

Common Words with Uncommon Legal Meaning

A. Match the *Legal Definitions* on the next page to these common English words.

| Words | Legal Definitions | Standard Definitions |
|--------------------|--------------------------|---|
| 1. accessory | | (n) a subordinate or supplementary item; a small accompanying item of dress |
| 2. action | | (n) the state or process of acting or doing; a deed |
| 3. alien | | (n) a creature from outer space |
| 4. assign | | (v) to select for a duty or office; appoint |
| 5. assignment | | (n) something, such as a task, which is appointed |
| 6. award | | (n) something that is given as a reward for merit; a prize; a medal |
| 7. battery | | (n) a device containing an electric cell or a series of electric cells storing chemical energy |
| 8. bench | | (n) a long seat, often without a back, for two or more persons |
| 9. call | | (v) to speak in a loud or distinct voice so as to be heard at a distance; to make a request or demand |
| 10. damages | | (n) destruction or a loss in value, usefulness, or ability resulting from an action or event |
| 11. determine | | (v) to make or cause to make a decision |
| 12. devise | | (v) to contrive, plan, or elaborate; to form a plan |
| 13. entertain | | (v) to extend hospitality towards; to amuse someone |
| 14. file | | (v) to place a document, letter, etc., in a file |
| 15. injury | | (n) damage or harm done to or suffered by a person or thing |
| 16. of course | | (idiom) used to indicate assent or agreement; yes |
| 17. liability | | (n) a hindrance or disadvantage |
| 18. natural person | | (n) a regular, normal individual |
| 19. notice | | (n) the acting of noting or observing |
| 20. party | | (n) a social gathering especially for pleasure or amusement |
| 21. render | | (v) to give or make available; to provide |
| 22. residue | | (n) the remainder of something after removal of parts or a part |
| 23. rise | | (v) an upward movement or an increase in value |
| 24. serve | | (v) to prepare and offer food; to place food before someone |
| 25. stay | | (n) a brief period of residence or visiting |
| 26. suffer | | (v) to feel pain or distress; sustain injury or harm |

Legal Definitions

A. (n) The decision of an arbitrator; a grant made by a court of law, especially of damages in a civil action.

B. (v) To transmit or give real property by will.

C. (n) A proceeding brought before a court to obtain relief; a lawsuit.

D. (n) The office or position of a judge.

E. (v) To transfer (property, rights, or interests) from one to another.

F. (v) To bring a suit, especially a divorce suit, in a court of law.

G. (v) To be at the charges of; to take or keep in one's service; to maintain; to support; to harbor; to keep.

H. (n) Any action or step that an individual might take during judicial proceedings without being required to ask the judge's permission.

I. (n) In a will, the assets of the estate of a person who has died with a will which remain after all specific gifts have been made.

J. (n) A person who incites someone to commit a crime or assists the perpetrator of a crime, either before or during its commission.

K. (n) Any person involved in a transaction or proceeding, e.g., plaintiffs or defendants

L. (v) To admit, allow, or permit.

M. (v) To deliver conclusively a legal document such as a writ or summons.

N. (n) The unlawful and unwanted touching or striking of one person by another, with the intention of bringing about a harmful or offensive contact.

O. (n) The act of temporarily stopping a judicial proceeding through the order of a court.

P. (n) The condition of being actually or potentially subject to a legal obligation.

Q. (v) To demand payment of especially by formal notice

R. (v) To pronounce, declare, or state the decision of the court in a particular case.

S. (v) To institute a suit or action at law or to draw up a summons or other initiating writ.

T. (v) To come or bring to an end, as an estate or interest in land.

U. (n) Information; knowledge of certain facts or of a particular state of affairs. The formal receipt of papers that provide specific information.

V. (n) not a corporation

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

X. (n) Any wrong or harm done by one individual to another individual's body, rights, reputation, or property. Any interference with an individual's legally protected interest.

Y. (n) A transfer of rights in real property or personal property to another that gives the recipient (transferee) the rights that the owner or holder of the property (transferor) had prior to the transfer.

Z. (n) An unnaturalized foreign resident of a country; a noncitizen.

(Exercise on next page)

B. Now use the appropriate word, based on its legal definition, in the sentences below.

1. Your honor, my client was not a _____ to these charges, and I would like to know why she is here.
2. He plans to _____ suit against your country in every international tribunal.
3. The _____ of proceedings sent to the embassy contains a description of the facts, the charges against the accused, his or her means of defense, as well as the indictment.
4. Joe gives Josh the blue-prints to a bank. Afterwards, Jane allows Josh to hide the money at her apartment. Both Jane and Joe are _____ to the robbery.
5. The _____ of his estate after bequests had been made was to be used for the maintenance of these schools.
6. For his part in the assault, my client is willing to confess to the charge of _____.
7. Property acquisitions by gift, bequest, or _____, and property acquired before marriage are considered separate property.
8. Pursuant to article 21, on the protection of young people, a summons _____ on a minor aged under 12 years may be remitted to his legal representative.
9. Mary hired Tom to fix her toilet; however, the work that Tom did caused flooding and ruined Mary's carpet. The judge awarded Mary _____ to cover the cost of fixing the toilet and replacing the carpet.
10. A breach of contract, negligence, and breach of duty are all considered to be types of _____ under the law.
11. Pursuant to their oath, jurors must endeavor to _____ a verdict based upon the evidence which has been adduced before them.
12. You hereby _____ to the Promoter all intellectual property rights (including future rights) in your entry and otherwise arising in connection with your entry.
13. The right of petition has now caught on with local citizens and when the need arises, they use it as a matter _____.
14. A criminal _____ is a proceeding initiated by the government to punish a person or entity for a crime.
15. Under these circumstances, a _____ of proceedings would be a just and appropriate remedy.
16. We would therefore allow the appeal and restore the _____ of the arbitrator, with costs throughout.
17. Court finds that it cannot _____ the case because there was no dispute between the parties on the date when the application was filed.
18. He then changed his mind and cancelled his statement of _____ of property, which resulted in the cancellation of the settlements based thereon.

Google search: "The Scrivener Modern Legal Writing Common Words with Uncommon Meanings"

C. Now read the article *Common Words with Uncommon Meanings* and answer the following questions.

1. The use of common words with special meaning is not only _____, but _____ in the law. (one word for each space)
2. Frequent use of common words with uncommon meanings is one of the _____ characteristics of the language of the law. (one word)
3. To lawyers, the definition of "person" in the Uniform Commercial Code does include organizations such as _____ and _____. (one word for each space)
4. Lawyers use the same word with different and special definitions in different _____. (one word)
5. The definition of "_____ " for the purposes of the Probate Code does not have any age limitation. (one word)
6. When writing to a legally sophisticated audience, you should consider your audience's _____. (one word)
7. Because lawyers often have a different connotation for some common words, avoid situations in which the common meaning could create _____. (one word)
8. When writing to an audience that is not legally sophisticated, the use of common words with uncommon meanings may be more misleading than the use of _____ or some unfamiliar _____. (one word, three words)
9. The attorney was not asking to be excused to go to the restroom when he made a _____ to the judge. (three words)
10. Avoid switching _____ between the common and uncommon meanings. (three words)
11. Whenever you use the same word in different contexts, you _____ your readers. (two words)
12. The art of understanding how your audience will respond to your message is _____. (one word)
13. As lawyers, you must consider whether your audience is _____ to interpret common words with uncommon meanings.

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