

LEGAL STUDIES DICTIONARY

Abortion (Avortement)

n. the termination of pregnancy by various means, including medical surgery, before the fetus is able to sustain independent life. Until 1973 abortion was considered a crime (by the mother and the doctor) unless performed by physicians to protect the life of the mother, a phrase often broadly interpreted.

Accomplice (Complice)

Someone who helps another person (known as the principal) commit a crime. Unlike an accessory, an accomplice is usually present when the crime is committed. An accomplice is guilty of the same offense and usually receives the same sentence as the principal. For instance, the driver of the getaway car for a burglary is an accomplice and will be guilty of the burglary even though he may not have entered the building.

Affidavit (Déclaration)

A written statement made under oath.

Allegation (Allégation)

A formal accusation against somebody (Example: "An allegation of malpractice")

Allegedly (Prétendument)

adv. Reportedly; supposedly.

Allege (Prétendre)

v. To claim a fact is true, commonly in a complaint which is filed to commence a lawsuit, in an "affirmative defense" to a complaint, in a criminal charge of the commission of a crime or any claim.

Alimony (Pension)

The money paid by one ex-spouse to the other for support under the terms of a court order or settlement agreement following a divorce. A statement by a party in a pleading describing what that party's position is and what that party intends to prove.

Appeal (Appel)

A written request to a higher court to modify or reverse the judgment of a trial court or intermediate level appellate court. . An appeal begins when the loser at trial files a notice of appeal, which must be done within strict time limits (often 30 days from the date of judgment). The loser (called the appellant) and the winner (called the appellee) submit written arguments (called briefs) and often make oral arguments explaining why the lower court's decision should be upheld or overturned.

Appellate Court (Cour d'Appel)

A higher court that reviews the decision of a lower court when a losing party files for an appeal.

Acquittal (Acquittement)

Judgement that a criminal defendant has not been proved guilty beyond a reasonable doubt.

Arraign (Traduire en justice)

v. To bring a criminal defendant before the court, at which time the charges are presented to him/her, the opportunity to enter a plea (or ask for a continuance to plead) is given, a determination of whether the party has a lawyer is made (or whether a lawyer needs to be appointed), if necessary setting the amount of bail, and future appearances are scheduled.

Arraignment (Lecture de l'acte d'accusation)

A court appearance in which the defendant is formally charged with a crime and asked to respond by pleading guilty, not guilty. Other matters often handled at the arraignment are arranging for the appointment of a lawyer to represent the defendant and the setting of bail.

Arrest Warrant (Mandat d'arrêt)

A document issued by a judge that authorizes the police to arrest someone. Warrants are issued when law enforcement personnel present evidence to the judge or magistrate that convinces her that it is reasonably likely that a crime has taken place and that the person to be named in the warrant is criminally responsible for that crime.

Attestation (Attestation)

The act of watching someone sign a legal document, such as a will or power of attorney, and then signing your own name as a witness. When you witness a document in this way, you are attesting -- that is, stating and confirming -- that the person whom you watched sign the document in fact did so. Attesting to a document does not mean that you are vouching for its accuracy or truthfulness. You are only acknowledging that you watched it being signed by the person whose name is on the signature line.

Attorney-client Privilege (Confidentialité entre un avocat et son client)

A rule that keeps communications between an attorney and her client confidential and bars them from being used as evidence in a trial, or even being seen by the opposing party during discovery.

Audit (Audit)

n. an examination by a trained accountant of the financial records of a business or governmental entity, including noting improper or careless practices, recommendations for improvements, and a balancing of the books.

Avail (to) (Profiter de)

v. to be of use, advantage, profit, or assistance (to).

Bail (Caution)

The money paid to the court, usually at arraignment or shortly thereafter, to ensure that an arrested person who is released from jail will show up at all required court appearances. The amount of bail is determined by the seriousness of the offense. The judge can increase the bail if the prosecutor convinces him that the defendant is likely to flee (for example, if he has failed to show up in court in the past), or he can decrease it if the defense attorney shows that

the defendant is unlikely to run (for example, he has strong ties to the community by way of a steady job and a family).

