

Court Terms: A glossary of common legal terms



Civics Education Project
Courts of the Fifth Circuit

BRIEF A written statement submitted in a trial or appellate proceeding that explains one side's legal and factual arguments

CLERK OF COURT The court officer who oversees administrative functions, especially managing the flow of cases through the court.

DISCOVERY Procedures used to obtain disclosure of evidence before trial.

EN BANC (on bahnk) French, meaning "on the bench." All judges of an appellate court sitting together to hear a case, as opposed to the routine disposition by panels of three judges.

JURISPRUDENCE The study of law and the structure of the legal system.

OPINION A judge's written explanation of the decision of the court.

STATUTE A law passed by a legislature. Federal statutes are found in the United States Code.

VOIR DIRE French, for "speak the truth." Jury selection process of questioning prospective jurors.

CASE LAW The law as established in previous court decisions.

COMPLAINT A written statement that begins a civil lawsuit, in which the plaintiff details the claims against the defendant.

DOCKET A log containing the complete history of each case in the form of brief chronological entries summarizing the court proceedings.

HABEAS CORPUS Latin, meaning "you have the body." A writ of habeas corpus generally is a judicial order forcing law enforcement authorities to produce a prisoner they are holding, and to justify the prisoner's continued confinement.

MOTION A request by a litigant to a judge for a decision on an issue relating to the case.

PRO SE (pro say) Latin, for "for oneself, on one's own behalf." Person who proceeds in a court case without a lawyer to represent them.

TORT A civil, not criminal, wrong. A negligent or intentional injury against a person or property, with the exception of a breach of contract.



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