

English/Mong Legal Glossary

PHAU NTAWV MOOB TXHAIS COV LUG KEV-CAI LIJ-CHOJ

Translated from English into Mong by Kou Xiong (Kub Xyooj), Esq.



Superior Court of California, County of Sacramento
720 9th Street
Sacramento, CA 95814
Phone: (916) 874-6867 • Fax: (916) 874-8229

www.saccourt.com

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Superior Court of California County of Sacramento

June 22, 2005

Dear Court Interpreters, Prospective Court Interpreters, and Pro Pers:

Over the past decade, California has seen a tremendous growth in the number of residents for whom English is not their primary language. According to the 1990 U.S. Census Study, over 294 languages and dialects are spoken in California, making it the most diversified state in the nation. In the Sacramento area alone, over 70 languages are spoken in public schools. As is the case with most public agencies, California trial courts are experiencing increased challenges in providing services to our customers, especially towards our goal of providing equal access before the law. Coupled with the inherent language barriers, many of our constituents are also unfamiliar with our legal system and the terminology that courts use in their day-to-day dealings with litigants.

Court interpreters provide a valuable service to the court and the community by interpreting legal proceedings in courtrooms throughout California each day. The job is very rewarding and requires a significant level of written and oral communication skills in English and the foreign language. Added to this requirement is the additional knowledge required of the legal system and the terminology used by judges, lawyers, and witnesses. In an effort to assist court interpreters in providing services to our community and courtroom, the Sacramento Superior Court is pleased to provide a glossary of legal terminology that has been translated into multiple languages. We hope that you will find this a useful tool in your court interpreter career.

Sincerely,

A handwritten signature in blue ink that reads "Michael G. Virga".

Michael G. Virga
Presiding Judge

A handwritten signature in blue ink that reads "Jody Patel".

Jody Patel
Court Executive Officer

Disclaimer

The Superior Court of California, County of Sacramento ("Court"), has prepared this Legal Glossary. The Court cannot guarantee that the translations contained therein are completely accurate, although reasonable attempts were made to achieve this goal. This glossary is to be used for general reference purposes only, should be considered a "work-in-progress," and is not intended to provide legal advice. This glossary is not intended to be used as a study guide for purposes of passing California court interpreter certification examinations, as some terminology might differ when used in specific context.

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English/Mong (Moob) Legal Glossary
PHAU NTAWV MOOB TXHAIS COV LUG KEV-CAI LIJ-CHOJ.

1203.03 PC MOTION - Request to cancel, modify, change or terminate probation.

1203.03 PC MOTION: Txuj-kev-thov muab probation hloov los-sis tshu tawm.

1203.4 PC MOTION - Request to take back guilty plea or set aside a guilty verdict, and dismiss the accusations or information. (Made after probation has either terminated or defendant was discharged from probation prior to termination.)

1203.4 PC MOTION: Txuj-kev-thov muab cov lug leeg txim hab lug foob tshu tawm. (Txuj kev thov nuav yog has tau tom qaab probation taag lawm los-sis tom qaab Court los tub ceev-xwm muab tug tsaug-txim qhov probation tshu tawm.)

170.6 PC MOTION - Request to disqualify the assigned judge from hearing a matter.

170.6 PC MOTION: Txuj-kev-thov tsi pub tug kws-tu-plaub-ntug tu, txav, hab noog yug qhov plaub-ntug.

995 PC MOTION - Request made by a defendant to dismiss a count of information.

995 PC MOTION: Tug tsaug-txim txuj-kev-thov kuam Court los tug kws-tu-plaub-ntug muab ib nqais lug foob tshu tawm.

ABANDONMENT - When a parent leaves a child without enough care, supervision, support, or parental contact for an excessive period of time.

TSO MIV-NYUAS TSEG: Thaum twg ib tug nam-txiv tsi muab zaub-mov, nyaj-txag, los-sis sib-hawm txaus lug saib, tu, los yug miv-nyuas.

ABATE - To put an end to; to cancel out.

Ua kuam pluj moog taag; tso-tseg, tshu tawm.

ABATEMENT OF ACTION - A suit which has been set aside and ended.

Qhov plaub-ntug kws muab tshu tawm lawm los-sis tu tav taag lawm.

ABDUCTION – The offense of taking away a wife, child, or ward, by deceitful persuasion, force, or violence.

NYAG MIV-NYUAS, NYAG TUAB NEEG: kev nyag hab txeeb miv-nyuas siv tswv-yim dlaag, siv rag-phom, los-sis siv kev phem, kev hem, kev ntaus-tua tuab-neeg.

ABROGATE - To repeal or cancel an old law using another law or constitutional power.

Muab lwm txuj-cai lij-choj lug hloov los-sis tshu tawm txuj-cai lij-choj qub (kws siv tsi tau lawm los-sis tsi zoo tsi yog lawm).

ABSTRACT - A summary of what a court or government agency does. In Traffic, document that is sent to the Department of Motor Vehicles (DMV) to update driving record.

***ABSTRACT (a-xi-ra):** dlaim ntawv qha txug qhov txav-txim lug ntawm xaam/Court los-sis “la-thab-npaas” yog le caag. Tsaab ntawv siv moog hloov ib tug tuab-neeg qhov “record” tsaav tsheb nyob huv DMV.*

ABSTRACT OF JUDGMENT- Summary of the court's final decision. Can be used as a lien if you file it with the county recorder.

***DLAIM NTAWV TXAV-TXIM:** Dlaim ntawv qha tas Court/xaam txav-txim, tu-plaub-ntug le caag lawm. Dlaim ntawv txav-txim nuav siv moog kuam luas them nuj-nqe rua yug yog yug coj moog qha rua hab muab rua County khaws ca lawm.*

ABSTRACT OF RECORD - Short form of the case.

Dlaim ntawv qha txug cov nrab-lug ntawm qhov plaub-ntug/case.

ABUSE –(1) immoderate or improper use; (2) to do physical, sexual, or psychological harm to someone.

(1) ua tshaaj txuj-cai, ua dlau txuj-cai; (2)tsim-txom, ua kev lim-ham, ua kev phem rua lwm tug tuab-neeg.

ABUSE OF PROCESS - Misuse of the power of the court.

ua tshaaj txuj-cai xaam pub; siv xaam txuj-cai moog ua kev phem, ua kev tsi zoo, ua tej yaam tsi raws txuj-cai

ACCESSORY - A person who helps someone else commit a crime, either before or after the crime.

ib tug tuab-neeg kws paab dlua lwm tug tuab-neeg moog ua tub-saa, tub-nyaag, tua-tuab-neeg, ua kev phem, txawm has tas ua ntej los-sis ua qaab qhov kev phem (crime) ntawd.

ACCIDENT AND MISFORTUNE – an unintentional event; unforeseen event causing misfortune.

ua yoom kev (as-xa-ntee) los-sis tsi muaj moos es ua yoom kev

ACCOMPLICE - A person that helps someone else commit a crime. Can be on purpose or not.

Ib tug tuab-neeg kws paab dlua lwm tug tuab-neeg moog ua tub-saa, tub-nyaag, tua-tuab-neeg, ua kev phem, txawm has tas ua ntej los-sis ua qaab qhov kev phem (crime) ntawd.

ACCORD - A satisfaction agreed upon between the parties in a lawsuit, which prevents further actions after the claim.

Kev hum-xeeb los-sis kev sib cog-lug ntawm cov tuab-neeg nce xaam tuaj has plaub-ntug; kev sib cog-lug ntawm ua rua rooj plaub-ntug tsi pub has moog ntxiv lawm.

ACCORD AND SATISFACTION - Agreement by the parties to settle a claim or dispute in which the parties typically agree to give or accept something.

Kev zoo sab los-sis kev hum xeeb ntawm ob tog plaub-ntug vim has tas ob tog plaub-ntug sib khu hab sib cog lug lug muab qhov teeb-meem tso tseg lawm.

ACCRUAL – The total amount of child support payments that are owed or that are late.

Cov nuj-nqe tiv taag nrho txug ncuav taam-sim nuav pev-txiv le child support.

ACCUSATION - A formal charge against a person.

Kev lam; kev foob lwm tug tuab-neeg

ACCUSED - The person that is charged with a crime and has to go to criminal court. (See DEFENDANT).

Tug tsaug lam los-sis tsaug foob tas nwg tau ua tej yaam raug plaub-ntug los-sis ua tej yaam txhum kev-cai lij-choj. (ACCUSED hab DEFENDANT siv tau tuab yaam los yog tuab lu-lug).

ACKNOWLEDGMENT - Saying, testifying, or assuring that something is true.

Leeg tas yog; leeg tas muaj le has

ACKNOWLEDGMENT OF SATISFACTION OF JUDGMENT – A court form that the person who wins the case must fill out, sign, and file with the court when the judgment is fully paid. If there are no liens, the back of the *Notice of Entry of Judgment* can be signed and filed with the court (See JUDGMENT CREDITOR, JUDGMENT.)

Leeg tas tau ua taag le xaam txav-txim lawm; nuav yog ib dlaim Form (Foos).

ACQUIT - To legally find the innocence of a person charged with a crime. To set free, release or discharge from an obligation, burden or accusation. To find a defendant not guilty in a criminal trial.

Lug qha tas tug tuab-neeg yeej tsi tau ua muaj le lav-thaa-npaa tau foob los-sis lam.

ACQUITTAL - When a judge or jury finds that the person on trial is not guilty.

Qhov kws xaam los-sis cov jury (9 or 12 tug kev txij-laug) tau has tas tug tuab-neeg yeej tsi tau ua muaj le lav-thaa-npaa tau lam los-sis foob nwg.

ACTION - In court, when one person sues someone else to, defend or enforce a right, stop something bad from happening or fix something, or punish them for a crime.

Kev foob.

ACTION IN PERSONAM - Proceeding against the person for the recovery of a specific object, usually an item of personal property such as an automobile.

Kev foob lwm tug tuab-neeg kuam tau yug yaam khoom pev-txiv le yug lub tsheb, rov qaab lug.

ACTION IN REM - Proceeding "against the thing" as compared to personal actions (*in personam*). Usually a proceeding where property is involved.

Kev foob tab-sis tsi yog foob ib tug tuab-neeg, yog foob dlua lwm yaam, foob ib yaam khoom ntawd.

ACTIVE STATUS – A case that is in court but is not settled or decided has active status. (See DISPOSITION, PENDING.)

Qhov case kws tsi tau has los-sis muab tu taag.

ACTUAL LOSS – This is a showing that the plaintiff or injured party has undergone some loss of property or other thing of value by reason of fraud, forgery, or other illegal action. For the crime of forgery the existence of a specific intent to defraud is an essential element; however, there is no requirement of actual loss to complete the crime.

Yaam khoom kws poob lawm los-sis tu-saab muab nyag lawm.

AD LITEM - Comes from Latin meaning for the "purposes of the lawsuit." For example, a *guardian ad litem* is a person appointed by the court to protect the interests of a minor or legally incompetent person in a lawsuit.