Bailiff (Huissier)

A court official usually classified as a peace officer and usually wearing a uniform. A bailiff's main job is to maintain order in the courtroom. In addition, bailiffs often help court proceedings go smoothly by shepherding witnesses in and out of the courtroom and handing evidence to witnesses as they testify. In criminal cases, the bailiff may have temporary charge of any defendant who is in custody during court proceedings.

Bankruptcy (Faillite)

n. A federal system of statutes and courts which permits persons and businesses which are insolvent (debtors) or (in some cases) face potential insolvency, to place his/her/its financial affairs under the control of the bankruptcy court.

Bawdy House (Maison de prostitution)

n. A house or other place where men pay to have sexual intercourse with prostitutes.

Bench Trial (Procès)

A trial before a judge with no jury. The term derives from the fact that the stand on which the judge sits is called the bench.

Biased (to be) (Partial)

adj. Having or showing bias; prejudiced.

Bookkeeping (Comptabilité)

In the context of a business is simply the recording of financial transactions. Transactions include purchases, sales, receipts and payments by an individual or organization. Many individuals mistakenly consider bookkeeping and accounting to be the same thing.

Breach (to) (Enfreindre)

1) n. Literally, a break. A breach may be a failure to perform a contract (breaking its terms), failure to do one's duty (breach of duty, or breach of trust), causing a disturbance, threatening, or other violent acts which break public tranquility (breach of peace), illegally entering property (breach of close), not telling the truth-knowingly or innocently-about title to property (breach of warranty), or, in past times, refusal to honor a promise to marry (breach of promise). 2) v. the act of failing to perform one's agreement, breaking one's word, or otherwise actively violating one's duty to other.

Burglary (Cambriolage)

The crime of breaking into and entering a building with the intention to commit a felony. The breaking and entering need not be by force, and the felony need not be theft. For instance, someone would be guilty of burglary if he entered a house through an unlocked door in order to commit a murder.

Bylaws (Statut; arêtté)

n. The written rules for conduct of a corporation, association, partnership or any organization. They should not be confused with the articles of incorporation, which only state the basic outline of the company, including stock structure.

Capital Offense (Crime capital)

n. any criminal charge which is punishable by the death penalty, called "capital" since the defendant could lose his/her head (Latin for caput). Crimes punishable by death vary from state to state and country to country.

Case (Cas ou valise d'affaires)

A term that most often refers to a lawsuit -- for example, "I filed my small claims case." "Case" also refers to a written decision by a judge -- or for an appellate case, a panel of judges. For example, the U.S. Supreme Court's decision legalizing abortion is commonly referred to as the *Roe v. Wade* case. Finally, the term also describes the evidence a party submits in support of her position -- for example, "I have made my case."

Challenge (to) (Défier)

v. the right (action) of each attorney in a jury trial to request that a juror be excused. There may be a "challenge for cause" on the basis the juror had admitted prejudice or shows some obvious conflict of interest (e.g. the juror used to work for the defendant or was once charged with the same type of crime) which the judge must resolve.

Chambers (Référés)

n. The private office of a judge, usually close to the courtroom so that the judge can enter the court from behind the bench and not encounter people on the way. Judges hear some motions, discuss formal legal problems like jury instructions, or conduct hearings on sensitive matters such as adoptions "in chambers."

Charge with (to) (Inculper quelqu'un)

To place criminal charges against someone.

Charter of Rights and Freedom (Charte des droits et libertés de la personne)

The Canadian Charter of Rights and Freedoms (also known as The Charter of Rights and Freedoms or simply the Charter, French: La Charte canadienne des droits et libertés) is a bill of rights entrenched in the Constitution of Canada. It forms the first part of the Constitution Act, 1982. The Charter guarantees certain political rights to Canadian citizens and civil rights of everyone in Canada from the policies and actions of all areas and levels of government. It is designed to unify Canadians around a set of principles that embody those rights. The Charter was signed into law by Queen Elizabeth II of Canada on April 17, 1982 along with the rest of the Act.

