

LEGAL TERMINOLOGY

[NOTE: translations for Latin and other foreign languages only included where necessary to further explain defined terms]

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

a fortiori (Latin: *from the stronger*): a term used to argue that a proposed conclusion is even stronger than one already reached because the reasoning in the second conclusion is even stronger than the reasoning in the first conclusion.

ab initio (Latin: *from the beginning*): often used to describe a document that is void from its creation or from the start (*void ab initio*).

abet: to help or support, usually in the course of committing an illegal act (i.e., "aiding and abetting").

abrogate: to abolish with authority.

acceleration clause: a provision in a loan agreement requiring that, upon default of one missed payment, the debtor is to pay off the entire balance of the loan, rather than pay each installment when due.

acceptance: the manifestation of assent to an offer so as to demonstrate the intent to form a binding contract; with offer and consideration, a necessary part of the formation of a contract.

accessory: in criminal law, a person who is not the chief actor in an offense, but who aids in or contributes to the commission or concealment of a crime.

acquittal: in criminal law, the legal declaration that a person who has been charged with a crime is not guilty.

actus reus: in criminal law, the physical act that comprises the wrongful-deed aspect of a crime.

ad valorem: proportional to the value of something; phrase generally used in *ad valorem* tax, a tax imposed on real property by municipalities and calculated in proportion to the value of the property, rather than as a fixed sum.

additur: a trial court's order that increases the damages awarded by the jury instead of ordering a new trial.

adjudication: the formal legal process of resolving a dispute through judgment in a court proceeding or the judgment itself.

administrative code: a compilation of laws consisting of state regulations, rather than legislative acts, organized by subject matter.

admissible: allowed or proper; often used as applied to evidence introduced and heard by a court in reaching a decision in a judicial proceeding (opposite is *inadmissible*, meaning, "not allowed" or "improper").

adverse possession: a method of acquiring title to real property by possessing it rather than purchasing it; possession must meet statutory factors, often including intent and knowledge, for a prescribed period of time.

affidavit: a voluntary written declaration of facts sworn under oath by the declarant.

affirm: in the court system, when a higher court confirms and declares valid a judgment made by a lower court.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

assent: agreement, approval or permission by a party.

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

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

at bar: a case or matter in front of the court.

bailment: a legal relationship created when a person (*bailee*) transfers property to another person (*owner*) for safekeeping, with the intent that such property will be reclaimed.

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

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

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

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

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

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

black-letter law: colloquially, the basic rules of law, often found in hornbooks.

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

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

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

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

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

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

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

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

Legal Terminology Quickstudy Law

Christian Drosten



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Revolution's End Brad Schreiber, 2016-08-02 Award Winner in the Multicultural Non Fiction category of the 2017 International Book Awards Silver Award winner for True Crime for the Independent Publisher Book Awards 2022 William Randolph Hearst Awardee for Outstanding Service in Professional Journalism from the Hearst Journalism Awards Program Forty years after the Patty Hearst trial of the century people still don't know the true story of the events Revolution's End fully explains the most famous kidnapping in US history detailing Patty Hearst's relationship with Donald DeFreeze known as Cinque head of the Symbionese Liberation Army Not only did the heiress have a sexual relationship with DeFreeze while he was imprisoned she didn't know he was an informant and a victim of prison behavior modification Neither Hearst nor the white radicals who followed DeFreeze realized that he was molded by a CIA officer and allowed to escape thanks to collusion with the California Department of Corrections DeFreeze's secret mission infiltrate and discredit Bay Area anti war radicals and the Black Panther Party the nexus of seventies activism When the murder of the first black Oakland schools superintendent failed to create an insurrection DeFreeze was alienated from his controllers and decided to become a revolutionary since his life was in jeopardy Revolution's End finally elucidates the complex relationship of Hearst and DeFreeze and proves that one of the largest shootouts in US history which killed six members of the SLA in South Central Los Angeles ended when the LAPD set fire to the house and incinerated those six radicals on live television nationwide as a warning to American leftists

Global Business Today Global Edition 8e Charles Hill, 2014-09-16 Global Business Today has been developed specifically to meet the needs of international students of business Written in a refreshing informative and accessible style it has become the most widely used text in the International Business market with its comprehensive and up to date contents focus on managerial implications and application of international business concepts and incorporation of ancillary resources that enliven the text and make it easier to teach In addition to boxed material which provides insightful illustrations in every chapter interesting anecdotes have been carefully weaved into the narrative of the text to engage the reader Enhancements to the Global Edition include New Country Focus boxes that provide background on the political economic social or cultural aspects of countries grappling with an international business issue to help raise students awareness of how national and geographic differences affect the conduct of international business such as Corruption in the Philippines and the Export Processing Zone Authority of Pakistan New Management Focus boxes that provide lively

