

COURT'S GLOSSARY of "those words used" in the legal world

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ABSTRACT	A brief summary of the principles of a case.
ACQUITTAL	The release of an individual, by the court from the charge of an offense; a finding of not guilty.
ACTION	A formal legal complaint in which one contests the deeds of another to safeguard personal and public rights.
ADJOURNMENT	The closing or postponement of court business for recess, lunch or end of day.
ADJUDICATION	The decision or sentence of a court.
ADMINISTRATIVE AGENCY	A supervisory bureau to direct the affairs of others.
ADMONITION	A judicial communication in which a warning or advice is given to a jury or parties appearing in a court.
AFFIANT	A person who makes, and subscribes to, a statement made under oath (affidavit).
AFFIDAVIT	A written statement sworn to before a notary or persons with authority to administer oath.
AFFIRM	To make a solemn statement without an oath.
AGENDA	A schedule of things to be done; a list of cases on a court calendar.
ALIAS	Term used to indicate another name by which an individual is known.
ALLEGATION	A declaration made by a person or person that must be proved or sustained with evidence.
AMEND	To alter by modification, deletion or addition.
ANSWER	The written reply to a charge or claim.
APPEAL	The reopening of a case to a higher court, to right the possible incorrect judgment of a lower court.
APPEAL BOND	Bail or bond posted by one who makes appeal.
APPEARANCE	The personal appearance of an attorney, a plaintiff or a defendant involved in legal proceedings.
APPELLANT	The party who appeals to a higher court.
APPELLATE	To have the power to hear appeals and reverse the decisions of a lower court.
APPELLEE	The party in a cause against whom an appeal is taken.
ARRAIGNMENT	The initial appearance of a person accused of a crime before the court to be advised of the charge against him.
ARREST	The apprehension and detention of a person by authority of the law.

ATTACHMENT	The legal act of securing a person, or their property into the custody of the court for the purpose of satisfying a judgment.
ATTESTATION	To witness a written statement and affirm the same by means of one's signature.
ATTORNEY AT LAW	A lawyer who is qualified by the law to act as liaison for suitors and defendants in legal proceedings.
AUTHENTICATED COPY	A copy of an original document, the accuracy of which is certified by the office that possesses the original document.
BAIL BOND	A written undertaking executed by a defendant of one or more sureties, guaranteeing, either by payment of a sum of money, or by acknowledging liability for a sum of money, that the defendant will make required appearances and otherwise make himself available to the court during legal proceedings.
BAILIFF	One who attends to the legal procedures of the court.
BENCH	Referring to the Judges as a group.
BENCH WARRANT	A warrant issued by a judge to arrest a person.
BILL OF PARTICULARS	<ol style="list-style-type: none"> 1. A declaration of specific facts of a criminal charge. 2. The details of a claim or counterclaim.
BOND	The legal obligation in writing to pay a sum of money to the court.
BRIEF	A written statement of the fact, issues and arguments of a case prepared by an attorney or prosecutor.
BUREAU OF CRIMINAL INVESTIGATION (BCI)	State agency under the direction of the Attorney General that performs scientific testing for police agencies throughout the state and maintains identification (finger print files). Headquarters are in London, Ohio.
CASE	Any action or suit dealt with by law.
CASE LAW	Laws which are established by judicial decision.
CAUSE	Any question, civil, criminal, contested before a court of law.
CERTIFICATE OF JUDGMENT	A document which gives evidence as to the facts stated in the final judgment of a lawsuit and certified by the clerk.
CERTIFIED COPY	A certified copy of a document indicating that the copy is a true and accurate duplication of a document on file.
CERTIORARI	The summoning of legal records by a superior court to a lower court for the purpose of reviewing a case.
CHALLENGE FOR CAUSE	A request, usually made by an attorney, that a person not serve on a jury for a specific reason.
CHANGE OF VENUE	Transferring a case from one court to another or the person ease of the parties, or because of a question as to whether an impartial hearing would be held.