Claim (to) (Demander)

v. to make a demand for money, for property, or for enforcement of a right provided by law. 2)
n. the making of a demand (asserting a claim) for money due, for property, from damages or for enforcement of a right.

Clemency (Clémence)

n. Mercy or leniency.

Closing arguments (Discours de clôture)

At trial, a speech made by each party after all the evidence has been presented. The purpose is to review the testimony and evidence presented during the trial as part of forcefully explaining why your side should win.

Common Law (Droit Coutumier)

n. The traditional unwritten law of England, based on custom and usage, which began to develop over a thousand years before the founding of the United States.

Constitutional Right (Droit constitutionnel)

n. rights given or reserved to the people by the U.S. Constitution, and in particular, the Bill of Rights (first ten amendments).

Contempt of Court (Outrage au tribunal)

n. There are essentially two types of contempt: a) being rude, disrespectful to the judge or other attorneys or causing a disturbance in the courtroom, particularly after being warned by the judge; b) willful failure to obey an order of the court. This latter can include failure to pay child support or alimony.

Contract (Contrat)

n. An agreement with specific terms between two or more person...

Convicted (Condamné)

adj. a person found guilty of an offence against the law, esp one who is sentenced to imprisonment

Conviction (condamnation)

A finding by a judge or jury that the defendant is guilty of a crime.

Council (Conseil)

n. An assembly of people meeting for discussion, consultation, etc.

Court (Tribunal)

n. 1) the judge, as in "The court rules in favor of the plaintiff." 2) any official tribunal (court) presided over by a judge or judges in which legal issues and claims are heard and determined. In the United States there are essentially two systems: federal courts and state courts. The basic federal court system has jurisdiction over cases involving federal statutes, constitutional questions, actions between citizens of different states, and certain other types of cases.

Counsel (Conseiller)

1) n. A lawyer, attorney, attorney-at-law, counsellor, counsellor-at-law, solicitor, barrister, advocate or proctor (a lawyer in admiralty court), licensed to practice law. In the United States they all mean the same thing. 2) v. to give legal advice. 3) v. in some jurisdictions, to urge someone to commit a crime, which in itself is a crime.

Crack Down (to) (Réprimer)

To act more forcefully to regulate, repress, or restrain.

Crime Rate (Taux de criminalité)

The ratio of crimes in an area to the population of that area; expressed per 1000 population per year.

Criminal Code (Code criminel)

The body of laws regulating how crimes are to be punished.

Cross-examination (Contre-interrogatoire)

At trial, the opportunity to question any witness, including your opponent, who testifies against you on direct examination. The opportunity to cross-examine usually occurs as soon as a witness completes her direct testimony -- often the opposing lawyer or party, or sometimes the judge, signals that it is time to begin cross-examination by saying, "Your witness." Typically, there are two important reasons to engage in cross-examination: to attempt to get the witness to say something helpful to your side, or to cast doubt on (impeach) the witness by getting her to admit something that reduces her credibility -- for example, that her eyesight is so poor that she may not have seen an event clearly.

Crown (La Couronne)

Monarchy or kingship.

Damages (Dommages-intérêts)

n. Money to be paid as compensation to a person for injury, loss, etc.

Decriminalize (to) (Dépénaliser)

v. To remove (an action) from the legal category of criminal offence.

Default Judgement (Jugement par contumace)

n. if a defendant in a lawsuit fails to respond to a complaint in the time set by law (commonly 20 or 30 days), then the plaintiff (suer) can request that the default (failure) be entered into the court record by the clerk, which gives the plaintiff the right to get a default judgment.

Defendant (Accusé)

The person against whom a lawsuit is filed. In certain states, and in certain types of lawsuits, the defendant is called the respondent. Compare plaintiff, petitioner.

