

Practical Law

CHAPTER 1 Vocabulary

amendment

one of the provisions of the U.S. Constitution enacted after the original Constitution became law; an addition to an existing document or plan

attorney

lawyer

civil action

a noncriminal lawsuit, brought to enforce a right or redress a wrong

civil law

all law that does not involve criminal matters, such as tort and contract law; civil law usually deals with private rights of individuals, groups, or businesses

criminal law

the branch of law dealing with crimes and their punishments

defendant

the person against whom a claim is made; in a civil suit, the defendant is the person being sued, in a criminal case, the defendant is the person charged with committing a crime

felony

a serious criminal offense punishable by a person sentenced to more than one year

judicial review

the process by which courts decide whether the laws passed by Congress or state legislatures are constitutional

jurisprudence

the study of law

jury

in a legal proceeding, a body of men and women selected to hear and examine certain facts and determine the truth

law

rules/regulations that give authority to the government to safely protect the rights of citizens to prevent crime

lawsuit

litigation between two parties

limited government

a basic principle of our constitutional system; it limits government to powers provided to it by the people

misdemeanor

a criminal offense, less serious than a felony, punishable by a prison sentence of one year or less

plaintiff

in a civil case, the injured party who brings legal action against the alleged wrongdoer

preponderance of evidence

usually the standard proof used in a civil suit; the burden of proof that a party must meet in order to win the lawsuit; to win, a party must provide evidence that is more convincing than the other side's evidence

prosecutor

the state or federal government's attorney in a criminal case

reasonable doubt/suspicion

evidence that justifies an officer in stopping and questioning an individual believed to be involved in criminal activity; based on less evidence than probable cause but more than a mere hunch

statute

written laws enacted by legislatures

Supreme Court

the highest court in the United States

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Chapter 2 Vocabulary

Congress

Law-making body for our federal government

House of Representatives

435 total representatives, and the number per state changes depending on population

Senate

100 representatives, 2 for every state

Statute

Another word for "law"

Federal Statute

Affects all states and deals with issues of national importance

Bicameral System

A system with two houses, (ex. Senate and House of Representatives), used in all but Nebraska which has only a Senate and is unicameral.

Tribal Councils

Law making bodies for the Native Americans which has legislative authority in reserves

Delegated Powers

Powers given to the federal government such as the power to make treaties and coin money.

Supremacy Clause

States that laws of the US and the Constitution are the supreme law of the land

Ordinance

A local law

Bill

A proposed law

Legislative Intent

Judge interprets what the legislature means and is involved in disputes over the law

Occupational Safety and Health Administration (OSHA)

Develops regulations for the health and safety of workers.

Zoning Agencies

Develop plans that determine what kind of buildings can be located in specific parts of a town. They impose height restrictions, etc.

Public Hearing

Gives individuals or businesses the opportunity to express their views on proposals

Appellate Courts

Courts that review cases in which a defendant feels they were not given justice in another court

Precedent

An earlier decision in a court case