CHARGE	To accuse a defendant of committing alleged offenses.
CITATION	An order, issued by the police, to appear before the court at a later time. Most often used for minor violations of the law,
CLAIM	The specific relief asked for in a civil complaint.
CLAIM AND DELIVERY	The repossession of specified personal property, wrongfully taken and detained. Also referred to as a Replevin.
COMMITMENT	The actual taking of a person by an officer of the court to a jail facility or institution for the mentally ill.
COMPENSATORY DAMAGES	Compensation awarded to a person which is the equivalent of a loss or privation.
COMPETENCY	The ability of a witness to furnish testimony useful to concluding the truth. The ability of a defendant to understand the nature of the charges and proceedings.
COMPLAINANT	One who brings formal charges against another; plaintiff.
COMPLAINT	<u>CIVIL</u> : The pleading in a trial action which states a claim for which restitution is made. <u>CRIMINAL</u> : An accusation that a person has committed an illegal offense. The charging document in criminal proceedings.
CONCURRENT	At the same time, or running together.
CONFESSION	A voluntary statement of guilt made by the person accused of a crime.
CONFISCATE	To take possession of private property without compensation.
CONSECUTIVE	One after the other, or succession.
CONTEMPT OF COURT	Willful disobedience of court order, rules or regulation.
CONTINUANCE	A postponement of a court proceeding in a case to a subsequent day.
CONVENE	The assembling of a body in court; to bring together.
CONVICTION	A verdict of guilt made by the court in a criminal matter.
COST BOND	A legal obligation to pay all court costs involved in a lawsuit regardless of the outcome of the case.
COUNSEL	An attorney.
COUNTERCLAIM	A claim presented by a defendant which challenges any relief requested by the plaintiff.
CRIME	A violation of state statute, or city ordinance that is punishable offense.
CROSS-CLAIM	A claim presented by a defendant opposed to a co-defendant.
CUSTODY	The seizure of a person or property.
CUSTODY STATUS	The determination of whether or not a defendant is in custody or released.

DECLARATORY JUDGEMENT	A binding decision of the court as to the rights of the parties involved in a lawsuit, even though no judgment is awarded.
DECREE	A final sentence, order or judgment of the court.
DEFAULT	The failure of a party to appear and defend him or herself in a court action which results in a decision against him or her.
DEFAULT JUDGMENT	Judgment taken against a party due to his failure to appear, as required, and defend himself.
DEFENDANT	A person against whom a charge is filed, or an action taken.
DEPOSITION	A declaration by a witness under oath, not taken in court.
DETAINER	To keep a person in custody; a writ authorizing someone kept in custody.
DIRECTED VERDICT	A verdict in a case not made by a jury, but taken by a decision of the judge before jury consideration because as a matter of the law from the case presented, there can be only such verdict.
DISCOVERY	The pre-trial methods by which one party may obtain facts and information about the case from the other party to assist in preparation for trial. (Motion for Discovery.)
DISMISSAL	An order to dispose of a civil or criminal action without trial.
WITHOUT PREJUDICE	Meaning that the party who filed the complaint may bring further actions against the same party.
WITH PREJUDICE	Meaning that the party who filed the complaint cannot reopen the case against the same party.
DISPOSITION	The final judgment or disposition.
DISTRIBUTION	The disbursement of funds collected through the clerk to the proper agencies.
DOCKET NUMBER	The numerical system designed by the court to maintain the proper docket books.
DOCKETING	The recording of a pleading or written statement involved in a case.
EQUITY	The court's ability to act fairly in rendering a decision where no specific law involved.
EVIDENCE	Anything that may be considered by the court in order to help settle a question of fact.
EXAMINATION	To ask questions of, or interrogate, a person under oath, in a court of law.
EXECUTION	To carry out an act to its completion. <i><u>WRIT OF EXECUTION</u></i> : A legal process in which the property of a judgment debtor is seized and sold to satisfy a money judgment.
EXEMPLIFIED COPY	An official copy of a public document, attested to by the signatures of the judge and the clerk of courts.
EXHIBIT	An instrument or item which is transferred to the court, and when accepted is made a part of the criminal or civil file.

