligation, duty or responsibility to do something or to refrain from doing something is called a liability. This can be created by a contract, or by status, or by conditions of social living. An obligation to pay money on breach of contract or for committing a tort is also a liability.
License	A permission given by the concerned authority to do some act, that would be illegal, without that special permission or authorization.
Lien	A right over a property, granted by the owner to another person, as a security for the performance of some obligation, on the part of the former to the latter. The person who grants a lien is called a lienor, and the one who receives it is termed as the lienee.
Life Estate	A right to use and occupy a property, by a life estate holder, only for the duration of his lifetime. This right terminates on the death of the holder, who is called a life tenant. Once terminated, the estate reverts back to the title holder or his/her heirs.
Limited Divorce	Otherwise known as legal separation, limited divorce is granted by to those couples who do not have any grounds for absolute divorce, but are not able to solve their differences. In such cases, the court issues an order, declaring that the couple is no longer living together, but the marriage bond is not dissolved.
Lineal Descendant	This legal term is applied to ancestry and descent. A lineal descendant is a direct descendant or a blood relative in the direct line of descent. For example, the relation of natural parent and the child or the relation between child, father and grandfather.
Liquidated Damages	A clause commonly found to be incorporated in contracts, wherein the parties agree to pay a fixed sum, in case of violation of the provisions of the contract.
Living Trust	Otherwise known as trust inter vivos (between the living), a living trust is created during the lifetime of the trustor.
Living Will	A document executed by a person regarding the life support and other medical treatment, that he/she prefers, in case of sudden debilitation due to some fatal illness that leads ultimately to death.
Locus Standi	A right to bring an action or a right to address a court on a matter before it. For example, a person whose right is violated, has the right to approach a court. There must be sufficient reason to bring an action, and the plaintiff must prove this reason.
Maintenance	The support provided by one person to another with a means of livelihood, especially in cases where the former is legally bound to do so. In family law, this term (also known as alimony or spousal support) is used to denote the financial assistance given by one spouse to another, in case of separation or divorce. Likewise, a father is legally bound to maintain the children, a son/daughter is bound to support the parents, who have no means to live, provided, the former has the ability to maintain the latter.

Mala Fides	An action done in bad faith. A person who buys stolen goods with the knowledge that they are stolen is said to be a mala fide buyer. It is opposed to a bona fide purchaser, who buys the goods without knowing that they are stolen.
Malfeasance	Doing an act, which is illegal and wrongful. If a person omits to do something which he ought to do, then it is non-feasance, whereas doing a lawful act in an unlawful and improper way, so as to cause harm to another is misfeasance. Misfeasance happens due to carelessness or negligence, but malfeasance is done with the intention to cause harm.
Malice	A legal term, which refers to a person's intention to commit a wrongful act, which will result in injury or harm to another.
Mandamus	The name of a writ in Latin, which means 'we command'. This writ is issued to order a governmental agency, individual or administrative tribunal to perform an action, required by law, in case of failure to do that act, or to correct a prior illegal action, or if the official has earlier refused to do that act.
Marriage	A contract made under law, between a man and a woman to become a husband and wife. This legal relationship creates rights and obligations as per the relevant laws of that state.
Material Witness	A witness, whose testimony is considered to be vital for the outcome of the case, as he is presumed to have knowledge about the subject matter of the case.
Medical Malpractice	A professional negligence on the part of a health care provider by an act or omission, in which he/she deviates from the accepted standards of practice of the medical profession and thereby causes harm, injury or death of a patient is termed as medical malpractice.
Mens Rea	This Latin term, which literally means 'guilty mind', refers to the intent required to commit a crime. Mens Rea is one of the two factors that are necessary to constitute a crime. The other factor is actus reus, which denotes the guilty act.
Mesne Profits	The profits made from a land, by an illegal tenant, who is in wrongful possession of the land, which belongs to another. This amount is calculated when a claim is made by the true owner of the property to recover the profits made by the illegal tenant.
Miranda Rights	The rights of a person, who is taken into police custody. It is mandatory for the law enforcement officers to inform the suspects in custody about the Miranda rights. Such action from the side of the police is called Miranda warnings, which informs the detained person about the Miranda rights right to remain silent and right to an attorney.