Nuav yog ib lu-lug Latin kws txhais tau tas "vim muaj kev foob." Pev-txiv tas yuav tsum muaj ib tug tuab-neeg lug saib xyuas los-sis lug tiv-thaiv ib tug miv-nyuas kws tsi tau puv 18 xyoo los-sis ib tug tuab-neeg puag-xua-moom cov cai, lug ua tug cev-lug rua cov tuab-neeg zoo le ntawd.

ADD-ON - Refers to an additional matter that is added to a specific calendar at a time after the initial preparation of the calendar.

NTXIV-RUA: Tej yaam kws ncu txug lig lawm es yuav tsum tau muab ntxiv-rua yaam plaub-ntug ntawd.

ADDENDUM - A thing added or to be added.

Ib yaam tshab kws muab ntxiv rua pev-txiv le cov qub lug, cov ntawv foob.

ADDICTION – A person who has become emotionally dependent on the use of a drug and the effect is an irresistible need to continue its use and has developed a tolerance to the drug and requires larger stronger doses.

Quav yeeb quav xas quav dlej cawv, quav tshuaj

ADDITUR - The power of a trial court to increase the amount of an award of money to one party made by jury verdict, as a condition of denial of motion for new trial. The defendant must consent to the increased money award, the plaintiff need not consent.

Xaam txuj-cai kws nwg muaj lug ntxiv nyaj rua tug yeej pev-txiv le tug foob tom qaab kws cov 9-12 tug kev-txij-laug (jury) tau txav-txim taag lawm (vim has tas cov kev-txij-laug muab tsawg dlau heev lawm).

ADHESION CONTRACTS – Contract where one party has no real choice as to its terms.

Ntaub-ntawv sib cog lug kws zoo moog rua Ib tog xwb.

ADJOURNMENT - To put off a court hearing until another time or place.

Txuj kev cuaj-tseg los-sis ntxiv caij-nyoog has plaub-ntug.

ADJUDICATE - When a judge hears and decides a case.

Txav los-sis tu-plaub-ntug

ADJUDICATION - The judge's decision in a case or action.

Kev txav los-sis tu-plaub-ntug

ADMIN PER SE - Latin meaning, “*by itself, inherently.*” Requires the Department of Motor Vehicles (DMV) to automatically suspend or cancel the driver's license of a driver whose blood alcohol content measures more than .08%, or who refuses to take a test to measure his/her blood alcohol level.

Txuj-cai kws muab rua DMV lug tshu tawm yug dlaim license vim has tas yug haus dlej haus cawv tshaaj txuj-cai ntawm .08%

ADMINISTER – (1) to manage; (2) taking a drug by injection, inhalation, ingestion, or any other means, to the body for that person's immediate needs.

(1) Lug dlha los-sis tuav ib lug koos-hum los-sis oos-kaas; (2) Lug nkaug tshuaj los-sis tso tshuaj

ADMINISTRATIVE PROCEDURE – The way an executive government agency makes and enforces support orders without going to court.

Tej kev kws lav-thaa-npaa siv lug ua hauj-lwm tsi laib lug thov xaam.

ADMINISTRATIVE REVIEW OR “AR” – A review of the welfare of a child in long-term foster care by a panel of people selected by the state Department of Health & Human Services (DHHS). The review is conducted at least once a year, in place of a 6-month placement hearing by the Court. The panel reviews a report from DHHS. The review is open to the parents of the child, parents’ attorney and child’s attorney.

“AR”—yog kev xaam-phaj los-sis tig rov qaab lug saib-xyuas saib puas muaj teeb-meem hab txug qhov chaw nyob, noj-haus ntawm ib tug miv-nyuas kws State tau coj moog lawm.

ADMINISTRATOR - 1. Man who represents the estate of a person who dies without a will. 2. A court official.

(1) ib tug quas-yawg kws xaam xaaj lug saib-xyuas cov khoom, nyaj-txag ntawm ib tug tuab-neeg kws tau pub 120 xyoo lawm; nwg lug tuav cov ntaub-ntawv hab faib cov khoom, aav, los-sis cov nyaj-txag rua nwg tsev tuab-neeg tseem ua neej nyob; (2) yog ib tug ua hauj-lwm rua xaam los-sis tom court.

ADMINISTRATRIX - Woman who represents the estate of a person who dies without a will.

Ib tug quas-puj kws xaam xaaj lug saib-xyuas cov khoom, nyaj-txag ntawm ib tug tuab-neeg kws tau pub 120 xyoo lawm; nwg lug tuav cov ntaub-ntawv hab faib cov khoom, aav, los-sis cov nyaj-txag rua nwg tsev tuab-neeg tseem ua neej nyob. (Zoo tuaj yaam le tug Administrator; rua yog tas yog tug quas-puj xwb)

ADMISSIBLE - Pertinent and proper to be considered in reaching a decision.

Tej yaam kws zoo hab txaus xaam siv lug txav-txim los-sis tu plaub-ntug

ADMISSIBLE EVIDENCE - Evidence that can be legally and properly be used in court.

Cov ntaub-ntawv los-sis khoom pov-thawj kws xaam pub ob tog siv lug txeeem nwg cov lug foob los-sis lug txeeem plaub-ntug huv court

ADMISSION - Saying that certain facts are true. But not saying you are guilty. (Compare with CONFESSION).

Leeg tas tej yaam yeej yog lawm, tab-sis tsi tau leeg tas yug ua yoom-kev los-sis yug leeg lub txim lawm

ADMONISH - To warn, advise, or scold.

ceev-toom; qha; tshev

ADMONITION - Advice or caution by the court to the jury respecting their duty or conduct as jurors, and the purpose for which evidence may be considered.

ceev-toom

ADMONITION TO JURORS - What the judge says to the jury about what they must do and how they must behave, what evidence they can use to make their decision (called "admissible" evidence), and how they can use that evidence to make a decision.

ceev-toom rua cov jurors (12 tug txij-laug)

ADOPTION - The way to make the relationship between a parent and child legal when they are not related by blood.

Txais miv-nyuas yuav los-sis coj lug yug ua yug tug

ADOPTIVE ADMISSION – Action by a party that communicates agreement with the statements of another person.

Ua tsaws le los-sis yuav tsaws le lwm tug tuab-neeeg tau leeg los-sis tau ua lawm

ADVERSARY SYSTEM - The system of trial practice in the United States and some other countries in which each of the opposing (or "adversary") parties has the opportunity to present and establish opposing positions before the court.

Txuj kev has plaub-ntug nyob teb-chaws Asmesliskas nuav, muaj ob tog tuaj sib foob rua huv xaam.

ADVERSE WITNESS – A person called to testify for the other side.

Tug tuab-neeeg ua laav thaam hu tuaj tog tom tog.

AFFIANT - A person who makes and signs an affidavit.

Tug tuab-neeeg kws sau los-sis has tas cov lug nwg tau has mas yeej muaj tseeb hab muaj tag, tsi dlaag (haus dlej los tau, tsaav teg rua sau ntuj los tau).

AFFIDAVIT - A written statement that someone swears to under oath in front of someone that is legally authorized, like a judge or notary public.

Tsaab ntawv cog lug tsaag sau ntuj tas yeej muaj tseeb tsi dlaag.

AFFIRMATION – When an appellate court says that the lower court’s decision was right.

Qhov kws lub xaam sab lug laav tau los-sis lug has tau tas lub xaam yau txav-txim yog lawm.

AFFIRMATIVE DEFENSE - When a defendant or person responding to a civil case has a reason that would make him or her "not guilty" or not at fault and gives the court new evidence to prove that. The defense has to prove what it says (called BURDEN OF PROOF). The defense has to explain this defense in their ANSWER.

Txuj-cai kws yug muaj moog tiv-thaiv tog tom cov lug foob, lug lam.

AFFIRMED - In appellate courts, it means that the decision of the trial court is correct.

Lub xaam sab leeg tas lub xaam yau txav-txim yog lawm.

AFTER ACQUIRED INTENT – When the defendant did not intend to commit a crime until after the crime had been committed.

Lub tswv-yim lug ua tub-saa tub-nyaag kws muaj tom qaab kws tuab moog ua los-sis nyag yaam khoom ntawd taag lawm.

AGENT - Someone who has authority to act for another.

Tug cev-lug pev-txiv le tug mej-koob; tug “taaj-nab”

AGENCY – One person acts for or represents another by authority. In Traffic, the department issuing the citation.

Txuj kev “taaj-nab” kws ib tug cev lug rua lwm tug. Nyob huv Traffic Court, agency yog lub chav los-sis lub department kws sau dlam “ticket”.

AGGRAVATION - Circumstances that may be considered as magnifying, or adding to, the degree of punishment.

Muab ua luj los-sis mob ntxiv tuaj

AGGRAVATED ARSON – Deliberately setting fire with specific intent to cause injury or damage structures where defendant has been previously convicted of arson, the damage exceeds \$5m, or at least 5 residences were damaged.

Txhob-txim hlawv tsev ua kuam vaaj-tsev puag tshaaj le \$5 laab nyaj los-sis tsev puag muaj yaam le 5 lub. Tug tuab-neeeg hlawv tsev nuav yog ib tug kws tau hlawv tsev yaav taag lug lawm.

AGGRAVATED BATTERY - Unlawful use of force against another such as using a dangerous weapon.

Siv rag, phom, los-sis paas ntaus tuab-neeeg

AGGRAVATED MAYHEM – Causing permanent disability or disfigurement with specific intent to cause the injury and with extreme indifference to well-being of other person.

Txhob-txim muab lwm tug tuab-neeeg txav teg-taws txav nplooj-ntseg

AGGRAVATED TRESPASS – Unlawfully entering property of another with specific intent to carry out prior threat of serious bodily injury.

Txhob-txim nkaag moog rua lwm tug tuab-neeeg lub vaaj lub tsev moog ua kev phem rua tsev tuab-neeeg ntawd.

AGGRAVATING FACTORS - Any factors associated with the commission of a crime which increase the seriousness of the offense.

Tej yaam kws muab lug ntxiv lug ua lub txim luj dlua.

AGGREGATE TERM - The total length of imprisonment.

Taag nrho lub sib-hawm los-sis lub txim maag kaw nkuaj

AGREED STATEMENT OF FACTS - Statement of all important facts, which all the parties agree is true and correct, and which is submitted to a court for a decision.

Taag nrho cov lug kws ob tog plaub-ntug tau pum-zoo los-sis lug leeg has tas muaj tseeb es yeem muab rua xaam saib-xyuas lug txav-txim.

AGREEMENT - When the people involved in a legal dispute agree about something.

Cov lug ob tog sib cog; sib hum-xeeb

AID AND ABET - to help or assist, in committing a crime.

Paab lwm tug tuab-neeeg ua kev tub-saa-tub-nyag lug ua txhum txuj-cai.

AIDER AND ABETTOR – One who has criminal intent and assists another to commit a crime.

Tug tuab-neeeg kws paab lwm tug tuab-neeeg ua kev tub-saa-tub-nyag lug ua txhum txuj-cai.

ALLEGE - To say, declare, or charge that something is true even though it is not proved yet.

Lam; lam tas tej yaam yeej muaj tseeb, yeej yog

ALLEGED - Said to be true as described; a person who is accused, but has not yet been tried in court.