EX-PARTE MOTION	A motion that is heard by a judge with only one of the litigating partners present.
EXPUNGEMENT	The term expungement is no longer used. See "Sealing of Record of Conviction."
EXTRADITION	The physical transfer of a person residing, or being in on state, to another state where that person is charged with a crime, for the purpose of prosecution.
FELONY	Any of various crimes, in general graver, or more serious in their nature and penal consequences than those called misdemeanors.
FILE	Verb: (To File). The placing of legal document into the custody of clerk who enters the filing into the court records. Noun: A portfolio in a cause containing the original complaint and all pleadings and documents thereto.
FINE	Money paid as a penalty for an offense.
FINDING	A determination on a question of fact reached after examination of investigation by a judge or a jury.
FOREIGN JUDGEMENT	A judgment rendered by a court outside the jurisdiction of the court being requested to act upon it.
GARNISHMENT	The attachment, by legal means of a person's wages or property and brought into custody of the court to satisfy a money judgment.
GRAND JURY	A group of citizens who hear facts presented by the prosecutor. If the jury finds the evidence sufficient an indictment is returned.
GUARDIAN	A person who is legally appointed by Probate Court, to provide for the care and safekeeping of another and his property.
GUARDIAN AD LITEM	A court-appointed person, usually an attorney, responsible for looking after the rights of a minor.
HABEAS CORPUS	To produce the body; a court order requiring an imprisoned person to be brought before the court.
INDICTMENT	A formal written accusation issued by a Grand Jury after its investigation of the evidence charging a person therein named with a crime.
INDIGENT	One who is destitute, needy or poor. A defendant without sufficient funds to hire an attorney and who, in most instances, is entitled to appointed counsel. Or one who after filing a poverty affidavit, may be excused from paying an advance depositor filing fees in the Civil division.
INTERLOCUTORY ORDER	A provisional order, issues by the court, during a trial which decides some point in question but is not a final decision of the case itself.
ISSUE	A particular circumstance at which two or more people are at odds.
JUDGMENT	The final determination of the court in a case.
JUDGMENT	A person in whose favor a money judgment has been awarded in a case.

CREDITOR

JUDGEMENT DEBTOR A person against whom a money judgment has been given and which remains to be recovered by the judgment creditor.

JUDGMENT NOT WITHSTANDING THE VERDICT A decision of the court in favor of one party despite the fact the jury awarded the case to another party.
Abbreviation – Judgment N.O.V.

JURAT One who certifies as to the authenticity of written statement; such as a notary public

JURISDICTION The court's legal boundary or authority to render judgment in a case. The power of the court over a defendant or subject matter.

JURY A group of people temporarily selected from the citizens of a court's jurisdiction sworn to hear the facts of a case. In criminal case, a jury determines guilt or innocence. In a civil case, a jury determines liability, and the amount of judgment, (the amount of judgment is subject to amendment by the judge.)

LIABILITY Condition of being actually, or potentially, subject to an obligation. To have liability is to bear responsibility for an action and be subject to consequence.

LIEN A legal claim, for money, placed as security, for the discharge of an obligation.

MANDAMUS A written command or order. Literal translation is "We command." Issued by a higher court directing an inferior court, corporation, or person to perform a certain act.

MANDATORY ORDER A command issued by the court in which a judgment debtor is required to appear and give evidence as to his financial status.

MINOR MISDEMEANOR An offense that carries a maximum penalty not to exceed \$150.00, and no jail sentence.

MISDEMEANOR An offense that is less serious than a felony. Punishable by fine and /or jail sentence other than in a penitentiary.

MOTION An application to a judge to make a ruling, or take another type of action.

NO BILL As used by the Grand Jury, is equivalent to ' no indictment returned.' The Grand Jury does not believe that the evidence presented was sufficient to warrant filing a formal charge.

NON OBSTANE VEREDICTO Latin for judgment notwithstanding the verdict.

NUNC PRO TUNC Literal Latin translation: "Now for then." A legal phrase applied to an act allowed to be done after the time it should have been done, with a retroactive effect.

ORDER A written command or direction from the court other than final disposition.

PEREMPTORY CHALLENGE To dispute the placing of a particular person on jury without having to show cause or reason,

PETITIONER One who presents to the court a written statement which requests action on so particular matter.

PLA INTIFF The one who files a complaint against a person.