Misappropriation	Illegal use of another's property or funds intentionally. In law, misappropriation is mainly used to denote such action by a public official, trustee, executor or any agent, who is entrusted with the responsibility to take care and protect another's assets.
Modus Operandi	This Latin term means the method of committing a crime. It is also referred to as M.O., which can be used to identify the person who has committed a crime, in case of repeated criminal acts, which have a particular pattern of performance.
Moratorium	In simple terms, moratorium means any temporary suspension of an activity. It can be a suspension of legal action against a person or a group of persons. It can be a voluntary suspension of the collection of debts by banks or by the government or under court order.
Mortgage	Pledging a real property as a security for the repayment of the debt involving that property is called a mortgage. The person who receives the mortgage and lends money is called a mortgagee, and the person who concedes a mortgage is called a mortgagor.
Motion	A proposal or application to the court by a litigant or his counsel, seeking some order or ruling. Motions can be made orally or written, either on notice or ex-parte. The applicant is known as the movant or the moving party.
Motive	A very important factor as far as criminal law is concerned, motive is the reason for a person to commit a crime. It is the inner drive, which induces the person to act in such a way, so as to commit a crime. It is not necessary that there will be a motive behind every crime, but proving the motive makes it easier to understand the case.
Murder	One of the most serious crimes, murder can be defined as the intentional and unlawful killing of one person by another, without any legal justification or provocation.
Naked	In a legal context, this word is used to denote something, which is devoid of any power or effectiveness, or something that is not complete. A 'naked title' is a title which does not give the holder any rights over the property. A naked contract (nudum pactum) means a contract which lacks consideration, so that it is not a proper contract.

Named Plaintiff	In a class action (a lawsuit, in which large number of people collectively bring a claim to court), a small group of plaintiffs are identified by their name, and they represent the interests of the larger group. This is done with the approval of the court.
Negligence	The failure to exercise reasonable care to avoid causing harm to another person or other's property is called negligence. The factors which constitute negligence varies with the facts of individual cases. It can be an action or an inaction.
Negotiable Instrument	A written instrument signed by the maker for the purpose of unconditional payment of a fixed amount of money, at a specified future date or on demand, to the payee or to his order or to the bearer. E.g. check and bill of exchange.
Next Friend	A term used to denote a person, who appears for another in litigation without any official appointment. The next friend may or may not be a close relative, but the person for whom he appears must be unable to maintain a suit, or does not have an appointed legal guardian or must be an infant.
Next of Kin	A legal term used to denote the nearest blood relatives of a person, who dies intestate.
No-fault Divorce	A no-fault divorce is granted in such cases, where there is no prospects of reconciliation and the incompatibility between the spouses is considered as a ground for divorce. This type of divorce does not require the finding of any fault-based grounds for dissolution of the marriage.
Notary or Notary Public	Notary public is an official appointed by the state, and has the power to administer oaths, certify documents, take acknowledgments, and to take depositions (if he/she is also a court reporter). In case of attestation of affidavits by a notary, the signature and seal of that official is necessary.
Notice	Information or knowledge, communicated through various means. It is said to be an actual notice, if the information can be shown to have reached the other party. It is constructive notice, when it is presumed by law that the information has been communicated, when certain acts are done.
Novation	Displacing an existing valid contract with a new one, which happens with the mutual agreement of all the concerned parties. This gives rise to new rights and obligations, which is accomplished by substituting any of the parties to the contract or the performance to be made under the contract.
Nuisance	Any activity (intentional, negligent or ultra hazardous), which causes substantial interference with the occupation and enjoyment of property. Nuisance violates the right of another person to use and enjoy his/her property and may lead to a lawsuit for damages or injunction.
Obiter Dictum	An opinion, remark or comment made by a judge which does not form an important part of the court's decision. The term 'obiter dictum' is derived from a Latin word meaning 'things said by the way'. It is basically a side opinion which is not an integral part of the judgment.
Obligation	A legal requirement to do what is imposed by law, contract, or as a result of unlawful harm caused to the person or property of another. In a more technical meaning, it is a duty to do something agreeably to the laws and customs of the country in which the obligation is made.
Occupational Crime	A crime committed by a person during the course of legal employment like misuse of an employer's property, theft of employer's property, or misuse of sensitive information for personal gains.
