

SUPREME COURT LIVE

GLOSSARY

Administrative Law: Body of law created by administrative agencies in the form of rules, regulations, orders and decisions.

Adversary System: System in which both sides, the prosecution and the defense or the plaintiff and defendant, are given a chance to present their cases.

Appeal: Taking a case to a higher court for review.

Appellant: The party who appeals a Judgment or final order of a lower court or administrative body.

Appellate Jurisdiction: Authority over cases that have been appealed from lower courts.

Appellee: The party against whom an appeal is taken.

Arrest: Taking a person suspected of a crime into custody.

Bail: Guarantee of money necessary to release a person under arrest from jail or prison until a trial is held.

Bailiff: The person who keeps order in the court and who takes care of the Jury.

Brief: A written document presented to the court to serve as the basis for argument.

Change of Venue: A judge decides to move a trial to another part of the state to ensure a fair trial.

Citation: A reference to a case or statute.

Civil Law: All areas of the law except those involving crime.

Closing Argument (Statement): Summary of remarks made to the Jury by attorneys for both sides after all the evidence has been presented in the trial.

Complaint: The first legal document filed in a lawsuit. It includes a statement of the wrong or harm done to the plaintiff by the defendant and a request for a specific remedy from the court. A complaint in a criminal case is a sworn statement regarding the defendant's acting that constitutes the crime charged.

Court Reporter: The court reporter is responsible for keeping an accurate record of what is said. Accuracy is extremely important, especially for purposes of appeal.

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Crime: An act which harms others physically, economically, or psychologically and which is declared by legislative statute to be illegal.

Criminal Law: Body of law regulating offenses against the community as a whole (usually providing a possible jail sentence as a penalty).

Burden of Proof: The responsibility for proving.

Case Law: This is law that is based on decisions made by the court, and is important by the precedent it makes.

Challenge for Cause: To have a prospective Juror dismissed for any one of a number of specific reasons, such a prejudice or knowledge of the case.

Cross Examination: Questioning of witnesses for the opposing side during a trial or hearing.

Debrief: To analyze and discuss in order to better understand something.

Defendant: The person accused of a crime or the person being sued in a civil case.

Deliberations: The act of discussing and coming to a decision in a legal case.

Direct Examination: Questioning of a witness during a trial by the attorney who called the witness.

Dissenting Opinion: Position taken by any justice who disagrees with the opinion of the majority.

Excerpt of Record: Parts of the record that are essential to a determination of the questions presented on appeal.

Fact: Something that really exists; a known event or thing.

Felony: A major crime such as murder, arson, sexual assault, etc. The penalty can be imprisonment in the state prison for more than a year.

Habeas Corpus: Court order requiring that a prisoner be brought before a judge to decide whether he or she is being held lawfully.

Hung Jury: The situation in which a jury cannot reach a unanimous decision.

Impanel: To swear in a jury.

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Indictment: Formal charges of a crime.

Judge/Justice: A person appointed to hear and decide a case, and to make certain that legal procedures are followed.

Jurisdiction: The area and types of cases which a court has authority to hear and to decide.

Jury (Grand): A jury which hears complaints and accusations of a crime, decides whether there are sufficient facts to support charges, and can make formal accusations or indictments.

Jury (Trial or Petit): A group of 6 or 12 people chosen by law and found satisfactory to both sides in a lawsuit, to decide the facts of the case and the verdict.

Jury Box: The section in a courtroom where the jury sits during court proceedings.

Jury Trial: A trial, either civil or criminal, in which a Jury decides the case.

Majority Opinion: The decision of the majority of justices on the Supreme Court.

Misdemeanor: Minor crime punishable by a fine or short-term imprisonment.

Mistrial: The act of suspending a trial to hold the matter for a new trial before a new jury. A judge may declare a mistrial because of some act or event which irretrievably destroys any chance of fairness in a trial. Misconduct of a party, an attorney, or a juror are the usual grounds for a mistrial.

Opening Statement: Introduction to the case given by the lawyers for each side at the start of a trial.

Oral Argument: The opportunity to argue a case directly to the decision makers.

Ordinance: This is a borough or city law. These laws would relate to zoning codes, traffic laws, littering, etc.

Original Jurisdiction: The authority of a Court to hear a case first.

Petitioner: The person or party initiating an appeal; also called the appellant.

Plaintiff: A person who brings a civil suit in a court of law.

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Precedent: Previous court decisions used for guidance in deciding questions of law in a similar case.

Prosecuting Attorney or Prosecution: Lawyer who asserts the interests and rights of the people of the state against the defendant in a criminal trial.

Qualified Immunity: Protects government officials from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known.

Record on Appeal: The record on appeal consists of the entire trial court file, including the original papers and exhibits filed in the trial court, the electronic record of proceedings before the trial court, and transcripts, if any, of the trial court proceedings.

Respondent: The person or party who opposed the petitioner in the trial court; also called the appellee.

Sentence: The judgment in a criminal action. It follows a verdict or plea of guilty.

Statutory Law: Laws made by representatives elected to the legislative branch of government or directly by the people through initiatives.

Summary Judgment: A procedure where the judge may determine there are no genuine issues as to any material fact and that a party is entitled to judgment because of the law.

Summons: A legal notice informing a person of a lawsuit and telling that person when and where to go to court.

Transcript: A court reporter's official written record of proceedings in a trial or hearing.

Verdict: A decision in a trial.

Voir Dire: The process of choosing jurors.

Warrant: A paper signed by a judge authorizing some action, such as an arrest or a search and seizure.

Writ of Certiorari: Notification that a higher court is going to review a case and wishes to receive the records of the case from the lower court.