PLEA	A defendant's answer to a criminal charge. Defendant may enter general pleas of "Guilty," "No contest," or "Not Guilty."
PLEA BARGAINING	The working out of a mutually satisfactory disposition of a case between an accused and a prosecutor, subject to approval by the judge.
PLEADING	Formal written statements to the parties involved in a litigation to support their claims and/or offer defense.
PRECIPE	An order issued to the clerk which commands the issuance of a writ.
PRELIMINARY	A hearing held before a judge, of one who is charged with a felony, to determine whether there is probable cause that the person has committed a crime, and should be tried for a misdemeanor, or bound over to Common Pleas Court to await indictment by a Grand Jury.
PREVAILING PARTY	The person, involved in a lawsuit, who receives a favorable judgment.
PROBABLE CAUSE	Substantial evidence that a crime may have been committed by a person.
PROBATION	The releasing of a person from all or part of a jail term or a reduction of the fine assessed, on the conditions that the party conducts his life in accordance with the law under supervision of an officer of the court.
PROCEEDINGS	The actions in conducting judicial business before a court.
PROCESS	A summons, subpoena, or warrant compelling a defendant to appear in court.
PROSECUTOR	A person who represents the people of the state or municipality in a criminal defense. The person is also legal advisor to their respective count and city officials.
PUNITIVE DAMAGES	Money awarded to the plaintiff or judgment creditor, over and above that which would compensate him for a loss.
REAL PROPERTY	Land ad that which is growing on or affixed to same.
RECEIVER	A court appointed person, temporarily responsible for the management of another's property, and money, during a legal dispute.
REMAND	A case that has been returned to a lower court to be heard in accordance with appellate court's decision. Most often used in connection with Municipal Courts in the sense that a Grand Jury indicts and individual for a misdemeanor offense in a case that was referred to the Grand Jury as a felony, and returns the misdemeanor indictment to the Municipal Court for further proceedings.
REPLEVIN	A civil action in which the owner of specific times may recover those times from one who has wrongly detained them.
RES IPSA LOQUITUR	The thing speaks for itself. The deduction that a person was the controlling force in an accident, and that his actions showed negligence.
SATISFACTION OF JUDGMENT	Document which states that all monies owed to the judgment creditor have been paid.
SEALING OF RECORDS	Process be which a person, meeting certain requirements, may have the court order all docket and index references to a conviction sealed. (<i>Originally referred to as an "expungement"</i>).
SEARCH	An order issued by a judge authorizing an officer to search a place

WARRANT	for stolen goods, illegal drugs, etc.
SENTENCE	The formal judgment issued by a court after conviction of a defendant In criminal proceedings, pronouncing punishment,
SERVICE	The delivering of a court document. Depending on the importance of this document, it may be served personally, by mail or by publication.
SHERIFF	An elected county officer whose duties are in accordance with state law, including maintaining a county jail, being process server, and exercising police authority within the county.
SHOW CAUSE	A hearing, before a judge, of a defendant to explain why certain actions should be taken.
SMALL CLAIM	A lawsuit brought by an individual, in which he can claim only those monies which would compensate him for a loss. Usually involves minor disputes for under \$3,000.00, and parties may appear in court without the benefit of counsel.
STATUTE	The cumulative laws of a state as passed by state legislature. In certain contexts, may refer to one specific state law.
STAY	A delaying of judgment.
SUBPOENA	An order compelling a party to appear as a witness and testify before the court.
SUBPOENA TO PRODUCE DOCUMENTS	An order compelling a party to produce a document pertinent to a case in court.
SUMMARY JUDGMENT	The judgment given to the plaintiff in a lawsuit where no issues are brought forward, or answer filed by the defendant, and without having to go to trial.
SUMMONS	<u>CIVIL</u> : An order requiring a person named as defendant in a lawsuit to appear before the court to defend or risk entry of a default judgment. <u>CRIMINAL</u> : A citation to court for an individual in answer to a criminal charge.
SURETY	One who is responsible for the paying of debt for another.
TESTIMONY	Evidence given by a witness, orally, under oath.
THIRD-PARTY COMPLAINT	A claim filed by a defendant against another not previously involved in the original suit.
TRANSCRIPT OF RECORD	A printed record including original records of a case sent to a higher court reporter or stenographer.
TRIAL	Proceedings before a court of law for the purpose of determining guilt or innocence, or civil liability.
UNLAWFUL DETAINER	To lawfully hold from another, property that is rightfully his.
VACATE	To make an action void.
VENUE	Designates a place where a trial may be heard.

- VERDICT** CRIMINAL: The decision made by all the jurors in criminal offense. This decision will be either "Guilty" or "Not Guilty."
- CIVIL: The decision, by no less than three-fourths of the jurors, either for the plaintiff or for the defendant.
- VOIR DIRE** Preliminary examination of a prospective juror, (or witness) where competency and/or objectivity are determined.
- WAIVER** To give up one's right, claim, or privilege.
- WARRANT** An order from the court ordering an officer to perform certain duties.
- WITNESS** One who gives sworn testimony as to what he himself knows.
- WRIT** A mandatory directive to the officer to which it is addressed, requiring him to perform a particular **act**.

ABBREVIATIONS

AKA Also Known as
BCI Bureau of Criminal Investigation
BMV Bureau of Motor Vehicles
DBA Doing Business as
DOB Date of Birth
FDBA Formerly Doing Business as
FKA Formerly known as
NKA Now known as
NBM Now being married
OSP Ohio State Patrol
SSN Social Security Number