Of Counsel	It is a reference to an attorney, who assists in the preparation or management of the case, or its presentation on appeal, but is not the principal attorney for the party. This attorney is not actively involved in the day-to-day work of a law firm, but can be available for specific matters or consultation. Read for more on tips for selecting a law firm.
Offense	A violation of law or an act which contravenes the criminal law of the state in which it occurs. Crime, offense and criminal offense are often used interchangeably.
Offer	An offer is an explicit proposal to an agreement, which, if accepted, completes the agreement and ties both the person who made the offer and the person accepting the offer to the terms of the agreement.
Oligarchy	The term 'oligarchy' means "rule by a few". It is a form of government in which a few persons (usually the rich) rule and govern for their own advantage, rather than the public good by assuming all legislative and administrative authority.
Ombudsman	It is an official appointed by the government or parliament to safeguard rights of citizens by receiving, investigating or addressing complaints against the government services or policies.

Omission	A failure to carry out or perform an act. According to the criminal law, if a person breaches his/her duty or does not take adequate action to prevent a foreseeable injury or harm, then such an act or failure constitutes an omission.
Omnibus Bill	A draft law before a legislature which comprises more than one substantive matter, or several minor matters which have been put together into one bill, apparently for the sake of convenience.
Omnibus Hearing	A criminal pretrial hearing soon after a defendant's arraignment (the accused is brought before the court to formally read the complaint against him). The main objective of the hearing is to determine the admissibility of evidence which includes testimony and evidences seized at the time of arrest. These hearings are governed by the state laws and the local court rules, that vary by area.
Onus Probandi	A general rule in which the party who alleges the affirmative of any proposition has to produce proof for it, i.e. the party has to support their case by a particular fact of which they should be cognizant.
Open Verdict	It is an option open to a Coroner's jury at an Inquest in the legal system of England and Wales. The verdict implies that the jury confirms that the death is suspicious, but is unable to trace any of the other verdicts open to them, i.e. the jury affirms that a crime has been committed without stating by whom. Most cases of open verdict is related to suicides, where the intention of the dead person is difficult to prove.
Order of Filiation	An official document declaring a man to be the father of a child. Once the order is made, the father has an obligation to support the child and may have rights regarding the child's custody or visitation.
Outcry Witness	The outcry witness is the person who first witnesses the child's outcry regarding the child's abuse, and is obligated to report the abuse to the concerned authorities.
Outlaw, Outlawry	Outlaw is an act of being put out of the protection of the law, by a process regularly sued out against a person who is in contempt in denying to become amenable to the court having jurisdiction. These proceedings are also known as the outlawry.
Overrule	A decision by a higher court finding that a lower court decision was in error. It refers to a judge's dissent with an attorney's objection to a question to a witness or admission of evidence. Overrule may also refer to the appeals court overthrowing a previous ruling on a legal issue, so that the prior decision is no longer a valid precedent on that legal question.
Overt Act	It's an action which might be innocent in itself, but if part of the preparation and active furtherance of a crime, can be considered as an evidence of a defendant's involvement in a crime. However, the contemplation or intention to commit a crime is inadequate to convict the person of a criminal attempt, conspiracy or treason, a manifestation of such an intent by an overt act is sufficient.
Ownership	It's the state or fact of exclusive legal rights or possession over property, which can be an object, land/real estate or intellectual property.
Palimony	The term palimony has meaning similar to 'alimony', except that award, settlement or agreement arises out of non-marital relationship of couples who lived together for a long period of time, and then terminated their relationship. The deciding factor in such a support is whether there was an agreement that one partner would support the other in return for the second making a home and doing other domestic duties.
Paralegal	A paralegal is a person who performs substantive and procedural legal work as authorized by law, without a law license, which would have been performed by an attorney in the absence of the paralegal.
Parens Patriae	The term Parens Patriae is derived from a Latin word meaning 'parent of his country'. It's an inherent jurisdiction of the courts to make decisions regarding people who are unable to look after themselves, like children or incompetent persons.
Parental Consent	Also known as parental involvement or parental notification laws, parental consent is referred to the parent's right to give consent before their minor child gets engaged in certain activities like body modifications, marrying, education, field trips, etc.