Deponent (Personne à charge)

Someone whose deposition is being taken.

Deposition (Déposition)

Part of the pre-trial discovery (fact-finding) process in which a witness testifies under oath. A deposition is held out of court with no judge present, but the answers often can be used as evidence in the trial.

Destitute (Misérable)

adj. Lacking the means of subsistence; totally impoverished.

Drug Dealer (Revendeur de drogue)

An unlicensed dealer in illegal drugs.

Embezzlement (Détournement)

n. The crime of stealing the funds or property of an employer, company or government or misappropriating money or assets held in trust.

Evidence (Preuve)

The many types of information presented to a judge or jury designed to convince them of the truth or falsity of key facts. Evidence typically includes testimony of witnesses, documents, photographs, items of damaged property, government records, videos and laboratory reports.

Expel (to) (Expulser)

v. To eject or drive out with force.

Expenditure (Dépense)

n. Something expended, such as time or money.

Felony (Crime)

A serious crime (contrasted with misdemeanors and infractions, less serious crimes), usually punishable by a prison term of more than one year or, in some cases, by death. For example, murder, extortion and kidnapping are felonies; a minor fist fight is usually charged as a misdemeanor, and a speeding ticket is generally an infraction.

File (Intenter un process à quelqu'un)

A term commonly used to describe both the process of submitting a document to a court--for example, "I filed my small claims case today"--and to describe the physical location where these papers are kept. Traditionally, a court's case files were kept indefinitely in one or more cardboard folders. Today many files--especially those for inactive cases--are stored by computer.

Forensic (De jurist)

adj. From Latin forensis for "belonging to the forum," ancient Rome's site for public debate and currently meaning pertaining to the courts. Thus, forensic testimony or forensic medicine are used to assist the court or the attorneys in legal matters, including trials.

Forthwith (Sur le champ)

adv. a term found in contracts, court orders and statutes, meaning as soon as it can be reasonably done. It implies immediacy, with no excuses for delay.

Habeas Corpus (Habeas Corpus)

n. Latin for "you have the body," it is a writ (court order) which directs the law enforcement officials (prison administrators, police or sheriff) who have custody of a prisoner to appear in court with the prisoner to help the judge determine whether the prisoner is lawfully in prison or jail.

Hearsay Rule (Par oui-dire)

A rule of evidence that prohibits second-hand testimony at a trial. For example, if an eyewitness to an accident later tells another person what she saw, the second person's testimony is hearsay. The reason for this rule is that the opposing party has no ability to confront and cross-examine the person who has firsthand knowledge of the event.

Grand Jury (Jury d'accusation)

In criminal cases, a group that decides whether there is enough evidence to justify an indictment (formal charges) and a trial. A grand jury indictment is the first step, after arrest, in any formal prosecution of a felony.

Haul into (to) (Amener quelqu'un à quelquepart contre son gré)

v. To use or threaten force to make someone go somewhere.

Hearing (Audience)

n. any proceeding before a judge or other magistrate (such as a hearing officer or court commissioner) without a jury in which evidence and/or argument is presented to determine some issue of fact or both issues of fact and law. While technically a trial with a judge sitting without a jury fits the definition, a hearing usually refers to brief sessions involving a specific question at some time prior to the trial itself, or such specialized proceedings as administrative hearings. In criminal law, a "preliminary hearing" is held before a judge to determine whether the prosecutor has presented sufficient evidence that the accused has committed a crime to hold him/her for trial

Henceforth (Dorénavant)

adv. From this time forth; from now on.

Hereafter (À partir de maintenant)

adv. Immediately following this in time, order, or place; after this.

Hereby (Par la présente)

adv. By virtue of this act, decree, bulletin, or document; by this means.

Herein (Dans le present texte)

adv. In or into this.

Hereinafter (Ci-après)

adv. In a following part of this document, statement, or book

Hereinbefore (Ci-dessus)

adv. In a preceding part of this document, statement, or book.

Hereof (De ceci)

adv. Of this.