Tau lam; tau tas tej yaam yeej muaj tseeb, yeej yog

ALLEGATION - A statement or claim that is made and has not been proved to be true or false.

Cov lug lam, foob

ALLEGED FATHER – A man who may be the father of the child.

Tug txiv-neeeg kws lug caam has tas nwg yeej yog tug miv-nyuas leej txiv tag tag.

ALIAS - Known by another name; or means "also known as" which A.K.A. is short for.

Dlua lwm lub npe; lwm lub npe kws ib tug tuab-neeeg siv hab

ALIBI - A defense claim that the accused was somewhere else at the time a crime was committed.

Ib txuj kev tiv-thaiv cov lug foob pev-txiv le tas tug raug foob yeej tsi nyob zes ntwm qhov chaw kws lav-thaa-npaa tau lam; nyob rua lwm qhov chaw lawm es yeej muaj tuab-neeeg pum

ALIMONY - Money the court orders you to pay to a spouse or ex-spouse. (See SPOUSAL SUPPORT).

Nyaj txag xaam xaaj rua koj lub them pub rua koj tug quas-yawg los-sis quas-puj lug yug nwg vim has tas yug hab nwg tau ua neej sib paab sib yug lug lawm rua yog has tas ob leeg tau lug sib nrauj lawm xib.

ALLOCUTION - Defendant's statement to try to reduce punishment.

Tug tuab-neeeg kws tau raug txim cov lug kuam xaam txu nwg lub txim kuam yau.

ALTERATION, FORGERY BY –Adding, erasing, or changing a document with the specific intent to cause it to appear different from what it originally was intended to be to cheat another person.

Hloov los-sis “poos” ntaub-ntawv lug khuj los-sis lug dlaag lwm tug tuab-neeeg.

ALTERNATIVE DISPUTE RESOLUTION (ADR) - Methods of resolving disputes without official court proceedings. These methods include **MEDIATION** and **ARBITRATION**.

Lwm txuj-kev kws siv lug khu teeb-meem los-sis sib khub kws tsi lug nce rua tom xaam, pev-txiv le tas koj moog rua cov kev txij-laug tu hab khu xib.

AMEND - To add to or change a claim that has been filed in court.

Hloov los-sis khu ib dlaim ntawv kws tuab muab xaa moog rua tom xaam lawm.

AMENDMENT - A change made by correction, addition, or deletion.

Qhov kws hloov los-sis khu lawm.

AMICUS CURIAE (A-MI'KUS KU'RIE) - Someone that gives advice to the court about the law in a case, but is not part of the case. Comes from the Latin for "friend of the court."

Tug tuab-neeeg kws tsi tuaj ib tog twg le kws lug paab xaam tawm tswv-yim xwb.

ANNOTATION - A case summary or commentary on the law, cases, statutes, and rules.

Cov ntaub-ntawv qha txug cov kev-cai, lij-choj, hab cases.

ANNUAL REVIEW - Yearly judicial review.

Qhov kws rov lug saib-xyuas hab kuaj txhua-txhua xyoo.

ANNULMENT – A legal action that says your marriage was never legally valid because of unsound mind, incest, bigamy, being too young to consent, fraud, force, or physical incapacity.

Txuj kev tsov lug muab ib nkawm nam-txiv txuj kev sib yuav tshu tawm los-sis muab thau tseg vim has tas nkawm nam-txiv ntawd tau lug sib yuav tsi tsaws txuj-cai, lij-choj.

ANONYMOUS – When someone's name is kept secret.

Qhov kws tsi pub leej twg paub yug lub npe; tsi pub qha yug lub npe rua lwm tug tuab-neeg.

ANSWER - A statement that a defendant writes to answer a civil complaint and says what defense they will use.

cov lug teb cov lug foob (ee-xwm)

ANTICIPATORY BREACH - When a person who is to perform as set forth in a contract, clearly indicates to the other party that he will not or cannot perform.

Qhov nuav yog thaum ib tog thau rov qaab tas nwg tsi kaam ua le kws ob tog tau sib cog lug lawm los-sis yog lub sib hawm kws ib tog has qha meej-meej rua tog tom has tas nwg ua tsi tau tsaws le ob tog cov lug-sib-cog taag lug lawm.

APPEAL - When someone that loses at least part of a case asks a higher court (called an "APPELLATE COURT") to review the decision and say if it is right. This is called "to appeal" or "to take an appeal." The person that appeals is called the "APPELLANT." The other person is called the "APPELLEE."

Qhov nuav yog thaum tug swb tsi yeem swb es nwg muab nwg cov plaub-ntug xaa moog rua lub xaam luj los-sis lub xaam sab lug txav-txim. Tug tuab-neeg swb es nwg muab nwg cov plaub-ntug xaa moog rua xaam sab txav-txim hua ua tug “AS-PHIS-LAAJ”. Tug yeej los-sis tug tuab-neeg yuav lug teb cov lug foob nce moog xaam sab nuav hua ua tug “AS-PHIS-LI”.

APPEARANCE - Going to court. Or a legal paper that says you will participate in the court process.

Tshwm tuaj tom xaam los-sis tsev-txav-txim los-sis dlaim ntawv qha has tas yug yuav lug muab kev koom-teg nrug xaam.

APPEARANCE PROGRESS REPORT (APR) –A court order for a report by the Department of Health and Human Services (DHHS) on an issue requested by the court.

***ES-PHIS-AS-LAWM (APR):** Dlaim ntawv xaam xaaj kuam lub “Dis-phaj-maam” lug tiv-thaiv, saib-xyuas, kev mob-nkeeg ntawm pej-xeem (“DHHS”) muab ib dlaim “li-phuaj” (report) qha txug qhov teeb-meem ntawd raws le kws xaam tau xaaj dlau lug lawm.*

APPELLANT - Someone that APPEALS a court's decision. (Compare with APPELLEE.)

Tug tuab-neeg swb los-sis tsi zoo sab es nwg muab nwg cov plaub-ntug xaa moog rua xaam sab txav-txim. Tog yeej los-sis tog teb cov lug nce xaam sab nuav hu ua "AS-PHIS-LI".

APPELLATE - Having to do with appeals. An APPELLATE COURT can review a lower court's (called a "TRIAL COURT" or "superior court." Decision. For example, California Court of Appeal review the decisions of the superior courts.

Txuj kev nce moog xaam sab

APPELLATE COURT - A court that can review how the law was used to decide a case in a lower court.

Lub xaam sab kws muaj txuj-cai lug noog los-sis txav-txim cov teeb-meem hab lug foob huv qaab.

APPELLATE JURISDICTION - The appellate court has the right to review and change the lower court decision.

Txuj cai kws lub xaam luj xaam sab muaj lug noog hab lug tu cov plaub-ntug tshwm-sim lug huv xaam yau tuaj.

APPELLEE - A person that answers an appeal in higher court.

Tug tuab-neeg kws lug teb cov lug foob nce moog xaam sab; tug tuab-neeg kws yeej nyob huv xaam yau.

ARBITRATION - When a person that isn't involved in the case looks at the evidence, hears the arguments, and makes a decision. (Compare with MEDIATION.)

Txuj kev muab qhov plaub-ntug tso rua txij-laug lug noog hab tu.

ARGUMENT - Remarks made by an attorney to a judge or jury on the facts of the case or on points of law.

Cov lug cev los-sis qha rua xaam has tas yug txuj-cai ntawm cov plaub-ntug taam-sim nuav yog le dlaab-tsi.

ARMING CLAUSE - A conduct enhancement alleging that defendant or an accomplice was armed.

Ib cov lug lam rua tug tuab-neeg tsaug-txim vim nwg siv rag phom tes xaam yuav tsum ntxiv sib-hawm kuam nwg lub txim luj dlua.

ARRAIGN - Process where the person who is accused is brought before the court to hear the criminal charge(s) against him or her and to plead guilty, not guilty or no contest.

Txuj kev kws xaam qha has tas ib tug tuab-neeg tsaug lam has tas nwg txuj kev txhum plaub yog dlaab-tsi.

ARRAIGNMENT - When a person that is accused of committing a crime is taken to court, told about the charges, and asked to plead "guilty" or "not guilty."

Lub sib-hawm thaum xaam lug qha has tas la-thaa-npaa lam has tas yug tsaug txim le caag hab xaam lug nug saib yug puas yuav leeg lub txim los tsi leeg.

ARREARAGE – Child support that is overdue or unpaid.

Cov nuj-nqe nyaj-txag tsi tau them taag kws yug yuav tsum them lug paab yug yug miv-nyuas vim has tas muaj kev sib rauj.

ARREST - The legal capture of a person who is charged with a crime.

Nteg tub-saa tub-nyaag; nteg tug txhum plaub los-sis tsaug txim.

ARREST OF JUDGMENT - Postponing the result of a judgment already entered.

Muab xaam qhov txav-txim “cuaj” tsheg.

ARSON - The malicious burning of someone's own house or of someone else's house, or of someone's commercial or industrial property.

Hlaw tsev; hlaw lwm tug tuab-neeg lub tsev nyob los-sis lub tsev ua hauj-lwm.

ASSAULT - When someone tries or threatens to hurt someone else. Can include violence, but is not battery. (See BATTERY.)

Hem kuam ceeb tshai.

ASSAULT WITH A DEADLY WEAPON - When someone tries to hurt someone and there is threat to do bodily harm without justification by use of a weapon like a gun or a knife.

Xua rag xua phom lug hem

ASSESSMENT – Additional charges added to a case.

Ntxiv lug lam hab lug foob rua cov lug kws foob kws muaj ua ntej lawm.

ASSIGNEE - A person or business that is put in the place of the original creditor, such as a collection agency. You can assign your JUDGMENT to another person or business.

Tug tuab-neeg los-sis lub koos-hum kws lug leg cov dlej-num ntawm ib tug tuab-neeg kws nwg tsi xaav ua nwg cov dlej-num lawm los-sis nwg muab cov dlej-num ntawd tso tseg lawm. Yog koj yeej ib qhov plaub-ntug twg pev-txiv le kws lwm tug tuab-neeg tiv koj nuj-nqes, koj muab cov nuj-nqes nuav rua lwm tug tuab-neeg moog sau los tau.

ASSIGNMENT – Choosing someone to do something. Usually for: Cases - when the court uses a calendar to give (or "assign" cases to judges; Lawyers - when lawyers are chosen (or "appointed") to represent juveniles, conservatees or defendants; and Judges - when judges are sent (or "assigned") to different courts to fill in while other judges are on vacation, sick, etc., or to help with cases in a court.

Xaiv lwm tug tuab-neeg lug ua yug yaam dlej-num.

ASSIGNMENT OF SUPPORT RIGHTS – When a person who gets public assistance agrees to give the state any child support they get in the future. The person gets money and other benefits from the state. So the state can use part of the child support to pay for the cost of that public assistance.

Qhov nuav yog ib txuj-cai kws laav-thaa-npaa muab ib tuab-neeg cov nyaj yug miv-nyuas (“child support”) lug them laav-thaa-npaa rov qaab vim has tas laav-thaa-npaa tuab siv luas cov nyaj (“xoom-qhuab”) tuaj yug yug cov miv-nyuas lawm.