Parricide	It's an act of killing one's father, a family member or close relative.
Partial Verdict	According to criminal law, a partial verdict occurs when the jury finds the defendant guilty of one or more, but not all the counts against him. The verdicts may or may not be announced instantly.
Partnership	It's an affiliation of two or more people who agree to share in the profits and losses of a business venture. There are different types of partnerships      general partnerships, limited partnerships, and limited liability partnerships.

Patent	An exclusive right granted to an inventor to make, use or sale an invention for a fixed period of time, approximately 17 years from the date the patent was published.
Peace Bond	A commitment by an individual to a court of law, that sets out specific conditions in which he commits himself to keep the peace, good behavior and protect the safety of others or property.
Pendente Lite	The legal term pendente lite means 'pending the litigation'. It's a court's order that lasts until the date of the trial or until the parties to a lawsuit work out a settlement.
Perjury	Also known as forswearing, it's an intentional act of lying or stating a false oath or affirmation to tell the truth, whether verbally or in writing, pertaining matters material to a judicial proceeding.
Perpetuating Testimony	It's the recording of evidence, when there's a fear that the person may soon die or disappear, and the evidence if recorded, could be used to prevent any kind of injustice or to support a future claim of property.
Pillory	A medieval punishment and constraining device made of mobile and adjustable boards through which a prisoner's head or limbs were pinned.
Plea Bargaining	Negotiations during a criminal trial, between an accused person and a prosecutor in which the accused accords to admit to a crime (quite often a lesser crime than the one set out in the original charge), avoiding the expense of a public trial, in return for which the prosecutor agrees to ask for a more lenient sentence than would have been advocated if the case had of proceeded to full trial.
Pleadings	Written statements of the parties to litigation in which they formally set out the facts and law which support that party's position. The principal pleadings are the complaint, answer, reply or petition.
Pleading Papers	Courts have different requirements as to the format of the pleading paper that must be used, such as the width of the left and right margins, how many numbered lines are included, the font and point size and the vertical border line(s) at the left and right of the page. The three main styles are (1) Blank Format; (2) California Format which includes line numbering; and (3) Left & Right Ruled Margins.
Power of Attorney	A power of attorney is an instrument containing an authorization for one to act as the agent on someone else's behalf in legal or business matters. Also called the letters of attorney, it terminates at some point in the future either by its terms and conditions, or by operation of law like death of the person or agent.
Preamble	The term is particularly applied to an introductory statement, a preliminary explanation of a statute or contract, which summarizes the intention of the legislature in passing the measure.
Precedent	It refers to a prior reported opinion of an appeals court which forms the basis in the future on the same legal questions and facts decided in the prior judgment.
Prima Facie	The term prima facie is derived from a Latin word meaning 'at first look' or 'on its face'. It's an evidence before trial, which is enough to prove the case unless there's significant contradictory evidence shown at the trial. A prima facie case has to be presented to the Grand Jury by the prosecution in order to get an indictment.
Privileged Will	It's a will valid despite the defect of form, made by mariners or soldiers.
Privity of Contract	A doctrine of contract law that forbids any person from seeking the enforcement of a contract, or suing on its terms, unless they are a party to that contract.
Probate Court	A court that handles wills and estates.
Pro Bono	Legal term for providing legal services free of charge.
Pro Se	Pro se legal representation means advocating on one's own behalf before a court, rather than being represented by a lawyer.
Qualified Immunity	A legal doctrine that is used to protect state and federal officials from liability of civil damages, in case of violation of an individual's federal constitutional rights, of which a reasonable person would have known. The defense of qualified immunity is developed by the US Supreme Court, in order to shield and protect state and federal officials from the fear of litigation while performing discretionary functions, entrusted to them by law. So, even if a violation of a constitutional right has occurred, the official will be protected, if the said right was not clearly established or the official could have reasonably believed that his conduct was lawful.
Qualified Privilege	This legal term is used to denote a defense in defamation actions, according to the specific occasions, which give rise to the defamatory statement from the defendant. A qualified privilege is available, only when the defamatory statement comes under these specific occasions, like a statement made in good faith without malice, or the defendant has an interest or duty to make such a statement and the plaintiff has a corresponding interest or duty to receive that statement.