Hereto (À ceci)

adv. To this document, matter, or proposition.

Heretofore (Jusqu'ici)

adv. Up to the present time; before this; previously.

Hereunder (Ci-dessous)

adv. (in documents, etc) below this; subsequently; hereafter, under the terms or authority of this.

Home Invasion (Invasion à domicile)

Burglary of a dwelling while the residents are at home.

Impeach (Mettre en cause pénalement)

(1) To discredit. To impeach a witness' credibility, for example, is to show that the witness is not believable. A witness may be impeached by showing that he has made statements that are inconsistent with his present testimony, or that he has a reputation for not being a truthful person. (2) The process of charging a public official, such as the President or a federal judge, with a crime or misconduct and removing the official from office.

Impeachment (Mise en cause de la responsabilité pénale)

n. 1) Discrediting a witness by showing that he/she is not telling the truth or does not have the knowledge to testify as he/she did. 2) the trying of a public official for charges of illegal acts committed in the performance of public duty. It is not the conviction for the alleged crime nor the removal from office. It is only the trial itself.

Indictment (Inculpation)

n. A charge of a felony (serious crime) voted by a Grand Jury bas...

Incidental to (Fortuit)

Having to do with, pertaining to, resulting from.

Infraction (Infraction)

A minor violation of the law that is punishable only by a fine--for example, a traffic or parking ticket. Not all vehicle-related violations are infractions, however--refusing to identify oneself when involved in an accident is a misdemeanor in some states.

Infringe (to) (Enfreindre)

v. To violate or break (a law, an agreement, etc).

Injunction (Injonction)

A court decision that is intended to prevent harm--often irreparable harm--as distinguished from most court decisions, which are designed to provide a remedy for harm that has already occurred. Injunctions are orders that one side refrain from or stop certain actions, such as an order that an abusive spouse stay away from the other spouse or that a logging company not cut down first-growth trees.

Interrogatories (Interrogatoires)

n. a set of written questions to a party to a lawsuit asked by the opposing party as part of the pre-trial discovery process.

Invoice (Facture)

n. A document issued by a seller to a buyer listing the goods or services supplied and stating the sum of money due.

Jail Sentence (Peine de prison)

A term of imprisonment imposed by a court.

Judiciary (Pouvoir judiciaire)

The judicial branch of government.

Judge (Juge)

n. an official with the authority and responsibility to preside in a court, try lawsuits and make legal rulings. Judges are almost always attorneys. In some states, "justices of the peace" may need only to pass a test, and federal and state "administrative law judges" are often lawyer or non-lawyer hearing officers specializing in the subject matter upon which they are asked to rule.

Judgment (Jugement)

A final court ruling resolving the key questions in a lawsuit and determining the rights and obligations of the opposing parties. For example, after a trial involving a vehicle accident, a court will issue a judgment determining which party was at fault and how much money that party must pay the other.

Jurisdiction (Jurisdiction)

n. the authority given by law to a court to try cases and rule on legal matters within a particular geographic area and/or over certain types of legal cases. It is vital to determine before a lawsuit is filed which court has jurisdiction.

Juror (Juré)

A person who serves on a jury.

Jury (Jury)

A group of people selected to apply the law, as stated by the judge, to the facts of a case and render a decision, called the verdict.

Larceny (Vol)

Another term for theft. Although the definition of this term differs from state to state, it typically means taking property belonging to another with the intent to permanently deprive the owner of the property. If the taking is non forceful, it is larceny; if it is accompanied by force or fear directed against a person, it is robbery, a much more serious offense.

Last Resort (Dernier recours)

The last possible course of action open to one.

Lawful (Légal)

Adj. allowed, recognized, or sanctioned by law; legal.

Lawsuit (Action en justice)

n. A common term for a legal action by one person or entity against another.

Lawyer (Avocat)

One whose profession is to give legal advice and assistance to clients and represent them in court or in other legal matters.