ASSIGNMENT ORDER – A court order (made after a MOTION that says a JUDGMENT DEBTOR must assign certain rights to the JUDGMENT CREDITOR. Useful for payments that the judgment debtor would usually get, like rent from tenants, wages from the federal government, sales commissions, royalties, a business's accounts receivable, or installment payments on IOUs (also called "PROMISSORY NOTES" or JUDGMENTS).

Ib qhov “qhaa-xaaj” lug ntawm xaam lug kuam tug tuab-neeg tiv nuj-nqe muab nwg cov nyaj-txag kws tau lug ntawm hauj-lwm, laag-luam, los-sis nyaj hlis muab faib ib feem lug them nwg cov nuj-nqe nwg tiv (tug “judgment creditor”).

ASSUMPTION OF RISK - A defense to a lawsuit for personal injury. The essence of the defense is that the plaintiff assumed the known risk of whatever dangerous condition caused the injury.

Ib txuj kev los-sis lub tswv-yim kws tug tuab-neeg kws tsaug foob siv lug tiv-thaiv cov lug foob; lub tswv-yim nuav has tas tug tuab-neeg kws tsaug mob ntawd tau tsaug mob vim tsi yog lug hov ntawm tug maag foob tab-sis yog lug ntawm nwg tug kheej, nwg tuab paub tas qhov kws nwg ua hov ntawd yeej yuav muaj kev tsaug mob xib los nwg tseem tsi ca le, tseem ua hab, tes nwg qhov tsaug-mob yog vim nwg tug kheej xib.

AT ISSUE - The time in a lawsuit when the complaining party has stated his or her claim and the other side has responded with a denial and the matter is ready to be tried.

Lub sib-hawm kws ob tog plaub-ntug tau ua los-sis npaaj ntaub-ntawv taag lawm es ob tog rua yog muab rua xaam lug txav-txim lawm xib.

AT ISSUE MEMORANDUM – A legal paper filed in a civil case that says the case is ready to go to trial.

Tsaab ntawv kws qha rua xaam paub has tas yug yeej npaaj txhij npaaj txhua lawm es thov kuam xaam muab sib-hawm lug txav-txim.

ATTACHMENT - (1) Document attached to court papers to give more information; (2) A way to collect judgment: by getting a court order that says you can take a piece of property.

(1) cov ntaub-ntawv muab lug los-sis ntxiv rua cov ntaub-ntawv xaa rua tom xaam lug qha ntxiv qhov teeb-meem rua xaam; (2) ib txuj-cai kws yug moog muab ib yaam khoom xis-le vaaj-tsev, tsheb, los-sis lwm yaam ntawm ib tug tuab-neeeg kws tiv yug nuj-nqe los-sis nyaj-txag.

ATTACHMENT FOR DEFAULTER - A process by the court for the arrest of a person other than a defendant. (See ATTACHMENT, BENCH WARRANT.)

Txuj-cai kws xaam siv lug nteg dlua lwm tug tuab-neeeg tsi yog tug tsaug foob (defendant).

ATTEMPT - An effort to do an act or commit a crime.

Sim-ua tuab-sis ua tsi tau los-sis ua tsi dlau.

ATTEST - To witness, to affirm to be true or genuine, to certify.

Lug leeg hab ua laav thaam tas yog hab muaj le tag.

ATTESTATION - The act of witnessing something in writing, at the request of a party.

Kev leeg tas yog, muaj tag.

ATTORNEY - Someone that is qualified to represent clients in court and to give them legal advice. (See COUNSEL).

Kws lij-choj; tug kws kawm kev-cai lij-choj taag lawm.

ATTORNEY OF RECORD - The lawyer whose name is listed in a case record as representing someone in the case.

Tug kws-lij-choj ua npe lug cev lug rua lwm tug tuab-neeeg nyob huv xaam cov ntaub-ntawv.

ATTORNEY-AT-LAW - An advocate, counsel, or official agent employed in preparing, managing, and trying cases in the courts.

Kws-lij-choj

ATTORNEY-IN-FACT - A private person (who is not necessarily a lawyer) authorized by someone to act in his or her place, either for some particular purpose, or for the transaction of business in general. This authority is given in writing, called a power of attorney.

Tug cev lug ntawm ib tog plaub-ntug; tug cev-lug nuav tsi taag yog ib tug kws-lij-choj.

AUDIT – When records or accounts are looked at to check that they are right and complete.

Lug “kuaj” ntaub-ntawv kuam muaj taag, muaj tag, hab yog

AUTHENTICATE - To give authority or legal authenticity to a statute, record, or other written document.

Lug qha has tas ib tsaab ntawv, lij-choj, los-sis lwm yaam ntaub-ntawv yeej yog muaj hab siv le ntawd tag

AUTO TAMPERING - The manipulation of an automobile and its parts for a specific purpose.

Hloov khoom nyob huv lub tsheb

AUTOMATED ADMINISTRATIVE ENFORCEMENT OF INTERSTATE CASES (AEI) – Part of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) that lets states fines, put a lien on, and take property from people in a different state who owe money.

Txuj cai siv moog muab nuj-nqe ntawm dlua lawm lub xeev los-sis “laav” (state).

AUTOMATED VOICE RESPONSE SYSTEM (AVR) – Phone system that gives information to people over the phone.

Qhov xaim xuv-tooq qha “information” rua tuab-neeeg.

AVERAGE ADULT PERSON –A hypothetical person who is used as an example of the entire community. This hypothetical person represents the interests of all, including persons religious and irreligious; persons of all nationalities, all adult ages and all economic, educational and social standings; persons with normal, healthy, average contemporary attitudes, instincts and interests concerning sex. (in the context of obscenity)

Feem tuab-neeeg laug; zoo le ib feem tuab-neeeg laug

BACKLOG – All the cases that haven't been settled or decided in the time the law says they should be.

Ua tsi tav, tsi taag es poob qaab lawm

BAD FAITH – Generally implies actual or constructive fraud, or a design to mislead or deceive another.

Txhob txim ua phem, ua tsi ncaaj nceeg, tsi ua tsaws kev-lig-kev-chai, txob txim zai.

BAIL - A security deposit (usually money) given to release a defendant or witness from custody and to make sure that they go to court when they're supposed to.

Nyaj muab lug caa lug tso ib tug tuab-neeeg tsaug txim maag kaw "nkuaj" tawm.

BAIL BOND - A legal paper that you buy from a bondsman and give to the court instead of bail. The defendant signs it and is let go. But if they don't come to court when they're supposed to, they must pay the amount of money on the bail bond.

Dlaim ntawv nyaj muab lug caa lug tso ib tug tuab-neeeg tsaug txim maag kaw "nkuaj" tawm; tsi taag siv nyaj.

BAIL BONDSMAN - Person who is responsible for paying the bond for the defendant's release from jail.

Tug tuab-neeeg kws tau txais nyaj caa rua tug tsaug-txim lug tso nwg tawm nkuaj.

BAIL EXONERATION – When you get your bail back. Or when a bail bondsman or insurance ("surety") company isn't responsible for your bail anymore.

Thaum kws xaam tsov los-sis thim yug cov nyaj-caa-tawm-nkuaj ("bail") lug.

BAIL FORFEITURE - A court order to let the court keep the bail deposit because the defendant didn't go to court when they were supposed to.

Qhov kws “xaam xaaj” kuam xaam khaws es tsi thim cov nyaj-caas-tawm-nkuaj vim has tas tug tuab-neeeg tsaug txim tsi tuaj cuag xaam le tau cuaj tseg.

BAILIFF -Person who is in charge of security in the court. Bailiffs are picked by sheriffs.

Tug tub-ceed-xwm nyob saib-xyuas huv lub chaav xaam.

BAILMENTS – A delivery of goods from one person to another in trust for purpose of carrying out agreed upon services.

Txuj kev kws ib tug tuab-neeeg “thib” peb tuav-khaws ob tog tuab-neeeg cov khoom vim has tas ob tog ntawd tau cog lug le ntawd.

BAIL NOTICE – A legal paper from the court that says the court will make a WARRANT for arrest unless the defendant goes to court or pays bail.

Tsaab ntawv tuaj tom xaam tuaj qha rua tug tsaug-txim has tas yog nwg tsis them nwg cov nyaj-caas (“bail”) los-sis tuaj ntsib xaam tes xaam yuav ua ib tsaab “qhaas xaaj” kuam tub-ceed-xwm tuaj nteg nwg.

BAIL RECEIPT – A written statement that the court gives a defendant that says bail was paid.

Dlaim receipt kws xaam ua rua tug tsaug txim tas them “bail” taag lawm.

BAIL REVIEW - A hearing established to re-evaluate the bail amount that was originally set for the accused.

Lub “hearing” lug thov xaam txu qhov “bail”.

BALLARD MOTION - A motion for psychiatric examination of prosecutor’s witnesses (victims).

Txuj kev thov kuam xaam pub muab pej-xeem cov tuab-neeeg ua lav-thaam coj moog rua “nais-muam” kuaj.

BANK LEVY – Way to enforce a decision against someone who owes money. The money is taken from their checking or savings account at a bank, savings and loan, or credit union.

Txuj kev txav nyaj tawm “bank” lug them lwm tug tuab-neeeg vim has tas xaam tau txav-txim has tas yug tiv tug tuab-neeeg ntawd nuj-nqes.

BANKRUPT - The state or condition of a person who is unable to pay his or her debts when they are due.

Qhov kws thaum twg yug cov nyaj txag tsi txaus them yug cov nuj-nqe; tsi muaj nyaj txaus lug them cov nuj-nqe lawm.

BANKRUPTCY - The legal way for a business or person to get help when they can't pay the money they owe. In bankruptcy court, they can get rid of debts by paying part of what they owe. There are special bankruptcy judges at these hearings.

Ib txuj cai kws thaum twg yug them tsi taug yug cov nuj-nqe lawm tes yug moog thov kuam xaam muab txu los-sis muab tshu tawm kuam taag es tsis laib them.

BAR - All of the lawyers qualified to practice law. For example, a state bar includes all of the lawyers qualified to practice law in that state.

Taag nrho cov kws lij-choj

BAR EXAMINATION - A state examination that is taken in order to be admitted and licensed to practice law.

Dlaim ntawv xeeb kws yug yuav tsum xeeb dlau los-sis "phaaj" es xaam txhaj le pub yug lug ua ib tug kws-lij-choj has plaub-ntug.

BASE TERM - A term of imprisonment selected by the court according to the Determinate Sentencing Law.

Lub sib-hawm kaw nkuaj kws xaam xaiv lug ntawm txuj lij-choj xaa tuab-neeeg moog kaw ("Determinate Sentencing Law").

BATTERED CHILD SYNDROME (B.C.S.) - Physical condition of a child where external or internal injuries result from acts committed by a parent or custodian.

Ib tug miv-nyuas cov kev mob nkeeg tshwm-sim lug ntawm kev lim-ham, phem lug ntawm nwg nam-txiv los-sis tug tuab-neeeg saib-yug nwg ("guardian").

