



DICTIONARY OF LEGAL TERMS

Arraignment	person accused of a crime is called before a judge and informed of the charges.
Bill Of Rights	the first ten amendments to the Constitution of the United States. These guarantee fundamental rights and privileges of all citizens against infringement by the government.
Capital Punishment	death penalty.
Civil Disobedience	public, nonviolent, and intentional violation of public law without resistance to arrest, for the purposes of protest and change of law or social policy.
Civil Law	area of the law which covers rights and liabilities of individuals. Cases may be between individuals or between the government and an individual or group.
Class Action Suit	lawsuit brought by one party in the name of others or “the public.”
Common Law	“judge made” law, rather than by legislature. Based on earlier decisions (precedents) by the courts.
Constitutional Law	specifically, cases which deal directly with constitutional issues.
Defendant	person charged with a crime.
District Attorney	government official who represents the state in prosecuting criminal cases and bringing indictments.
Double Jeopardy	prosecuting a person twice for the same crime. Prohibited by the Fifth Amendment.
Due Process Of Law	guaranteed by the Fifth and Fourteenth Amendments. Means that no person shall be convicted of a crime without all the rights guaranteed by law (e.g., speedy and public trial, right to a lawyer).
Felony	criminal offense of a very serious nature for which the punishment can be imprisonment or the death penalty.
Habeas Corpus	legal principle guaranteeing a speedy and public trial; prevents arbitrary imprisonment.
Indictment	formal written accusation charging a person with a crime.
Judicial Activism	philosophy of judges who, on deciding legal cases, expound broad principles relating to legislative acts or social policies.
Judicial Opinions	written decision of the court in which its ruling is explained. Precedents, reasons, definitions and interpretations are discussed. Different kinds of Supreme Court opinions are:
<i>Majority Opinions</i>	ruling of the majority.
<i>Concurring Opinion</i>	written by a Justice who voted with the majority, but for different reasons.
<i>Dissenting Opinion</i>	opinion of the Justice(s) who disagree with the majority.
Judicial Restraint	contrasts with judicial activism; refers to judges who rule on the cases before them but shy away from broad policy implications.
Judicial Review	authority of the courts to declare a legislative or executive act unconstitutional.
Jury	decides questions of fact before the court.
<i>Grand Jury</i>	investigates criminal activities, conducts hearings on alleged felonies and thereby decides either to dismiss a charge (“no bill”) or indict the accused for action by the Court.
<i>Trial Jury-or Petit Jury</i>	hears the court cases in civil and criminal cases and determines the facts in dispute.
Misdemeanor	criminal offense less serious than a felony, punishable by fine and/or one year in jail.
Precedent	decision in a case which forms the basis for a future decision in a similar case. Much of our law and court decisions are based on precedents.
Subpoena	an order for a person to appear or to surrender evidence (records, tapes, documents, memos, etc.) before a court or official body.