Litigation (Litige)

The process of bringing and pursuing (litigating) a lawsuit.

Loan (Prêt)

n. Property lent, especially money lent at interest for a period of time.

Malfeasance (Délit)

n. Intentionally doing something either legally or morally wrong which one had no right to do. It always involves dishonesty, illegality or knowingly exceeding authority for improper reasons. Malfeasance is distinguished from "misfeasance," which is committing a wrong or error by mistake, negligence or inadvertence, but not by intentional wrongdoing.

Mayor (Maire)

n. The chairman and civic head of a municipal corporation in many countries.

Meddle (Mêler)

v. To involve oneself unwarrantedly.

Misdemeanor (Écart de conduite)

A crime, less serious than a felony, punishable by no more than one year in jail. Petty theft (of articles worth less than a certain amount), first-time drunk driving and leaving the scene of an accident are all common misdemeanors.

Mistrial (Annulation du procès)

n. The termination of a trial before its normal conclusion because of a procedural error, statements by a witness, judge or attorney which prejudice a jury, a deadlock by a jury without reaching a verdict after lengthy deliberation (a "hung" jury), or the failure to complete a trial within the time set by the court.

Notwithstanding (En dépit de)

prep. In spite of.

Offense (Infraction)

n. a crime or punishable violation of law of any type or magnitude.

Opinion (Opinion)

n. The explanation of a court's judgment. When a trial court judgment is appealed to a court of appeals, the appeals judge's opinion will be detailed, citing case precedents, analyzing the facts, the applicable law and the arguments of the attorneys for the parties.

Overspending (Dépensant trop)

adv. The act or an instance of spending in excess of one's desires or what one can afford or is allocated.

Overtun (to) (Renverser)

v. To turn or cause to turn from an upright or normal position.

Paralegal (Technicien juridique)

A person who does legal work but who is not licensed to practice law or dispense legal advice. Independent paralegals (those who work directly with the public, not for lawyers) assist their customers by providing forms, helping people fill them out correctly and filing them with the proper court.

Party (Parti)

A person, corporation or other legal entity that files a lawsuit (the plaintiff or petitioner) or defends against one (the defendant or respondent).

Pawn (to) (Mettre en gage)

v. to pledge an item of personal property as security for a loan, with the property left with the pawnbroker. The interest rates are on the high side, the amount of the loan is well below the value of the pledged property, and the broker has the right to sell the item without further notice if the loan is not paid. Pawnbrokers are licensed by the state.

Petitioner (Requérant)

A person who initiates a lawsuit. A synonym for plaintiff, used almost universally in some states and in others for certain types of lawsuits, most commonly divorce and other family law cases.

Plaintiff (Plaignant)

The person, corporation or other legal entity that initiates a lawsuit. In certain states and for some types of lawsuits, the term petitioner is used instead of plaintiff.

Plea (Appel)

The defendant's formal answer to criminal charges. Typically defendants enter one of the following pleas: guilty, not guilty or nolo contendere. A plea is usually entered when charges are formally brought (at arraignment).

Plea Bargain (Négociation de plaidoyer)

A negotiation between the defense and prosecution (and sometimes the judge) that settles a criminal case. The defendant typically pleads guilty to a lesser crime (or fewer charges) than originally charged, in exchange for a guaranteed sentence that is shorter than what the defendant could face if convicted at trial. The prosecution gets the certainty of a conviction and a known sentence; the defendant avoids the risk of a higher sentence; and the judge gets to move on to other cases.

Power of Attorney (Procuration)

A document that gives another person legal authority to act on your behalf. If you create such a document, you are called the principal, and the person to whom you give this authority is called your attorney-in-fact.

Probable Cause (Cause probable)

The amount and quality of information police must have before they can arrest or search without a warrant or that a judge must have before she will sign a search warrant allowing the

police to conduct a search or arrest a suspect. Reliable information must show that it's more likely than not that a crime has occurred and the suspect is involved.

Property (Propriété)

n. Something of value, either tangible, such as land, or intangible, such as patents, copyrights, etc.

