Word	Definition	Common Area of Use
Action	Generally, an ordinary proceeding in a tribunal by which one party prosecutes another for the enforcement or protection of a right, the redress or prevention of a wrong, or the punishment of a public offense.	Parties and Procedure
Adjudication	The formal decision of by a tribunal in respect to the parties in a case. It implies a hearing, after notice, of legal evidence on the factual issues involved.	Parties and Procedure
Admissions	Voluntary acknowledgement made by a party of the existence of certain facts.	Discovery
Affidavit	A written declaration or statement of facts made voluntarily and confirmed by the oath or affirmation of the party making it.	Prehearing Procedure
Affirm	In appellate court practice, to declare the judgment of the lower court must stand as rendered; approve	Court review and case law
Answer	A pleading by which the defendant/respondent endeavors to resist the plaintiffs by admitting or denying the factual allegations in the complaint	Parties and Procedure
Appeal	To ask a higher court or tribunal to review the decision of a lower court or hearing official	Court review and case law
Applicant	One who files an application	Parties and Procedure
Brief	A written statement containing a summary of the facts of the case, the pertinent laws and an argument of how the law applies to the facts in support of the writer's position	Hearing
Burden of proof	The obligation of a party to establish by evidence a requisite degree of certainty concerning a fact in the mind of the hearing official	Hearing

Word	Definition	Common Area of Use
Business record	Routine records of regularly conducted activity of a business (or agency); generally defined by statute or regulation and regarded as an exception to the hearsay rule	Evidence
Caption	The heading for a case that indicates the names of the parties, the name of the tribunal, the docket or file number and sometimes the title of the action	Court review and case law
Case in Chief	That part of a hearing in which the party with the initial burden of proof presents his evidence after which he rests	Hearing
Certificate of service	A document certifying that documents have been properly served	Prehearing Procedure
Citation	Reference to a legal authority	Court review and case law
Claimant	One who asserts a right, demand or claim	Parties and Procedure
Clear and convincing	Evidence which is positive, precise and explicit; often defined by case law. In an administrative setting, it usually is more than a "preponderance of evidence" but less than the criminal standard of "beyond a reasonable doubt."	Hearing
Concur	to agree; when an appellate judge agrees with the conclusions or the result, but may have different reasons for reaching the result	Court review and case law
De novo	“Anew.” A de novo hearing is a second hearing conducted as if the first hearing did not occur	Latin
Depositions	A method of discovery by which one party asks oral question of the other party or a witness for the other party, conducted outside the presence of the hearing officer	Discovery
Discovery	Pretrial exchange of information among the parties as permitted by rules of procedure, in order to assist the party's preparation for hearing	Discovery

Word	Definition	Common Area of Use
Dismiss	to discontinue a proceeding without any further consideration or hearing	Court review and case law
Dismiss	Motion to finally dispose of an action without trial of the issues involved	Motions
Dissent	When a judge or judges explicitly disagree with the outcome and/or reasoning of the majority opinion	Court review and case law
Entry of Appearance	Document filed by an attorney in which the attorney sets forth the fact that she is representing a party in the action	Prehearing Procedure
Ex parte	"On one side only." An ex parte communication is an interaction with the hearing officer that is out of the presence of one or more parties to the proceeding. It is considered unethical and often forbidden by statute or regulation	Prehearing Procedure
Exhibits	A paper, document, photograph or other item produced in a hearing to prove facts.	Hearing
Expert witness	One who is particularly knowledgeable in a specialized field and may offer opinion testimony based on that expertise	Evidence
Hearsay	A statement, other than one made by the declarant while testifying at trial offered in evidence for the truth of the matter asserted	Evidence
In pari materia	"Upon the same matter or subject;" Statutes in pari materia are to be construed together	Court review and Case law
Infra	below	Court review and Case law
Inter alia	among other things	Court review and Case law
Interrogatories	In discovery, a set of written questions about the case submitted by one party to another party or witness	Discovery

