

Legal Lingo

Accused	-	Someone charged with a crime but not yet convicted.
Appeal	-	A right granted by statute to challenge court rulings in a higher court.
Arraignment	-	First appearance in court after return of an indictment in a felony case where charges are read, rights are read, a plea of guilty or not guilty is entered; also, first appearance in court after the filing of an Information in a misdemeanor case where charges are read, bail is set, an attorney is appointed, rights are read, etc.
Arrest	-	The stop and detention of a suspect by a law enforcement officer where charges are placed and the suspect is taken into custody.
Assure	-	To provide reasonable grounds to support a belief that something will occur. (Unlike ‘insure’ a form of guarantee.)
Bail	-	A condition or conditions of release including financial and non-financial terms.
Bond	-	A financial condition of release (usually); <i>Secured</i> - backed by property or money, <i>Unsecured</i> - backed only by one’s promise, <i>Personal</i> - non-financial condition (s) of release, <i>Property</i> - financial condition backed by real or personal property
Certiorari	-	Latin (to be certified); a petition seeking appeal of a case or ruling to the U.S. Supreme Court or a state court of final authority. It is permissive and not a matter of right.
Citation	-	A form of release on one’s word to appear usually given “on the street” by a law enforcement officer after an arrest.
Complaint	-	A charging document usually prepared under oath, charging a crime.
Contempt	-	A violation of a court order.
Custody	-	Control over the person of another.

Legal Lingo

Defendant	-	A person charged with a crime but not yet convicted.
Detention	-	Restraint of movement.
Diversions	-	An alternative form of criminal processing to having a trial or pleading guilty.
Evidence	-	<p>Facts presented in a court case;</p> <p>Prima Facie - Latin (at first blush); words that appear to describe a crime. Lowest weight of all.</p> <p>Probable Cause - Very low standard of evidence of a crime.</p> <p>Presumption - The words alone establish a fact, very low amount of evidence.</p> <p>Rebuttable Presumption - Any evidence that answers the presumption</p> <p>Preponderance - A jot more than one-half. More likely than not by a smidgeon.</p> <p>Substantial Likelihood - A lot more than a half and less than beyond a reasonable doubt.</p> <p>Substantial Probability - A lot. Much like substantial likelihood.</p> <p>Beyond a Reasonable Doubt - The heaviest and most of all but less than a mathematical or absolute certainty.</p>
Excessive Bail	-	A condition of release (financial or non-financial) more than is reasonable to assure community safety or appearance in court.
Forfeit	-	To be deprived of pledged property as to forfeit bond money posted with the court.
Guilt	-	Liability for an anti-social act determined in court by a judge or jury.
Habeas Corpus	-	<p>Latin (You Have the Body); usually a court ordered writ to produce a body you have in custody for a court hearing.</p> <p>Ad Testificandum - to testify in court.</p> <p>Ad Prosequendum - to be prosecuted in court.</p>
Indictment	-	A formal charging document issued by a Grand Jury in a felony case.

Legal Lingo

Information	-	A formal charging document issued by a prosecutor (usually) and sworn out by a law enforcement officer charging a misdemeanor.
Insure	-	Guarantee a result. No room for deviation, unlike assure which implies reasonableness.
Innocence	-	A state of purity in the sense of not being guilty of anything.
Offender	-	One who has been convicted of a crime.
Personal Recognizance	-	A personal promise to appear.
Preliminary Hearing	-	A hearing in court to determine whether there is probable cause to “hold” a case to be heard by a grand jury. (If no probable cause is found by the court the case is dismissed but the prosecutor may still present the case to a grand jury that may still issue a felony indictment.
Presentment	-	First court appearance by a defendant charged with a felony before an indictment. It is based on a complaint. Bail conditions are set and rights are administered.
R.O.R.	-	Release on Recognizance or one’s promise to appear in court as directed.
Recognizance	-	A promise, usually unsecured.
Voluntary	-	An informed decision made by a defendant, usually with the aid of an attorney. <i>Involuntary</i> - the kind of decision made by a defendant that is coerced, made without counsel, or made in an ununiformed manner many times without an attorney.
Writ	-	A court order usually directed to a specific person to perform a specific act.