Prosecute (Poursuivre)

v. In criminal law, to charge a person with a crime and thereafter pursue the case through trial on behalf of the government.

Prosecutor (Procureur)

A lawyer who works for the local, state or federal government to bring and litigate criminal cases.

Public Nuisance (Nuisance Publique)

n. A nuisance which affects numerous members of the public or the public at large (how many people it takes to make a public is unknown), as distinguished from a nuisance which only does harm to a neighbor or a few private individuals. Example: a factory which spews out clouds of noxious fumes is a public nuisance but playing drums at three in the morning is a private nuisance bothering only the neighbors.

RCMP (Gendarmerie royale du Canada)

Royal Canadian Mounted Police

Refusal (Refus)

The act or an instance of refusing, the opportunity to reject or accept; option.

Reinstated (Rétabli)

adv. To be restored to a former rank or condition.

Request (Demande)

1) v. To ask or demand a judge to act (such as issuing a writ) or demanding something from the other party (such as production of documents), usually by a party to a lawsuit (usually the attorney). 2) n. the act of asking or demanding.

Rig (to) (Manipuler)

v. To manipulate in a fraudulent manner, especially for profit.

Rule (to) (Gouverner)

v. To exercise governing or controlling authority over (a people, political unit, individual, etc).

Ruling (Au pouvoir)

Any decision a judge makes during the course of a lawsuit.

Respondent (Défendeur)

A term used instead of defendant or appellee in some states -- especially for divorce and other family law cases -- to identify the party who is sued and must respond to the petitioner's complaint.

Search Warrant (Mandat de perquisition)

An order signed by a judge that directs owners of private property to allow the police to enter and search for items named in the warrant. The judge won't issue the warrant unless she has been convinced that there is probable cause for the search -- that reliable evidence shows that it's more likely than not that a crime has occurred and that the items sought by the police are connected with it and will be found at the location named in the warrant. In limited situations the police may search without a warrant, but they cannot use what they find at trial if the defense can show that there was no probable cause for the search.

Seize (to) (Saisir quelque chose)

v. To put into legal possession of (property, etc).

Sentence (Peine)

Punishment in a criminal case. A sentence can range from a fine and community service to life imprisonment or death. For most crimes, the sentence is chosen by the trial judge; the jury chooses the sentence only in a capital case, when it must choose between life in prison without parole and death.

Sequester (Isoler)

v. To keep separate or apart. In so-called "high-profile" criminal prosecutions (involving major crimes, events or persons given wide publicity) the jury is sometimes "sequestered" in a hotel without access to news media, the general public or their families except under supervision, in order to prevent the jury from being "tainted" by information or opinions about the trial outside of the evidence in the courtroom. A witness may be sequestered from hearing the testimony of other witnesses, commonly called being "excluded," until after he/she has testified, supposedly to prevent that witness from being influenced by other evidence or tailoring his/her testimony to fit the stories of others.

Settlement (Règlement)

n. The resolution of a lawsuit (or of a legal dispute prior to filing a complaint or petition) without going forward to a final court judgment.

Sex Worker (Travailleur du sexe)

(Professions) A prostitute.

Sidebar (Bureau près du juge)

n. 1) Physically, an area in front of or next to the judge's bench (the raised desk in front of the judge) away from the witness stand and the jury box, where lawyers are called to speak confidentially with the judge out of earshot of the jury. 2) a discussion between the judge and attorneys at the bench off the record and outside the hearing of the jurors or spectators. 3) in journalism, a brief story on a sidelight to a news story, such as a biographical sketch about a figure in the news or an anecdote related to the main story, and sometimes enclosed within a box.