Word	Definition	Common Area of Use
Intervenor	A person who voluntarily enters a case because of an identified interest with the leave of the court	Parties and Procedure
Jurisdiction	The power or authority that a tribunal has to hear a case	Legal Principles
Majority	The decision of most, but not all the appellate judges deciding a case	Court review and case law
Motion	A written application to the hearing official for the purpose of obtaining a rule or order directing some act to be done in favor of the applicant	Motions
Motion for sanctions	A motion to punish the opposing party for failing to respond to a discovery request	Discovery
Motion in limine	On or at the threshold. A motion made usually before a hearing to limit or protect evidence asserted to be prejudicial or improper	Evidence
Motion to compel	In discovery, a motion asking the hearing officer to require the opposing party to answer a discovery request	Discovery
Motion to Strike	A motion to exclude material from a pleading or brief that is inappropriate, redundant or irrelevant	Motions
Movant	One who makes a motion or the applicant for a rule or order	Parties and Procedure
Objection	Used to call the court's attention to improper evidence or procedure during a hearing.	Evidence
Opening Statement	An attorney’s outline of anticipated proof	Hearing
Opinion	A judge's written explanation of a decision of the court; see also concur, dissent and per curiam	Court review and case law
Overrule	To reject an evidentiary objection and permit the evidence or testimony	Evidence

Word	Definition	Common Area of Use
Per Curiam	Literally "by the court"; a decision of a court that is not attributed to any specific judge	Court review and case law
Per Se	"In itself" or "inherently" such as "negligence per se"	Latin
Petitioner	One who presents a petition	Parties and Procedure
Plaintiff	A person who brings an action	Parties and Procedure
Pleading	The formal allegations by the parties of their respective claims and defenses. Under the rules of civil procedure, the pleadings consist of a complaint, an answer, a reply to a counterclaim etc. May be defined by regulation	Parties and Procedure
Precedent	A previous decision of a court, considered as furnishing an example or authority for an identical or similar case thereafter; a principle established in a prior case that a court uses as a basis to decide later cases involving similar facts and legal issues.	Court review and case law
Preponderance	Evidence which is of greater weight or more convincing than the evidence offered in opposition to it; evidence which shows a fact is more probable than not.	Hearing
Prima facie case	A case which has proceeded upon sufficient proof to conclude that the plaintiff can prevail if the defendant produces no evidence to rebut it	Hearing
Pro Hac Vice	"For this turn." Where a lawyer may be admitted to practice in a jurisdiction for a particular case only, i.e. a lawyer from admitted to practice in another state. The rules for "admission pro hac vice" are generally set forth in statute, regulation or rules of bar admission	Motions; Parties and Procedure
Pro Se	Self-represented	Parties and Procedure

Word	Definition	Common Area of Use
Record	An official collection of all the trial pleadings, exhibits, orders and word-for-word testimony that took place during the trial. Often defined by statute or regulation.	Hearing
Recuse and Disqualify	Act of disqualifying a hearing official from a case because of bias or personal interest.	Motions
Remand	To send back. Usually by a reviewing body to a lower tribunal for the purpose of some further action on the case.	Court review and case law
Reply	In a general sense, a response to an answer	Parties and Procedure
Representation	Representation of a party, usually by an attorney	Prehearing Procedure
Respondent	The party against the complaint or appeal	Parties and Procedure
Response	Written answer to a pleading	Parties and Procedure
Reverse	To overthrow or set aside a lower tribunal decision, make it void, or annul it for error	Court review and case law
Service	The delivery of a complaint, notice of an action or other document to parties	Prehearing Procedure
Standard of Proof	A statement of how convincing evidence must be in order to prevail, such as "clear and convincing" or "by preponderance of evidence"	Hearing
Standing	The legal right to bring a law suit; a person with something at stake (adversely affected or aggrieved) generally has "standing"	Legal Principles
Stare decisis	To abide by decided cases. Policy of courts to stand by precedent and not to disturb a settled point.	Court review and case law
Statute of limitations	A time limit, set by statute, within which an action must be commenced	Legal Principles

Word	Definition	Common Area of Use
Subpoena	A command to appear at a certain time and place to give testimony upon a certain matter.	Prehearing Procedure
Summary Judgement	A judgment on a claim or an action when there is no issue of material fact in dispute and the moving party is entitled to prevail as a matter of law.	Motions
Supra	Above	Court review and Case Law
Sustained	To agree with an objection and exclude improper evidence	Evidence
Transcript	A word-for-word record of the testimony at a hearing	Hearing
Verification	An affidavit of the truth of the matter stated.	Prehearing Procedure