illustrations of the relevance of chapter material for the practice of international business including Patenting Basmati Rice and Expatriate Managers New Perspective boxes that provide additional context for chapter topics such as Market Economy in China Australian SMEs Embrace the Chinese Currency and Global Variations in Ownership Structure *Bastards* Matthew Gerber, 2012-02 Children born out of wedlock were commonly stigmatized as bastards in early modern France Deprived of inheritance they were said to have neither kin nor kind neither family nor nation Why was this the case Gentler alternatives to bastard existed in early modern French discourse and many natural parents voluntarily recognized and cared for their extramarital offspring Drawing upon a wide array of archival and published sources Matthew Gerber has reconstructed numerous disputes over the rights and disabilities of children born out of wedlock in order to illuminate the changing legal condition and practical treatment of extramarital offspring over a period of two and half centuries Gerber's study reveals that the exclusion of children born out of wedlock from the family was perpetually debated In sixteenth and seventeenth century France royal law courts intensified their stigmatization of extramarital offspring even as they usurped jurisdiction over marriage from ecclesiastic courts Mindful of preserving elite lineages and dynastic succession of power reform minded jurists sought to exclude illegitimate children more thoroughly from the household Adopting a strict moral tone they referred to illegitimate children as bastards in an attempt to underscore their supposed degeneracy Hostility toward extramarital offspring culminated in 1697 with the levying of a tax on illegitimate offspring Contempt was never unanimous however and in the absence of a unified body of French law law courts became vital sites for a highly contested cultural construction of family Lawyers pleading on behalf of extramarital offspring typically referred to them as natural children French magistrates grew more receptive to this sympathetic discourse in the eighteenth century partly in response to soaring rates of child abandonment As costs of foundling care increasingly strained the resources of local communities and the state some French elites began to publicly advocate a destigmatization of extramarital offspring while valorizing foundlings as children of the state By the time the Code Civil 1804 finally established a uniform body of French family law the concept of bastardy had become largely archaic With a cast of characters ranging from royal bastards to foundlings *Bastards* explores the relationship between social and political change in the early modern era offering new insight into the changing nature of early modern French law and its evolving contribution to the historical construction of both the family and the state

Managing Your Legal Career Richard Lee Hermann, 2010 To compete in today's tight job market you need up to date reliable information on how to manage this phase of your legal career This thorough guide divided into short specific sections that touch on what you'll need to do before your new job hunt while you're looking as you're sitting in the interview once you've gotten an offer and everything in between covers everything you need to know Environmental Law and Policy Zygmunt J. B. Plater, 1998 *Ray Charles* Michael Lydon, 2004-06 Ray Charles Man and Music is a complete biography of this seminal singer pianist who has been active on the American music scene since the mid 50s Originally published in 1995

by Penguin Books and universally hailed as the definitive biography this new edition will bring Charles's life up to date covering the last 7 years of his life. There are only a few legendary singers who have developed mass audiences while pursuing their own artistic visions. Sinatra is one, Ella Fitzgerald another. Ray Charles undoubtedly belongs in this pantheon of major musical stars. *Man and Music* begins with Charles's impoverished childhood in Greenville, Florida, where tragedy struck early when the young Charles went blind at age 6 and was orphaned at age 14. Driven by his enormous talent and determination, Charles landed work playing some of the toughest juke joints in the state, fought heroin addiction, and finally landed a recording contract with Atlantic Records. Unlike other R & B singers, Charles took control of his career from its earliest days, moving on from his gospel soul stylings of the mid 50s to break through musical barriers, recording two country albums in the late 50s at a time when the black presence in country music was barely felt, pure jazz, and then the powerful pop hits of the 60s. Famed music journalist Michael Lydon, a founding editor of *Rolling Stone*, is uniquely qualified to document Charles's career, having interviewed Charles and followed the star's performances since the 1960s. Originally published in 1995 and universally hailed as the definitive biography, this new edition brings Charles's life up to date, covering the last 7 years of his life. It coincides with the release of a made-for-TV movie starring Jamie Foxx as Charles, currently in production by Taylor Hackford. Charles has also issued a new CD recently and remains active as a touring artist throughout the world.

Student Lawyer, 2000 *National Laws and International Commerce* Douglas E. Rosenthal, William M.

Knighon, 2017-10-10 This Chatham House Paper first published in 1982 examines the problem of extraterritoriality. A wide range of economic activity is subject to the laws of more than one state, yet there is little provision for resolving situations where states impose contradictory requirements. This paper is particularly concerned with four areas of difficulty: extraterritorial anti-trust enforcement, overlapping regulatory claims, economic regulation for political aims, and different approaches to adjudication.

Computerworld, 2000-04-10 For more than 40 years, Computerworld has been the leading source of technology news and information for IT influencers worldwide. Computerworld's award-winning Web site, Computerworld.com, twice monthly publication, focused conference series, and custom research form the hub of the world's largest global IT media network.