BATTERY - Illegal beating or physical violence or control of a person without their permission. (Compare with ASSAULT.)

Ntaus lwm tug tuab-neeeg

BATTERY, SPOUSAL - An offensive touching or use of force on a spouse without the spouse's consent. See BATTERY.

Ntaus-yug-tug-quas-puj

BEAGLE MOTION - A request to exclude any reference of the defendant's prior conviction to the jury.

Ib qhov kev thov kuam xaam txhob pub tug tuab-neeg tsaug-txim cov kev tsaug-txim taag lug koj moog rua cov raw-li (“jury”), i.e., 12 tug txij-laug, nov, saib-xyuas.

BEHAVIOR INTERVENTION PLAN – Plan made by a local educational agency (LEA) as part of an individualized education program (IEP), to change the behavior of students who harm themselves, assault others, or are destructive.

Ib qhov tswv-yim (“plan”) sau lug paab hloov ib tug miv-nyuas txuj kev ua lim-ham, ntau tuab-neeg rua lwm tug los-sis nwg tug nkeej.

BENCH - (1) the desk where a judge sits in court; (2) Judges in general, or a specific judge.

(1) Lub tsooj kws tug kws-tu-plaub-ntug nyob; (2) Tug kws-tu-plaub-ntug

BENCH CONFERENCE - A meeting either on or off the record at the judge's bench between the judge, counsel, and sometimes the defendant, out of the hearing of the jury.

Kev ob tog los-sis ob tug kws-lij-choj sib saab-laaj nrug tug kws-tu-plaub-ntug tsi pub cov raw-li (“jury”) nov.

BENCH TRIAL - Trial without a jury. The judge decides the case.

Yaam plaub-ntug txav-txim lug ntawm tug kws-tu-plaub-ntug nkaus xib, tsi muaj cov “jury”.

BENCH WARRANT - An order given by the judge (or "bench") to arrest a person who didn't do what the court ordered. For example, didn't go to court when they were supposed to. (See WARRANT, WRIT).

“Qhaas-xaaj” lug ntawm tug kws-tu-plaub-ntug xaa tub-ceed-xwm moog nteg cov tuab-neeg kws tsi ua le xaam tau xaaj los-sis cov tuab-neeg kws leeg tuaj tom xaa, tuab-si tsi tuaj.

BENEFICIARY - Someone who gets something from a trust.

Tug tuab-neeg kws txais ib yaam dlaab-tsi lug ntawm ib qhov “trust”; “trust” yog ib lub koom-hum lwm tug tuab-neeg sawv-tsa hab muab khoom los-sis nyaj txag tso rua huv tes le maam muaj cov nyaj ntawd koj moog pub rua lwm tug tuab-neeg xws-le tug “beneficiary” koj moog siv.

BENEFIT OF THE BARGAIN RULE – Rule which provides that a person may recover the difference between the actual value of the property and the value that was represented.

Tau le npaum qhov kws ob tog sib cog lug, tsi pub tsawg tshaaj qhov ntawd.

BEQUEATH - To leave someone something in a will.

Tseg ca los-sis muab rua cov tseem muaj neej nyob vim has tas yug puv 120 xyoo lawm los-sis tuag lawm, lug ntawm ib dlaim “will” los-sis dlaim ntawv sau ca.

BEQUESTS - What you leave someone in a will.

Yaam khoom yug tseg ca rua cov tseem nyob kws yug tau muab sau rua ib dlaim ntawv, los-sis dlaim “will”.

BEST EVIDENCE - Primary proof; the best proof available. For example, an original letter is “best evidence,” and a photocopy is “secondary evidence.”

Cov “proof” zoo tshaaj; pev-txiv le, tsaab ntawv los-sis dlaim dluab “original”; dlaim dluab los-sis tsaab ntawv “luam” los-sis “copy” lug lawm tes tsi yog cov proof zoo tshaaj.

BEYOND A REASONABLE DOUBT - The burden of proof in a criminal case requiring that the jury be convinced that every element of a crime has been proven by the prosecution.

MUAJ TSHAAJ QHOV KWS TSEEG-TSI-TAAG: Ib txuj cai siv nyob huv “criminal cases” xib es has tas yog “la-thaa-npaa” yuav muab ib tug tuab-neeg rau txim mas “la-thaa-npaa” yuav tsum lug “prove” tas tug tuab-neeg yeej yog tug tau ua cov “crime” los-sis plaub-ntug ntawd, yeej tsi muaj ib qhov kws tseeg tsi tau has tas nwg yeej tsi yog tug ua.

BIAS - A pre-conceived opinion or a predisposition to decide a cause or an issue a certain way.

Tuaj ib tog lawm; yeej pum le ib tog lawm, tsi saib ob tog cov lug ua ntej txav txim

BIFURCATE - To try issues separately, such as guilt and criminal responsibility in a criminal proceeding or liability and damages in a civil action.

Muab faib, has ib qhov taag le maam has lwm qhov

BIFURCATION MOTION - A request to change the order in which issues are heard at trial.

Kev thov kuam xaam muab cov lug sib-cov-nyom faib, has ib cov taag le maam has lwm cov.

BILL OF PARTICULARS - A statement of the details of the charge made against the defendant.

Cov lug qha txug cov lug foob ib tug tuab-neeg nraug txim.

BIND – To make yourself or someone else legally responsible for something.

Lug ua kuam ib tug tuab-neeg lug leeg ua le tau has tseg los-sis sib cog taag.

BIND OVER - A judge's decision before a trial that says there is enough evidence for a trial.

Tug kws-plaub-ntug qhov txav-txim tas cov pov-thawj yeej muaj txaus lug muab qhov teeb-meem los-sis plaub-ntug koj moog has los-sis koj moog “trial”.

BLOOD-ALCOHOL CONTENT (BAC) - The measurement in grams of alcohol per 100 milliliters of blood or grams of alcohol per 210 liters of breath.

Qhov nruag has tas dlej-cawv nyob huv tsoj-tshaa muaj npaum le caag

BLOOD TEST – Testing someone’s blood sample to: (1) see how much of a certain chemical is in the blood, (2) see who is the parent of a child.

Nruag tsoj-ntshaav

BODY ATTACHMENT - A written order issued by a court directing a peace officer to take custody of someone and bring them before the court: 1) A witness who fails to comply with a subpoena, 2) a party who fails to comply with a court order in a civil action, or 3) a material witness in a criminal case.

Ib qhov “qhaa-xaaj” lug ntawm xaam, xaaj tub-ceed-xwm moog nteg los-sis koj ib tug tuab-neeg tuaj tom xaam vim has tas nwg tsi ua le xaam tau xaaj tseg lawm los-sis nwg yog ib tug tuab-neeg ua laav-thaam tseem-ceed rua qhov plaub-ntug ntawd.

BONA FIDE – Sincere, real without fraud or deceit. Comes from the Latin "in good faith."

Ua tag tsi zais

BOND - A certificate or evidence of a debt.

NPOOS (“BOND”): Dlaim ntawv qha tas yug tseem tshuav nuj-nqe.

BOOK (BOOKING) - What the police do when they arrest someone. Includes taking fingerprints, photographs, and writing down personal information about the person.

NPUV-KEEJ (“BOOKING”): *Qhov kws tub-ceed-xwm kuam tug tuab-need tsaug-txim lug na-teg, thaj-dluab, hab sau nwg chaw nyob, I.D. “naa-mpawb”, xuv-tooj rua cov tub-ceed-xwm tom qaab cov tub-ceed-xwm nteg nwg taag lawm hab koj nwg lug txug tom lub tsev nkuaj lawm.*

BOOKING NUMBER - The number assigned to the criminal record that corresponds to the person's arrest.

Tug “leb” los-sis “naa-mpawb” tub-ceed-xwm muab rua tug tuab-need maag nteg hab tsaug txim lawm.

BOOKMAKING - Collecting the bets of others or making odds on future gambling events.

Muag leb, twv nyaj twv txaj

BRADY MOTION - A motion made by defense when they believe the District Attorney has not turned over exculpatory and material evidence.

Txuj kev thov xaam xaaj tug kws-lij-choj District Attorney kuam nwg muab taag nrho cov ntaub-ntawv pov-thawj (“evidence”) rua tug kws-lij-choj cev lug rua tug tuab-need tsaug txim vim has tas nwg ntseeg tau has tas tug kws-lij-choj District Attorney tsi tau qha taag los-sis muab taag nrho cov pov-thawj nuav rua nwg.

BRANDISHING A WEAPON - Showing a weapon to another person, typically the police or the victim.

TAW PHOM HEM lwm tug tuab-need

BREACH - The breaking or violating of a law, right, obligation, or duty either by doing an act or failing to do an act.

UA TXHUM

BREACH OF PEACE – Every person who unlawfully fights in a public place or willfully and maliciously disturbs another person by loud and unreasonable noise, or in a public place, says offensive words to one or more persons which are likely to start an immediate violent reaction.

Has lug, ntaus nruag, qw nrov ua lwm tug tuab-need tsi nyam, ua nwg npau sab npau ntsws es nwg yuav tig lug ua qhov phem rua tug tuab-need has lug, ntaus nruag, los-sis qw nrov ntawd.

BREAKING AND ENTERING - Going into someone's house at night with intent to commit a felony.

TSOO HAB NKAAG moog rua lwm tug tuab-neeg lub tsev nyob rua yaav tsaus-ntuj moog ua tub-shaa-tub-nyag, los-sis kev phem (“felony”) huv lub tsev ntawd.

BREATHALYZER TEST - Testing someone's breath to see how much alcohol is in their blood.

Nruag ib tug tuab-neeg cov paa ntawm qhov ncauj saib dlej-cawv ntau npaum le caag nyob nwg cov tsoj-tshaa.

BRIBE - A gift, not necessarily of monetary value, given to influence the conduct of the receiver.

Ib qhov khoom-plig los-sis khoom xab muab rua lwm tug tuab-neeg kuam tug tuab-neeg los-sis tug num-tswv ntawd ua los-sis txav-txim le yug xaav.

BRIEF - A written statement that each side gives the court to say why the court should decide that they are right.

Tsaab ntawv ib tog plaub-ntug sau moog rua xaam moog qha xaam has tas nwg lub tswv-yim los-sis nwg cov lug yog cov yog tsaws le txuj cai los-sis lij-choj es xaam yuav tsum txav-txim moog le nwg has los-sis txav-txim yeej rua nwg tog.

BURDEN OF PROOF - When one person in the case has to prove more than the other person.

Qhov kws ib tog yuav tsum tau “prove” tshaaj le lwm tog

BURGLARY - When someone unlawfully breaks into or enters a building or home, and they intend to or do commit a theft or other serious crime.

Lub txim ua tub-saa-tub-nyag kws tug tub-saa tsoo tsev nkaag moog nyag khoom los-sis ua phem huv lwm tug lub tsev.

BYSTANDERS - A chance onlooker; one who has no concern with the business being conducted.

