

## TRIAL VOCABULARY (1 of 3)

**Attorney** – A person who practices law.

**Bailiff** – An officer who is in charge of maintaining order in a court of law.

**Beyond a Reasonable Doubt** – The Burden of proof in a criminal case required to establish the guilt of a person charged with a crime.

**Civil Case** – A case in which both the plaintiff and the defendant are private individuals and which is a legal proceeding to resolve a private dispute among people.

**Civil Justice System** – The network of courts and tribunals which deal with disputes involving one person complaining about something another person did or failed to do.

**Closing Arguments** – The final statements by an attorney to jury, summarizing the evidence, and arguing what the evidence has or has not established.

**Contracts** An agreement between two or more parties to do or not to do a certain thing, whether written or oral.

**Convict** - To prove that someone is guilty as a matter of law.

**Court** – A place where justice is administered.

**Crime** – An act or an action that is against the criminal law, or a failure to do what the criminal law requires.

**Criminal Case** – A case in which the State is the plaintiff and in which the defendant is a person charged with having committed a crime.

**Criminal Justice System** – The network of courts and tribunals which deal with criminal law and its enforcement.

**Cross-examine** – To question a witness called by the opposing side, or a hostile or other adversarial witness called by a party.

**Damages** – A loss, detriment, or injury to one's person, property or rights, through the unlawful act or omission or negligence of another.

**Defendant** – A person against whom a criminal charge or civil claim is brought in a court of law.

## TRIAL VOCABULARY (2 of 3)

**Deliberations** – The act of jurors talking to each other and coming to a decision on the charges or crimes of a trial.

**Evidence** – Something that gives proof of a contested fact.

**Foreman/Foreperson** – The presiding member of a jury who speaks or answers for the jury.

**Guilty**– Having been convicted by a jury of having done something wrong.

**Indictment** – A serious charge of criminal wrongdoing which must later be proved at trial beyond a reasonable doubt before a defendant may be convicted.

**Injunction** – A court order prohibiting a party from a specific course of action.

**Innocent** – Not guilty of a crime or fault.

**Instructions On The Law** – A direction given by the judge to the jury concerning the law of the case, usually at the end of the case and just before jury deliberations.

**Irrelevant** – Not important, pertinent to the matter at hand or to any issue before the court.

**Judge** – An official who can conduct hearings and decide on cases in a court of law.

**Jury** - A certain number of persons selected according to law and sworn in to inquire into matters of fact and declare the truth about matters of fact before them.

**Law** – A rule made by a country, state, or town for the people there.

**Negligence** – Acting in a way that fails to conform with a specific standard of conduct, thereby putting others at risk for injury.

**Negligent Homicide** – A criminal offense that is committed by a person whose negligence is the direct cause of another person's death.

**Objection** – A lawyer's protest about the legal propriety of a question which has been asked of a witness by the opposing attorney, with the purpose of making the trial judge decide if the question can be asked.

## **TRIAL VOCABULARY (3 of 3)**

**Opening Statement** – Summary of nature of case and of anticipated proof presented by counsel to jury at the start of a trial.

**Overruled** – In trial practice, for a Judge to disagree that an attorney's objection, as to a question, is valid.

**Plaintiff** – The person who brings a civil law suit, or in the case of a criminal case, the State or Federal government.

**Preponderance of the evidence** – The greater weight of the evidence: superior evidentiary weight that, though not sufficient to free the mind wholly from all reasonable doubt, is still sufficient to incline a fair and impartial mind to one side of the issue rather than the other. (Burden of Proof in a civil trial)

**Prosecuting Attorney** – The name of the public officer who is appointed or elected in each judicial district, circuit, or county, to conduct criminal prosecutions on behalf of the State or people.

**Reporter** – Someone in charge of making a record of all court proceedings.

**Rests** – The attorneys representing either side of the case are finished with their witnesses.

**Rebuttal** – Evidence introduced to counter, disprove or contradict the opposition's evidence or a presumption, or responsive legal argument.

**Speculation** – Just guessing about a particular situation.

**Sustain** – In trial practice, for a judge to agree that an attorney's objection, as to a question, is valid.

**Testify** – To give evidence under oath.

**Trial** – The examination and deciding of a case brought before a court of law.

**Verdict** - The decision made by a jury at the end of the trial.

**Verdict Form** – A form given to the Jury Foreperson on which to write the decision that is made by the jury at the closing of a trial.

**Voir Dire** – Meaning "To speak the truth," it is the name given to that part of the trial when the court and parties attempt to seat a fair and impartial jury.

**Witness** – Someone who is called to testify before a court of law.