A Chief Justice's Progress David Robarge, 2000-02-28 Widely regarded as America's most important Chief Justice, John Marshall influenced our constitutional, political, and economic development as much as any American. He handed down landmark decisions on judicial review, federal-state relations, contracts, corporations, and commercial regulation during a thirty-four year tenure that encompassed five presidencies, a second war of independence, the demise of the first American party system, and the advent of Jacksonianism and market capitalism. This is the first interpretive study of Marshall's early life that emphasizes the formative influences on him before he joined the Court. By that time, his character and attitudes were fully formed through his childhood in the Virginia gentry, his service in the state militia and Continental Army, and his work as a prominent lawyer, a Federalist, and a diplomat. Drawing heavily on Marshall's own

writings this study views his pre Supreme Court life as a cumulative experience that formed the identity and value system that he brought to bear on his experiences as Chief Justice Robarge examines Marshall s social and political education in the unique milieu of late 18th century Virginia for its own intrinsic interest as well as for its relationship to his profound contribution to the Court The events and situations that shaped Marshall s personality and attitudes directly influenced his leadership style They also had a deep impact upon his efforts to establish an independent judiciary to unify the nation through territorial expansion and a legal common market and to revive the moribund Federalist party as a balance to the dominant Republicans led by the cousin he detested Thomas Jefferson

Lawyering and Legal Education Into the 21st Century Alvin A. J. Esau,Jonathan Penner,University of Manitoba. Faculty of Law,University of Manitoba. Legal Research Institute,1990 California Courts and Judges ,2009 View from the Top Ron Hogan,2004 In View from the Top managing partners and other top law firm executives give Vault editors their thoughts on what they wish they had learned in law school advice on balancing work and personal life commitments and insider tips on what it takes to succeed as an attorney **California Law Business** ,1993-04 Law in a Changing America American Assembly,1968 Arkansas Law Review and Bar Association Journal ,1962 *TIME Thurgood Marshall* The Editors of TIME,2017-10-13 As an accomplished civil rights lawyer then serving as the first African American justice on the Supreme Court Thurgood Marshall changed the face and course of justice in America becoming an inspirational figure for millions From his early days at Howard University to his 25 year association with the NAACP and the landmark case Brown v Board of Education he championed and triumphed in dozens of cases on civil liberties affirmative action the rights of the accused and the death penalty As a Supreme Court Justice his interpretation of the Constitution led to the insurance of fair treatment for the disadvantaged in a world where judges police and legislatures could not be counted on to use their power fairly and he became a voice for the voiceless Now in a new Special Edition from TIME Thurgood Marshall The Visionary his life and legacy are examined through thoughtful essays and historic photographs This Special Edition traces his upbringing in Baltimore MD his years in college and law school his work with the NAACP his relationship with Lyndon Johnson and more Chapters outline the major cases that came before the Court during his tenure along with his position and another In Their Own Words brings together thoughtful remembrances from those who knew and worked alongside him including Vernon Jordon Juan Williams and Constance Baker Motley Firmly placing Marshall in the context of his time as a visionary and examining how his social and legal legacy lives on to this day Thurgood Marshall is a thoughtful portrait of a great American *Cardozo Studies in Law and Literature* ,1999 *The Journal of the Legal Profession* ,1992

Unveiling the Energy of Verbal Artistry: An Psychological Sojourn through **Legal Terminology Quickstudy Law**

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Table of Contents Legal Terminology Quickstudy Law

1. Understanding the eBook Legal Terminology Quickstudy Law
 - The Rise of Digital Reading Legal Terminology Quickstudy Law
 - Advantages of eBooks Over Traditional Books
2. Identifying Legal Terminology Quickstudy Law
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Legal Terminology Quickstudy Law
 - User-Friendly Interface
4. Exploring eBook Recommendations from Legal Terminology Quickstudy Law
 - Personalized Recommendations

- Legal Terminology Quickstudy Law User Reviews and Ratings
- Legal Terminology Quickstudy Law and Bestseller Lists
- 5. Accessing Legal Terminology Quickstudy Law Free and Paid eBooks
 - Legal Terminology Quickstudy Law Public Domain eBooks
 - Legal Terminology Quickstudy Law eBook Subscription Services
 - Legal Terminology Quickstudy Law Budget-Friendly Options
- 6. Navigating Legal Terminology Quickstudy Law eBook Formats
 - ePub, PDF, MOBI, and More
 - Legal Terminology Quickstudy Law Compatibility with Devices
 - Legal Terminology Quickstudy Law Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Legal Terminology Quickstudy Law
 - Highlighting and Note-Taking Legal Terminology Quickstudy Law
 - Interactive Elements Legal Terminology Quickstudy Law
- 8. Staying Engaged with Legal Terminology Quickstudy Law
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Legal Terminology Quickstudy Law
- 9. Balancing eBooks and Physical Books Legal Terminology Quickstudy Law
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Legal Terminology Quickstudy Law
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Legal Terminology Quickstudy Law
 - Setting Reading Goals Legal Terminology Quickstudy Law
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Legal Terminology Quickstudy Law
 - Fact-Checking eBook Content of Legal Terminology Quickstudy Law

- Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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