Quantum Meruit	A Latin term, which means, "as much as he deserved". This is a legal principle that determines the actual value of goods exchanged or services rendered. When a person hires another to do some work and the contract is not completed or rendered non-performable, the employee can sue the employer for the services rendered. The law implies a promise from the employer to the employee that he will pay him for the services rendered as he may deserve or merit. If there is an express contract, the employee cannot sue the employer for a quantum meruit, but in case of failure of consideration, this principle can be used.
Quasi-contract	An obligation created by an order of the court and not by an agreement between the parties. A quasi-contract is created by a court, in a dispute regarding payment or service, when one party is getting some unjust enrichment.
Quid Pro Quo	A Latin term which literally means, "something for something". This concept of getting something of value in return of giving something of value is similar to the contractual concept of consideration.
Quit Claim Deed	The deed through which a person relinquishes his right or a right he may have in the future, over a property and transferring the right to some other person is called a quit claim deed. A quit claim deed does not guarantee that the title of the grantor (person granting the right) is clear. Read more on how to file a quit claim deed.
Quo Warranto	A type of writ, which literally means, "by what warrant or authority"? This writ is used to challenge the authority of a public official or a corporation to exercise a particular power.
Ratio Decidendi	The Latin term, which refers to the reason behind a decision of a court or the principle upon which the decision rests. Ratio decidendi of the higher courts are binding on the lower courts, while deciding similar cases. So this can be considered as an important tool for a lawyer.
Real Estate	Land and the permanent fixtures attached to the land constitute a real property. Hence, a building attached to land is real property, but the furniture in the building are not.
Reasonable Doubt	A legal term used in the law of criminal procedure. An accused person can be acquitted, if the prosecution fails to prove the guilt of the accused beyond 'reasonable doubt' and the jury is not convinced of his/her guilt. In order to pronounce an accused person to be guilty, there should not be any doubt regarding the guilt of the accused, and it should be proved with ample evidence.
Rebuttable Presumption	A presumption of fact, which is accepted by a court of law, until it is proved to the contrary.
Record Sealing	In some cases, the court records are sealed or destroyed, so as not to make it accessible to public as a public record. If anyone wants to review such records, court permission is required, and otherwise such records will be kept sealed.
Recusation	A legal term, which denotes the process by which a judge or prosecutor voluntarily excuses himself from a legal case, or is removed from a case due to various reasons, like conflict of interest, bias or relation to a party to the case, etc.
Rectification	A correction or an amendment done to a written document through a court order.
Redemption	A seller buying back the property, which has been sold, by returning the purchase price to the buyer.
Redirect Examination	Examination of a witness, after the cross examination, in order to question him about the matters, which were brought up during the cross examination.
Remainder	A legal term, which refers to a future interest, held by a person in a real property of another person. Such future interest becomes effective on the expiration of other interests over the property created at the same time as that of the future interest. This can happen when the owner of a property gives the present interest of the property to one or more persons for a stipulated period or for life, and at the same time gives a future interest to another. Such future interest is called a remainder.
Remand	The literal meaning of the word is 'to send back'. In the legal context, a case is said to be remanded when an appellate court sends back an appeal case to the trial court for further action. In criminal cases, an accused person, presented before a judge for preliminary hearing may be remanded into custody, if the judge feels that there is sufficient reason to keep the accused in detention, before trial.
Remittitur	A legal term, which has different meanings as per the context. In case of a verdict, a remittitur means an order by a judge, reducing the award or damages granted by a jury in a civil case, as it exceeds the amount claimed by the plaintiff. Such an order is granted when a motion is moved in the court to that effect. This legal term is also used in place of 'remand', to denote the sending back of an appeal case from the appellate court to the trial court.



Res Ipsa Loquitur	A Latin phrase, which means, "the thing speaks for itself". This is a legal doctrine, which presumes negligence on the part of a person who causes injury to another, when the former was in exclusive control of whatever caused the injury, and it is almost impossible for such an accident to occur without the negligence of such person.
Rotating Custody	A custody agreement, wherein there is no primary custodial parent, as the parents alternate custody of the child. Otherwise known as split custody, rotating custody is granted by the court after taking into account many factors, like the preferences of the child, so as to avoid any disruptive effect on him/her.