Small Claims Court (Tribunal d'instance)

A state court that resolves disputes involving relatively small amounts of money -- usually between \$2,000 and \$10,000, depending on the state. Adversaries usually appear without lawyers -- in fact, some states forbid lawyers in small claims court -- and recount their side of the dispute in plain English. Evidence, including the testimony of eye witnesses and expert witnesses, is relatively easy to present because small claims courts do not follow the formal rules of evidence that govern regular trial cases. A small claims judgment has the same force as does the judgment of any other state court, meaning that if the loser -- now called the "judgment debtor" -- fails to pay the judgment voluntarily, it can be collected using normal collection techniques, such as property liens and wage garnishments.

Snatch (to) (Saisir)

v. To grasp or seize hastily, eagerly, or suddenly.

Social Policy (Politique Sociale)

n. a policy of for dealing with social issues.

Steal (Voler)

To take (the property of another) without right or permission.

Struck down (to be) (Être frappé)

v. To cause to die, esp suddenly.

Subpoena (Assignation à comparaitre)

A subpoena is a court order issued at the request of a party requiring a witness to appear in court.

Sue (to) (Poursuivre)

v. To institute legal proceedings (against), to make suppliant requests of (someone for something).

Summary Judgment (Résumé de la decision finale)

A final decision by a judge that resolves a lawsuit in favor of one of the parties. A motion for summary judgment is made after discovery is completed but before the case goes to trial. The party making the motion marshals all the evidence in its favor, compares it to the other side's evidence, and argues that a reasonable jury looking at the same evidence could only decide the case one way--for the moving party. If the judge agrees, then a trial would be unnecessary and the judge enters judgment for the moving party.

Supreme Court (Cour suprême)

n. The highest court in the United States, which has the ultimate power to decide constitutional questions and other appeals based on the jurisdiction granted by the Constitution, including cases based on federal statutes, between citizens of different states, and when the federal government is a party. The court is made up of nine members appointed for life by the President of the United States, with confirmation required by the Senate.

Testify (Témoigner)

To provide oral evidence under oath at a trial or at a deposition.

Testimony (Témoignage)

n. oral evidence given under oath by a witness in answer to questions posed by attorneys at trial or at a deposition (questioning under oath outside of court).

Thereby (Ainsi)

adv. By that means; because of that.

Therein (La-dedans)

adv. In that place, time, or thing.

Thereof (De cela)

pron. Of or concerning this, that, or it.

Thereon (Là-dessus)

adv. On or upon this, that, or it.

Thereto (À cela)

adv. To that, this, or it.

Thereupon (Sur ce)

adv. Concerning that matter; upon that.

Threaten (to) (Menacer)

v. To be a menacing indication of (something); portend.

Thus (Donc)

adv. In this manner, to a stated degree, therefore, consequently.

Trial (Procès)

n. The examination of facts and law presided over by a judge (or other magistrate, such as a commissioner or judge pro tem) with authority to hear the matter (jurisdiction).

Unaccounted (to be) (Disparu)

adj. Missing.

Unpunished (Impuni)

adj. Not receiving or having received a penalty or sanction as punishment for any crime or offence.

Waivers (Dispense)

n. The intentional and voluntary giving up of something, such as a right, either by an express statement or by conduct (such as not enforcing a right). The problem which may arise is that a waiver may be interpreted as giving up the right to enforce the same right in the future. Example: the holder of a promissory note who several times allows the debtor to pay many weeks late does not agree to waive the due date on future payments. A waiver of a legal right in court must be expressed on the record.

Warrant (Mandat)

n. An order (writ) of a court which directs a law enforcement officer (usually a sheriff) to arrest and bring a person before the judge, such as a person who is charged with a crime, convicted of a crime but failed to appear for sentencing, owes a fine or is in contempt of court.

Whereas (Tandis que)

conj. It being the fact that, inasmuch as, while at the same time, while on the contrary.

Wherein (Où)

adv. In that way, how.

Whereof (De quoi)

conj. Of what, of which, of whom.

Witness (Témoïn)

A person who testifies under oath at a deposition or trial, providing firsthand or expert evidence. In addition, the term also refers to someone who watches another person sign a document and then adds his name to confirm (called "attesting") that the signature is genuine.