Cov nyob lwm qhov los-sis ib saa saib

CALENDAR - A list, in alphabetical order, of all the cases in each courtroom every day. "To calendar" something means to give a day, time, and courtroom to a case.

Dlaim “list” kws qha taag nrho has tas muaj pis-tsawg qhov plaub-ntug los-sis “cases” nyob rua ib nub twg nyob huv xaam.

CALIFORNIA RULES OF COURT – The rules for practices and procedures in California’s state courts.

Cov kev-cai lij-choj kws lug qha has txug kev has hab tu plaug-ntug nyob rua huv Xeev-Kaslifuanas cov xaam.

CALJIC – California Jury Instructions, Criminal.

Cov kev-cai lij-choj kws yuav tsum siv lug qha cov Jury los-sis 12-tug-kev txij-laug has txug yaam plaub-ntug puab yuav tau txav-txim.

CALLING THE DOCKET - The public calling of the docket or list of causes at the beginning of court, for setting a time for trial or entering orders.

Lub sib-hawm kws lug hu txug cov plaub-ntug nub ntawd.

CAPACITY - The person with the ability to perform under his or her will.

Kev muaj peev-xim ntawm ib tug tuab-neeg lug ua ib yaam dlaab-tsi.

CAPITAL CASE - A criminal case where the defendant can get the death penalty.

Ib qhov case los-sis qhov plaug-ntug kws tug tsaug-txim yuav maag tua.

CAPITAL CRIME - A crime punishable by death.

Plaub-ntug kws lub txim yog tsaug tua.

CAPITAL OFFENSE – A crime that you can get the death penalty for committing.

Plaub-ntug kws lub txim yog tsaug tua.

CAPITAL PUNISHMENT - Punishment by death. (See DEATH PENALTY.)

Lub txim tsaug tua.

CAPTION - What is written at the top of all papers (called "pleadings") given to the court. It says things like case name, court, and case number.

Qhov kws sau rua ntawm dlaim ntawv foob kws qha tas qhov case lub npe yog le caag, lub xaam lub npe yog le caag, hab cov case “naaj-mpawb” yog le caag.

CARJACKING – Taking a motor vehicle that belongs to someone else against his will, by means of force or fear.

Nyag los-sis txeeb lwm tug tuab-neeg lub tsheb kws xua nrag phom khoo.

CASE - A lawsuit. Or a complaint filed in criminal, traffic, or civil court.

Qhov paub-ntug los-sis “case”.

CASE FILE – The folder that has official court papers for a case.

Phau “file” kws tuav cov ntaub-ntawv hov ntawm ib qhov “case”.

CASEFLOW MANAGEMENT – How a case is managed from the first paper filed to the final decision.

Qhov kws yuav tsum khaws cov ntaub-ntawv nyob huv ib phau “file” zoo le caag.

CASE ID – Identification number given to case by the court.

Tug “I.D.” kws xaam muab rua ib qhov “case”.

CASE LAW - Law made by earlier decisions in similar cases.

Cov kev-cai tshwm-sim lug ntawm cov plaub-ntug xaam tau txav-txim taag lawm.

CASELOAD – The number of cases a judge has in a specific time.

Taag nrho cov plaub-ntug los-sis cov cases kws ib tug kws tu-plaub-ntug tuav los-sis yuav tau lug tu nyob rua ib lub sib-hawm los-sis ib xyoos.

CASE NUMBER - The number that identifies a case. This number is on all papers filed in the case. Also called "case ID." Also called DOCKET NUMBER.

Tug “naa-mpawb” muab rua ib qhov plaub-ntug los-sis ib qhov case.

CAUSATION - The act which causes something else to happen.

Qhov plaub-ntug tshwm-sim le caag lug.

CAUSE - A lawsuit, litigation, or action.

Qhov plaub-ntug.

CAUSE OF ACTION - The charges that make up the case or lawsuit. (See COUNTS).

Cov lug foob los-sis qhov plaub-ntug.

CAUSTIC CHEMICALS – Corrosive acid or flammable substance.

Cov tshuaj kws cig tawg los-sis ua lwm yaam yaaj taug.

CAUTIONARY INSTRUCTIONS – When the judge tells the jury to consider certain evidence only for a specific purpose.

Kev ceeb-toom lug ntawm tug kws-tu-plaub-ntug kuam cov jury los-sis 12-tug kev txij-laug yuav tsum muab xaam moog ib qhov xib es txob muab xaam moog tshaaj le xaam tau qha los-sis xaaj.

CAVEAT - A warning; a note of caution.

Ceeb-toom; tshwj-xeeb

CAVEAT EMPTOR - A theory that says you buy things at your own risk. Comes from the Latin for "let the buyer beware."

Qha taag lawm es yog tug twg tseem yuav ua los nyob ntawm tug twg.

CEASE AND DESIST ORDER - An order of an administrative agency or court prohibiting a person or business from doing something.

Qhov “qhaa-xaaj” kws tsi pub ua ntxiv lawm, yuav tsum tso-tseg.

CERTIFICATE OF PROBABLE CAUSE - An order signed by the court granting a defendant the right to appeal from a plea of guilty.

Ib qhov “qhaa-xaaj” lug ntawm tug kws-tu-plaub-ntug tso cai rua tug tsaug-txim lug muab nwg cov plaub-ntug koj moog rua xaam-luj saib hab txav-txim tom qaab kws nwg tuab leeg txim taag lawm.

CERTIFICATION - A judge's order to move a criminal case to another court in a different county.

Ib qhov “qhaa-xaaj” lug ntawm ib tug kws-tu-plaub-ntug tso cai pub kuam muab ib qhov “criminal case” hloov moog rua lwm lub “county”.

CERTIFIED - Saying that something is true or an exact reproduction.

Lug leeg los-sis qha has tas ib yaam has taag lawm los-sis ib yaam dlaab-tsi yeej yog muaj le tau has tag los-sis zoo le tau qha.

CERTIFIED COPY - An official copy of a paper from a case file that is marked as being true, complete, and a real copy of the original legal case.

Dlaim “copy” kws xaam yeej tau leeg has tas zoo nkaus le dlaim tag los-sis dlaim “original”.

CERTIORI - Appeal to U.S. Supreme Court.

Nce moog rua US Supreme Court, lub xaam-luj los-sis sab kawg nyob rua huv Asmeslikas teb nuav.

CHAIN OF CUSTODY - A method to track the whereabouts of evidence from the moment it is received in custody until it is offered in court.

Ib txuj kev kws khaws ntaub-ntawv los-sis cov pov-thawj thaum pib moog txug ncuva thaum tuaj txug huv xaam.

CHALLENGE - Someone's right to object to or fight something in a legal case.

TUAJ-XUB, coos-ti

CHALLENGE FOR CAUSE - Reasons that a lawyer gives for removing a juror or judge from a case. (Compare with PEREMPTORY CHALLENGE.)

Qhov tuaj-xub kuam muab ib tug txij-laug tshu tawm vim has tas muaj txuj cai pub tshu.

CHALLENGE TO THE ARRAY - Questioning the qualifications of an entire jury panel, usually on the ground of partiality or some fault in the process of summoning the panel.

Nug taag nrho cov jury los-sis txij-laug tuab-txhij saib puab suav dlawg puas muaj ib yaam kws yuav ua puab txav-txim qhov plaub-ntug ntawd tsi ncaaj-nceeg.

CHAMBERS - A judge's private office.

Tug kws-tu-plaub-ntug lub chav ua hauj-lwm, tsi yog lub chav hab plaub-ntug.

CHANGE OF VENUE - When a civil or criminal case is moved from one court jurisdiction to another. (See VENUE).

Hloov moog lwm qhov chaw

CHARACTER EVIDENCE - Evidence pertaining to whether a criminal defendant is a good or bad person.

Cov pov-thawj qha txug ib tug tuab-neej lub sab-ntsws los-sis nwg txuj yeeb-yaam yaav taag lug, pev-txiv le tas nwg yog ib tug tuab-neej zoo los-sis ib tug tuab-neej phem.

CHARGE - In criminal law, each thing the defendant is accused of. (See COUNT).

Cov lug foob los-sis ib nqais lug foob

CHARGE TO THE JURY - The judge's instructions to the jury concerning the law that applies to the facts of the case on trial.

Qhov “qhaa-xaaj” rua cov jury los-sis 12-tug txij-laug tu-plaub-ntug has txug cov kev-cai lij-choj sib lug tswj qhov plaub-ntug ntawd.

CHARGING DOCUMENT - A written accusation saying a defendant has committed an offense. Includes a citation, an indictment, information, and statement of charges.

Tsaab ntawv foob

CHATTEL – A piece of personal property.

Ib tug tuab-neeeg yaam khoom, pev-txiv le lub tsheb, tuab-sis tsi yog aav los-sis vaaj-tsev.

CHIEF JUDGE - Presiding or Administrative Judge in a court.

Tug kws-tu-plaub-ntug luj kws saib-xyuas taag nrho ib lub xaam.

CHILD ABUSE - Hurting a child physically, sexually or emotionally.

Kev tsim-txom miv-nyuas

CHILD ABDUCTION – The offense of taking away a child by deceit and persuasion, or by violence.

Kev nyag miv-nyuas

CHILD MOLESTATION - Any form of indecent or sexual activity on, involving, or surrounding a child under the age of 18.

Yos hab kov chaw-xis ntawm cov miv-nyuas-yau tsi tau puv 18 xyoo.

CHILD PORNOGRAPHY - Any obscene material that depicts a person under the age of 18 years personally engaging in or personally simulating sexual conduct.

Tej yaam ntaub-ntawv kws ua pum miv-nyuas sib ua, sib aim.

CHILD PROCUREMENT - Intentionally giving, transporting, providing, or making available or offering to give, transport, provide, or make available a child under the age of 16 for the purpose of any lewd or lascivious act. Also causing, inducing, or persuading a child under the age of 16 to engage in any lewd or lascivious act with another person.

Txhob-txim ntxag miv-nyuas yau tsi tau puv 16 xyoo moog sib tawb, sib aim, sib yos nrug dluas lwm tug tuab-nee.

CHILD SUPPORT - Money paid by a parent to help support a child or children.

Cov nyaj-txag ib leej nam los-sis leej txiv yuav tsum tau them lug paab yug ib tug miv-nyuas.

CHILD SUPPORT ENFORCEMENT (CSE) AGENCY - Agency that exists in every state to find parents that don't have custody. (called "noncustodial parents," or "NCPs"). Or to find a person assumed to be the father of the child ("Putative father" or "PF"). Also, makes, enforces, and changes child support. Collects and gives out child support money.

Lub "agency" lug tshawb ntshav cov nam-txiv kws tsi them "child support"; lub "agency" kws lug muab cov nyaj "child support" xaa moog rua tug miv-nyuas ntawd.

CIRCUMSTANTIAL EVIDENCE - All evidence that is indirect. Testimony not based on actual personal knowledge or observation of the facts in dispute.

Cov pov-thawj saab nrau kws tsi yog yaam kws pum los-sis paub kag los-sis yaam khoom siv kag.

CITATION - A COURT ORDER or SUMMONS that tells a defendant what the charges are. Also tells the defendant to go to court and/or post bail.