Safe Harbor	Legally speaking, a safe harbor refers to that provision or clause in a statute that eliminates or lessens the liability of a party to the case under the law, considering the fact that the actions of the party were in good faith.
Sanction	Generally, the word sanction means to approve or ratify, but in law, sanction can denote the penalty or punishment awarded to a person for breach of law.
Scienter	A Latin term which means, 'guilty knowledge'. If a person does an act voluntarily and intentionally, fully knowing the consequences, he is said to have the guilty knowledge, which has to be proved in some crimes.
Scrivener	A scrivener is a person who drafts legal and other documents for others, usually for a fee. It can be a lawyer, if he does not give any legal advice, but simply drafts the document. It can be a non-lawyer too, who may land in trouble for practicing law without a license.
Scrivener's Error	A term used to denote an error done by a clerical staff in a legal document. This term is mainly used to save higher officials from the blame of committing a mistake in a document, and putting the blame on the clerical staff.
Second Degree Murder	A murder, which is not pre-planned, but results from an assault, which is likely to cause death. Unlike a first degree murder which is pre-meditated and intentional or results from a crime, like arson, rape, robbery, etc., a second degree murder lacks premeditation, and is done with malice afterthought.
Sedition	The crime of revolting or supporting an uprising against the government. This crime involves speeches or publications, which may trigger public unrest and disrupts the operations of the government.
Self Defense	The right to protect one's person, family members and property (in some cases) from injury, from the attacks of an aggressor is called self defense. It is a defense in some cases, where the person is not held responsible for an act which is carried out in self defense.
Sentence	A punishment given to an accused person, who has been convicted of a crime.
Sequester	The process of separating the jury from outside influences by isolating them from any external contact, like the media, general public and even families. This is done to avoid anyone from influencing the verdict.
Sequestration	The act of taking away the property of a person from his possession under the process of law, for the benefits of a creditor or the state. A sequestration can be voluntary, if the person deposits the property by his own will, or it can be involuntary, if the authorities seize the property. Such an act is done when the ownership of the property is under dispute and a verdict is being awaited.
Seriatim	Latin for "in series", this is a legal term typically used to indicate that a court is addressing multiple issues in a certain order, such as the order that the issues were originally presented to the court.
Servient Estate	A legal term used to denote a piece of real property, which is subject to any use that benefits another property is called a servient estate. For example, a property with a right of way imposed upon it, in order to benefit an adjoining property is called a servient estate, and the other one which uses the said property (for right of way) is called a dominant estate.
Severability	A legal term, which refers to a contract clause, which states that if some parts of a contract are held to be illegal and hence unenforceable, it does not mean that the rest of the contract is also unenforceable. In short, even if some parts are held unenforceable, the rest of the contract is still valid and binding.
Slander	Slander is the oral communication of a statement that makes a claim, expressly stated or implied to be factual, that may give an individual, business, product, group, government, religion, or nation a negative or inferior image.
Sobriety Test	A test to find out whether a person is in an intoxicated state or not. This test may involve the use of devices to check the level of blood alcohol or a breath test, or some test to check the motor skills which may be affected by intoxication.

Solatium	A compensation for emotional harm or for hurting feelings. This type of compensation, which is different from that which is awarded for financial or physical harm, is used in Scots law.
Sovereign Immunity	A legal doctrine, which shields the sovereign or the government from civil suits and criminal prosecution, and states that the sovereign cannot commit a legal wrong. This doctrine is used to protect the government servants too, if they were acting on behalf of the government.
Solvency	Unlike insolvency, wherein a person or entity is unable to pay off the debts, solvency describes the status of a person or entity, who has enough assets to pay off the debts or liabilities.
Space Law	The body of law, which governs the space-related activities and includes international treaties, conventions, etc.
Specific Performance	Specific performance can be considered as an equitable remedy in case of breach of contracts, where monetary damages are deemed to be inadequate and compels the party to comply with the contractual obligation.
Station House Bail	It is a type of bail, which is granted to those who are accused of misdemeanors (lesser criminal acts), and are permitted to pay at the police station itself, facilitating their release prior to appearing before a judge.