Ib qhov "qhaa-xaaj" kuam tug tsaug-txim moog ntsib xaa los-sis moog them nwg cov nuj-nqe nraug nplua.

CITED – When a defendant is not in custody, but has signed a ticket promising to go to court on a certain day.

Maag "ticket" lawm.

CIVIL ACTION - Noncriminal case in which one private individual or business sues another to protect, enforce private or civil rights.

Plaub-ntug "civil" xib loss plaub-ntug kws tsis tsaug-txim moog kaw nkuaj, plaub-ntug has txug nyaj-txag, teeb-meem pej-xeem tsi sib-hum los-sis kev sib cov-nyom, cov-lug xib.

CIVIL CASE - A lawsuit to get property back, to force someone to complete a contract, or to protect someone's civil rights.

Plaub-ntug “civil” xib loss plaub-ntug kws tsis tsaug-txim moog kaw nkuaj, plaub-ntug has txug nyaj-txag, teeb-meem peej-xeem tsi sib-hum los-sis kev sib cov-nyom, cov-lug xib.

CIVIL JURISDICTION – A court’s right or power to hear noncriminal civil cases.

Txuj cai hov ntawm ib lub xaam lug tu cov plaub-ntug “civil” xib.

CIVIL PROCEDURE - The rules and process by which a civil case is tried and appealed, including the preparations for trial, the rules of evidence and trial conduct, and the procedure for pursuing appeals.

Cov kev-cai siv nyob rua huv xaam qha txug cov kev npaaj lug has ib tsooj-plaub-ntug yuav moog le caag, cov kev-cai lug khoo ib tsooj-plaub-ntug los-sis cov pov-thawj, hab cov kev-cai tom qaab ib tsooj-plaub-ntug taag lawm es qha tas tug swb txuj cai yog tshuav npaum le caag xib.

CIVIL PROCESS – Court papers that tell the people in a civil case that it has started. Or papers that try to force the court to reach a judgment.

Txuj-kev foob nce moog tom xaam

CIVIL RIGHTS VIOLATIONS – Violations of the personal, natural rights guaranteed and protected by the Constitution.

Txhum cov kev-cai lij-choj kws txhua tug tuab-nee muaj nyob rua hab tiv-thaiv lug ntawm dldaim “Constitution”.

CLAIM - The statement of a right to money or property.

Cov lug qha (los-sis yug qhov “claim” rua) lwm tug paub has tas nwg tseem tshuav yug nuj nqe, nyaj-txag, los-sis tej yaam khoom.

CLAIM OF EXEMPTION – A court paper filed by the JUDGMENT DEBTOR that lists each piece of property that the judgment debtor claims is an exempt asset under certain provisions of the law and, therefore, can’t be taken to pay the JUDGMENT.

Tsaab ntawv qha tas tej yaam khoom yug muaj muab moog them yug cov nuj-nqe tsi tau vim has tas kev-cai lij-choj yeej tsi pub.

CLAIM SPLITTING – When you split up a civil claim and file two lawsuits to stay below the limit of how much money you can ask for. Not allowed in most cases.

Muab cov lug foob sib faib lug ua ob peb qais has. Feem-coob txuj-cai lij-choj tsis pub ua le nuav.

CLASS ACTION - A lawsuit brought by one or more persons on behalf of a larger group.

Ib yaam plaub-ntug kws ib los-sis tshaaj ib tug tuab neeg lug foob “taaj-nab” ntwam ib feem tuab-neeg coob vim has tas suav dlawg yeej muaj qhov teeb-meem zoo tuab-yaam le ntawd.

CLEAR AND CONVINCING EVIDENCE - Standard of proof commonly used in civil lawsuits and in regulatory agency cases. It governs the amount of proof that must be offered in order for the plaintiff to win the case.

Ib txuj-kev “proof” kuam tau ua ntej hab muaj le ntawd yug le maam yeej yug qhov plaub-ntug los-sis “case”.

CLEMENCY OR EXECUTIVE CLEMENCY - Act of grace or mercy by the president or governor to ease the consequences of a criminal act, accusation, or conviction. It may take the form of *commutation* or *pardon*.

Txuj-cai txu lub txim lug ntawv ib tug “President” los-sis “Governor”.

CLERICAL ERROR - An unintentional mistake, in writing, which may be made by clerk, counsel, or court. (See NUNC PRO TUNC.)

Ntaus ntaub-ntawv los-sis ua ntaub-ntawv yoom-kev.

CLERK - Officer of the court who files pleadings, motions, judgments, etc., issues process, and keeps records of court proceedings.

Tug kws-tuav-ntaub-ntawv nyob tom xaam; tug “clerk”.

CLERK’S TRANSCRIPT - Those pleadings, minute orders, affidavits, written opinions of the Court, trial exhibits, etc., designated by the attorneys which have been filed during the course of the litigation process are put together with the appeal documents and collectively form the Clerk’s Transcript.

Phau ntawv kws tug “clerk” tau muab cov lug nyob huv xaam ib rooj plaub-ntug sau hab khaws ca tseg.

CLOSING ARGUMENT - Counsel's final statement to the judge/and or jury after all parties have concluded their presentation of evidence.

Ib tug kws-lij-choj cov lug kawg los-sis “xaus”.

CODE - The law created by statutes. For example, the California Code of Civil Procedure, California Civil Code, California Vehicle Code, California Penal Code, and California Health and Safety Code.

Cov kev-cai lij-choj los-sis “code” muab sau tseg (tshwm-sim lug ntawm state legislature lug).

CODE OF PROFESSIONAL RESPONSIBILITY - The rules of conduct that govern the legal profession. The Code contains general ethical guidelines and specific rules written by the American Bar Association.

Kev-cai lij-choj qha txug kev yeeb-yaam hab cwj-pwm ntawm ib tug kws-lij-choj los-sis kws-tu-plaub-ntug.

CO-DEFENDANT - In a criminal case, an individual charged with involvement in the same crime as another.

Tug tuab-neeg nraug txim nrug lwm tug lug ntawm tuab qhov plaub-ntug.

CODICIL (kod'i-sil) - A legal paper that adds to or changes a will.

Tsaab ntawv kws sau lug ntxiv los-sis lug hloov cov lug nyob huv ib dlaim “will” los-sis dlaim ntawv qha tau has tas thaum yug tuag lawm leej twg txhaj le yuav tau yug cov nyaj-txag los-sis cov khoom tseg ca tom qaab ntawd.

COERCION – Compulsion; constraint; compelling by force or arms or threat.

Yuam; siv nrag phom yuam

COHABITANT – One who lives with another.

Ib tug tuab-neeg kws nrug lwm tug tuab-neeg nyob, noj-haus, ua-ke es tsi yog ib nkawm-nam-txiv.

COLLATERAL - 1. Property that is pledged as security against a debt. 2. A person belonging to the same ancestry (a relation), but not in a direct line of descent.

1) Yaam khoom kws yug siv coj moog ntau nqe txais nyaj-txag. 2) Tug txheeb-ze tsi koom puj-yawm.

COLLATERAL ATTACK - An attack on a judgment other than a direct appeal to a higher court.

Kev foob lug lwm qhov lug tsi yog nce moog xaam sab.

COMBUSTIBLE MATERIAL OR DEVICE – Capable of blowing up; apt to catch fire; inflammable.

Tej yaam khoom kws kub-nyab los-sis thawg zoo zoo heev.

COMMISSIONER - A person chosen by the court and given the power to hear and make decisions in certain kinds of legal matters.

Tug kws-tu-plaub-ntug

COMMIT - To do something, like "to commit" a crime, or to put someone in a sheriff's custody. Or to use a court order to send a person to jail.

Lug ua los-sis lug muab ib tug tuab-neeeg rau txim.

COMMITMENT - 1. The action of sending a person to a prison or mental institution. 2. The order directing an officer to take a person to a prison or mental institution.

Txuj kev lug ua los-sis lug muab ib tug tuab-neeeg rau txim.

COMMITMENT ORDER - A court order that says a person must be kept in custody, usually in a jail or mental institution.

Qhaas-xaaj lug muab ib tug tuab-neeeg rau txim los-sis coj moog kaw-nkuaj los-sis coj moog khu mob-nkeeg.

COMMON BARRATRY (also called BARRETRY) – Making a habit of starting fights or lawsuits. Starting lawsuits without a good reason.

Laam sib foob tsis muaj ib txuj-cai dlaab tsi.

COMMON CARRIER – Required by law to carry passengers or freight without refusal if the fare is paid; in contrast to a private or contract carrier.

Tej lub nkoj, "bus", los-sis "nyuaj-hoom" kws thauj tuab-neej coob coob.

COMMON LAW - Laws that come from court decisions and not from statutes ("codes") or constitutions.

Kev-cai tshwm-sim lug ntawm cov kws-tu-plaub-ntug lug es tsi yog lug ntawm cov "legislature" lug.

COMMUNITY OBLIGATIONS – Debts that a husband and wife owe together. In most cases, that includes anything that you still owe on any debts either of you had during the time you were living together as husband and wife. For example, if you bought furniture on credit while you were married and living together, the unpaid balance is a part of your community obligations.

Tej nuj-nqe ib nkawm-nam-txiv muaj ua ke.

COMMUNITY PROPERTY - Everything that a husband and wife own together. In most cases that includes: (1) Money or benefits like pensions and stock options that you now have which either of you earned during the time you were living together as husband and wife; and (2) Anything either of you bought with money earned during that period.

Khoom los-sis nyaj-txag ib nkawm-nam-txiv muaj ua ke.

COMMUNITY SERVICE - Work performed as punishment for a crime. It may also be performed instead of a fine, or as a condition of probation.

Hauj-lwm ua dlawb (“community service”) paab rua lwm tug los-sis “laav-thaa-npaa” vim has tas yug tau tsaug-txim lawm.

COMMUTATION - The reduction of a sentence, such as from death to life imprisonment.

Kev txu lub txim kws yuav tsaug tua moog rua lub txim tsaug kaw nkuaj taag moog ib sim-neej.

COMPARATIVE FAULT – Percentage of fault which is assigned to any one party.

Feem txhum plaub lug ntawm ib tog.

COMPARATIVE NEGLIGENCE - A legal doctrine by which acts of the opposing parties are compared to determine the liability of each party to the other for negligent acts.

Txuj-cai kws lug nruag ob tog saib tog twg txhum-plaub npaum le caag.

COMPENSATORY DAMAGES – Money that one person must pay another to cover the cost of a wrong or injury. (See DAMAGES).

Cov nyaj-txag kws ib tug tuab-neej tau ua txhum yuav tsum tau lug them rua tug yeej.

COMPETENCE ORDER – An order from a superior court that says that a defendant is mentally able to go to trial. Tells the trial court to go ahead with the criminal case.

Qhov qhaa-xaaj kws ib tug kws-tu-plaub-ntug tau txav has tas tug “defendant” los-sis tug tsaug-txim yeej mee-pem txaus lug has nwg cov plaub-ntug los-sis nwg qhov “trial”.

COMPETENCY - The ability for a person to understand and communicate, especially with regard to standing trial and assisting counsel in his or her defense.