Stare Decisis	A Latin term, which means, "to stand by things decided". It is a legal doctrine, which states that the decision made by a court, in a particular case, on a certain set of facts, has to be followed and applied by lower courts or courts of same rank, in future cases with a similar set of facts. In simple terms, decided cases or precedents are binding on lower courts, while deciding cases with similar facts.
Status Quo	A legal term, which refers to the present state of affairs and a status quo order is issued by a judge, in order to prevent the actions of the parties to the case, until the case is resolved.
Subpoena Duces Tecum	A command to appear at a certain time and place to give testimony and to bring items specified therein.
Tangible Asset	Tangible asset refers to any asset that has a physical existence. Such assets can be perceived through the sense of touch and can have a price or value attached to it.
Tenancy	Tenancy refers to a state or contract by which the owner of a property, who is known as the landlord, gives sole possession of his property to another person known as the tenant. In exchange of this transfer of possession of property, the tenant makes a periodic payment of a particular amount to the landlord that both the parties have mutually agreed upon.
Tenancy in Common	A form of ownership of real property in which two or more persons possess the property simultaneously; it can be created by deed, will, or operation of law.
Testamentary Capacity	It refers to the lawful ability of a person to sign a will.
Testimony	Testimony is a law term that refers to the statement made by a witness under oath in a legal proceeding. This testimony is treated as an evidence.
Title (property)	It is the legal term for ownership. The term also encompasses the right and duty to protect a property and the power to dispose it.
Tort	Tort refers to a civil wrong that does not consist of a breach of contract. An injured person can sue the wrongdoer for the tort and claim damages as well.
Trademark	Any slogan, mark, picture or logo used by a person or company to identify and distinguish goods or services that he provides from those of others in the same field.
Transfer	The act by which the owner of a thing delivers the thing and all his rights on it to another person.
Treason	Treason refers to betrayal, treachery or breach of allegiance against the head of a state (the government or the monarch). The Constitution of United States defines this law term as any act that imposes war on the state or aid or comfort given to its enemies.
Trespass	As per law terms, trespass refers to unlawful interference, violation or entry into another person's property or rights. It also includes illegal violence against a person that may cause harm to the victim.
Trust	Trust is the property given by a donor to a trustee who looks after the property for the benefit of a third person called the beneficiary. This beneficiary gets interests and dividends from the assets in the trust for a specific number of years.

Turbary	In common parlance, turbary refers to an area of peat land from which mat of grass and grass roots (turf) or any other material can be extracted to be used as fuel. As a legal term, turbary refers to the right of an individual to cut turf from a turbary that is jointly owned by him and another person or from a turbary that is exclusively owned by someone else.
Unalienable	A thing or a right, which cannot be transferred to another. While some rights like the right to life cannot be transferred, the transfer of some things are prohibited by law (for example, pension granted by the government cannot be sold or transferred).
Under Color of Law	An act done by a state official, during the course of his official duties (whether or not within his power), is said to be an act under color of law. An action under color of law, which deprives the federal civil rights of an individual is in itself a crime.
Ultra Vires	A Latin term, which means, "beyond powers". Mostly used as a doctrine in the law of corporations, ultra vires denotes an action by a corporation or the officials of the corporation, which is outside the powers granted to them by law. Such actions are considered to be illegal. In short, any action done by any individual or entity beyond their powers is considered as ultra vires.
Undue Influence	Any act by a person, which influences the free will of another or persuades another to do something, which he would not have done otherwise, amounts to undue influence. But such an act does not involve any force or threat, and is often used as a defense in will contests to refer to outside influences that affected the free will of the testator or the maker of the will.
Unjust Enrichment	Availing benefits from the action or property of other person without any legal justification is called unjust enrichment. It is an equitable doctrine which can be applied when there is no contract between the parties, and is used to prevent unjust enrichment. The person who is getting unfair benefits must return the same.
Unlawful Assembly	A gathering of three or more persons, with an intention to commit a crime, to disturb the peace or that creates a fear in the mind of the observers that some unlawful action, which involves violence will result.
Unnatural Will	Otherwise known as undutiful wills, unnatural wills are made to bestow the estates of the testator to complete strangers, rather than close relatives. Unlike an unnatural will, an officious will is made to distribute the testator's estates to his natural heirs.
Usufruct	The right to use and enjoy the property of another for a stipulated time period or for life. A person with this right can use the property, enjoy the benefits or income arising from it, can rent it out and collect the rents for himself. He need not share anything with the real owner of the property, but cannot alter or destroy anything in it and should not dispose it.
Usury	Charging a person with interest rates more than what is allowed by the law is called usury. If it is proved before a court that the interest rates on a loan is higher than the legally allowed one, the court may order the person to pay the principal amount only and makes the interest due void.
Vacate	A term with various meanings, vacate refers to overruling of court orders or decisions or making it void. Usually, a decision is vacated for any error, if it is substantial enough to affect the verdict.
Vagrancy	Legally speaking, vagrancy is an offense, which refers to a condition of being intentionally unemployed by refusing to work and living idly without any settled home. It may also include loitering, drunkenness, association with criminals and prostitutes, etc.
Venue	The legally proper and convenient place to file a particular case and to conduct its hearing. The laws regarding venue can be different for different states.
Vicarious Liability	The liability of a person for the negligent and criminal action of another person, even though the former is not responsible for the act. This happens when the person liable is responsible for the acts of the person, who does the act. For example, an employer can be held vicariously liable for the actions of an employee.
Void	Something which is not legally binding and is worthless. A statute, which is declared void no longer exists and the same applies to void contracts, legal proceedings, documents, etc. Something which can be made void at the instance of a party or at the happening of some conditions is said to be voidable (which may become void).
Volenti Non Fit Injuria	A Latin term, which literally means, "to one who is willing, no harm is done". This explains a legal doctrine that a person, who willingly undertakes a dangerous task or puts himself in risky situations, cannot sue for the resulting damages at a later stage.
Waiver	A voluntary and intentional relinquishment of something, especially some known rights. It can be done by express statement or by conduct.

Ward	A person who is under the care of a guardian appointed or confirmed by a court of law. Usually, a ward can be a minor or an incompetent person who is incapable of taking care of himself.
Warranty	A promise made by the seller of a product to the buyer regarding the performance of the product or for doing something.
Warrant of Committal	The power of a judge or magistrate in some countries to enforce a judgment against a person or corporation. This action is initiated when the person or corporation refuses or neglects to comply with the judgment within a known fixed time period.
Westlaw	Westlaw is one of the primary online legal research services for lawyers and legal professionals in the U.S.
Will	A legal term with different meanings as per the context. It can be thoughts of a person, which leads to actions. Mainly this term is used to denote a document which is executed by a person to distribute his estates on the event of his death.
Writ	A court order signed by the issuing judge, making a command to the person to whom it is addressed, to perform a specific act.
Writ of Certiorari	An order issued by the Supreme Court directing the lower court to transmit records for a case for which it will hear on appeal.
Writ of Habeas Corpus	A writ of habeas corpus is a prerogative writ of the highest constitutional importance. It is designed to afford immediate relief from illegal confinement or restraint. Such a court order directs the authorities to bring the detained person before the judge for a hearing to determine the legality of the detention.
Wrong	A violation of another's right or injury caused to the person or property of another. While a wrongful arrest refers to the detention of a person without any legal excuse, a discharge of an employee from service, without any lawful reason and in violation of the contract of employment is called a wrongful discharge.
Year and a Day Rule	A legal principle, which has its roots in common law. Year and a day rule states that in order to constitute a murder, the death must happen within one year and one day of the act or omission, which is alleged to be the cause of the death.
Yellow Dog Contract	An unlawful contract, which compels the employees to make a decision that they will not join any union or participate in the activities of any union, as a precondition for employment. Such contracts are legally prohibited.
Yellowstone Injunction	A legal proceeding, which can be initiated by a tenant to prevent the landlord from terminating the lease prematurely, in case of any claimed default by the tenant.
Young Offender	A minor, who commits a crime is called a young offender, who are treated differently as compared to adult criminals. Young offenders are generally between the age of eight to eighteen, and are tried in special youth courts.
Zipper Clause	A clause, which can be found in employment agreements, which makes both parties waive the rights to bargain on any matter, which is not in the employment contract when it was negotiated and signed.
Zoning	A law regarding the use of land, which is enforced by the local governments. It is used to demarcate various geographic areas in order to protect any specified area, for developing a township, channel traffic, etc.