Kev meej-pem lug has plaub-ntug.

COMPLAINANT - Person who wants to start a court case against another person. In a civil case, the complainant is the PLAINTIFF. In a criminal case, the complainant is the state.

Tug foob.

COMPLAINT - The legal document that usually begins a civil lawsuit and is also used to start a criminal case. Says what the plaintiff thinks the defendant did and asks the court for help. Also called the "initial pleading" or "petition."

Tsaab ntawv foob.

COMPLY - To act in accordance with, to accept, to obey.

Ua tsaws le lwm tug has, qha, los-sis xaaj.

COMPOSITE DRAWING - A picture of an alleged criminal created by a professional police artist using verbal descriptions given by the victim or a witness.

Dlaim dluab "teeb" los-sis khij txug tug tsaug-txim.

CONCEALMENT – Withholding of something which one knows and which one, in duty, is bound to reveal.

Kev zais.

CONCILIATION - A form of alternative dispute resolution in which the parties bring their dispute to a neutral third party, who helps lower tensions, improve communications, and explore possible solutions. Similar to mediation, but it may be less formal.

Kev sib rov lug muaj kev hum-xeeb.

CONCURRENT JURISDICTION - The territory of two or more courts, that are each authorized to deal with the same subject matter.

Txuj-cai pub rua ob lub xaam has ib rooj plaub-ntug, lub xaam twg has los tau.

CONCURRENT PLANNING – Refers to the legal requirement in dependency cases that reunification services be provided at the same time an alternative plan is developed (e.g., adoption , guardianship) if needed.

Txuj-cai kws pub cov miv-nyuas rov lug nrug nam-txiv nyob tuab-sis yuav tsum tau muaj ib qhov "plan" ntxiv lug npaaj-tog vim has tas tej-zag cov miv-nyuas yuav nyob tsi tau los-sis nyob tsi taug nrug nkawm nam-txiv ntawd.

CONCURRENT SENTENCES - Sentences you can serve at the same time. For example, if you have concurrent sentences of 10 years and 5 years, you must serve a total of 10 years. (Compare with CONCURRENT SENTENCES).

Ob peb lub txim kws yug maag kaw-nkuaj tuab-txhij los-sis tuab-zag xib; Pev-txiv le tas yog yug tsaug ob lub txim, ib lub yog 10 xyoo es lub ob yog 5 xyoos, tes yug yuav tau maag kaw-nkuaj 10 xyoo, tsi yog 15 xyoo.

CONCURRING CAUSES – Acting contemporaneously and together causing injury, which would not have resulted in absence of either.

Ob peb yaam kws ua kuam ib yaam dlaab-tsi los-sis mob-nkeeg tshwm-sim es yog tsi muaj taag nrho ob peb yaam ntawd tes qhov teeb-meem los-sis mob-nkeeg ntawd yeej tsi tshwm-sim le.

CONDEMNATION - The legal process by which the government takes private land for public use, paying the owners a fair price. (See EMINENT DOMAIN.)

Txuj-kev kws laav-thaa-npaa lug muab laj-aav ntawm ib tug “private” tuab-neej coj moog siv taag nrho rua laj-mej-pej-xeem rua yog has tas laav-thaa-npaa yuav tsum tau them tug tswv-teb ntawd tug nqe aav ntawd.

CONDITIONS – Certain things that someone has to do, or not do, to be released.

Tej yaam ib tug tuab-neej yuav tsum tau ua ua-ntej los-sis yuav txhob ua ua-ntej es nwg txhaj-le maag tso tawm nkuaj.

CONDITIONAL RELEASE - Freedom from custody which regulates the activities and associations of the defendant. If a defendant fails to meet the conditions, the release is cancelled.

Tso tawm lug nruag saib nwg ua puas tau kws le tau has tseg; yog tsi tau le has, tes nwg yuav tsum maag muab coj rov qaab moog kaw-nkuaj.

CONDUCT ENHANCEMENTS - A kind of punishment-enhancing allegation (such as the arming clause of Penal Code section 12022) that relates to the nature of the offense at the time the crime was committed.

Kev nplua lub txim los-sis muab lub txim “khw-n” vim has tas nwg tej yeeb-yaam ua moog zoo le txuj kev-cai lij-choj tau has tseg los-sis ua tshaaj le txuj-cai lij-choj pub.

CONFESSION - When someone admits out loud or in writing that they committed a certain kind of crime. (Compare with ADMISSION).

Leeg txhum los-sis leeg has tas yeej tau ua le has tag.

CONFESSION OF JUDGMENT - The act of a debtor in a written statement that permits judgment to be entered against him by his creditor, without legal proceedings.

Kev leeg txim has tas yeej txhum lawm es le maam them cov nuj-nqes le tau leeg es ob tog tsi txhob nce moog xaam ntxiv lawm.

CONFIDENTIAL - A file or record that is not available for public viewing. Authorized viewing allowed only in statute and/or court policy. Files and records are identified and receive special handling.

Tej yaam kws tsi pub laj-mej-pej-xeem paub los-sis tsi pub qha rua laj-mej-pej-xeem, “confidential”

CONFIDENTIAL RECORD – Information in a court case that is not available to the public.

Cov ntaub-ntawv los-sis “information” nyob rua huv ib qhov plaub-ntug kws tsi pub muab rua laj-mej-pej-xeem paub los pum.

CONFIDENTIALITY – Treated as private and not for publication.

Kev tsi pub qha tawm.

CONFISCATE - To seize or take private property for public use (the police took the weapon).

Lug muab tshu tawm, muab coj moog khaws ca tsi pub tug tswv hov los-sis siv yaam khoom ntawd lawm.

CONFLICT OF INTEREST - When you have two different interests at the same time. For example, a lawyer who represents two sides at the same time can't be fair.

Thaum kws ib tug tuab-neeg muaj ob lub tswv-yim es nwg yuav ua tsi tau ncaaj-nceeg. Pev-txiv le tas ib tug kws-lij-choj kws nwg cev lug rua ob tog yeej ua tsi tau ncaaj-nceeg rua ob tog tuab-si le.

CONFORM COPIES - To make copies identical to an original; e.g., copies with duplicate signatures, duplicate dates.

Copy ib dlaim ntawv kuam zoo nkaus le dlaim “original” los-sis dlaim xub-thawj.

CONFRONTATION RIGHT – Defendant’s right to be face-to-face with the witnesses against him or her. It generally includes the right to ask questions and object, and to have witnesses testify in person.

Txuj-cai kws yug muaj lug tuaj xub los-sis lug caam nrug tug tuab-neeg foob yug los-sis tug tuab-neeg ua laav-thaam rua tog tom kws taw theg rua yug has tas yug yog tug txhum.

CONSANGUINITY – COLLATERAL - The relationship that exists between persons who have the same ancestors, but who do not descend, or ascend, one from the other; as between uncle and nephew.

Txheeb-ze tsoj-ntsaa lug ntawm tuab tug puj-koob yawm-koob tuab-sis tsi yog lug ntawm tuab tuag nam-txiv, pev-txiv le tug txiv-ntxawm hab tug laam.

CONSANGUINITY – LINEAL - The relationship that exists persons of whom one is descended in a direct line from the other, as between son, father, grandfather, and so upwards in the direct ascending line; or between son, grandson, great-grandson, and so downwards in the direct descending line.

Txheeb-ze tsoj-ntsaa lug ntawm tuab tug puj-koob yawm-koob, pev-txiv le txiv hab tub, yawm hab laam.

CONSECUTIVE SENTENCES - Successive sentences, one beginning at the end of another, imposed against a person convicted of two or more violations.

Lub txim kaw-nkuaj kws yuav tsum tsaug kaw rua ib lub txim taag tes pib lub txim ob moog, tsi muaj txu le.

CONSERVATEE - Someone who can't take care of themselves and has a caretaker (called the "CONSERVATOR") who the court picked.

Tug tuab-neeg kws noj-yug nwg tug-kheej tsi tau lawm es yuav tsum muaj lwm tug lug saib-xyuas los-sis lug yug nwg xib.

CONSERVATOR - Someone picked by the court to either take care of someone who can't take care of themselves (called a "CONSERVATEE") or take care of that person's property , or both.

Tug tuab-neeg kws xaam xaaj lug saib-xyuas ib tug tuab-neeg kws noj-yug nwg tug kheej tsi tau lawm.

CONSERVATORSHIP - A court proceeding where a judge picks someone (a conservator) to take care of an adult's personal needs and/or his or her finances. For minors, see GUARDIANSHIP.

Txuj kev lug saib-xyuas los-sis yug lwm tug tuab-neeg.

CONSENT – A written agreement to obey a decision or deal.

Tso cai, pub, kaam

CONSIDERATION - The cause, price, or impelling influence which makes a party enter into a contract.

Yaam kws yug tau kws yug txhaj le zoo sab lug cog lug nrug tog tom lug ua ib yaam dlaab-tsi nrug nwg; yaam lug sib pauv.

CONSOLIDATION OF ACTIONS – When at least two cases that involve the same people are grouped together.

Muab ob qhov plaub-ntug lug has ua kev los-sis ua ib qhov xib vim yog nraug tuab cov tuab-neeeg xib.

CONSORTIUM, LOSS OF – Unable to have a sexual relationship between a husband and a wife.

Txuj-kev tu-ncua ntawm ib nkawm nam-txiv kws tsi muaj kev pwb ua ke lawm vim has tas ib tug tau tuag lawm los-sis tuag teg tuag taws lawm.

CONSPIRACY – Where two or more persons intentionally agree to commit crime and do an act towards committing the crime.

Sib cog lug los-sis koom-sab lug ntawm ob tug tuab-neeeg lug ua ib qhov plaub-ntug los-sis “crime”.

CONSTRUCTIVE POSSESSION - Where a person does not actually possess a thing, but knowingly has control over it.

Kev kws ib tug tuab-neeeg yeej tsi tau ib yaam khoom, thooj-aav, los-sis laj-teb nyob rua ntawm teg, tuab-sis txuj-cai yeej pum has tas yaam khoom, thooj-aav, los-sis dlaim laj-teb ntawd yeej yog nwg le lawm.

CONSTITUTION – The central law of our country that sets up the creation, character, and organization of its power and how that power is exercised. The rule, principles, descriptions of the government’s power, and the main rights that the people of a country or state have.

Cov kev-cai lij-choj kws ib lub teb-chaws los-sis ib haiv tuab-neeeg muaj lug tuav lub teb-chaws hab haiv-tuab-neeeg ntawd; dlaim “Constitution”.

CONSTITUTIONAL RIGHT - A right guaranteed by the U. S. Constitution, interpreted by the federal courts; also, a right guaranteed by some other constitution (such as a state constitution).

Cov kev-cai lij-choj kws ib tug tuab-neeeg muaj tsaws le laj-mej-pej-xeem tau muab sau tseg rua huv dlaim Constitution.

CONTEMNOR - One who has committed contempt of court.

Tug tuab-neeeg tsaug-txim vim tsi noog tug kws-tu-plaub-ntug has los-sis xaaj nyob huv chaav-xaam.

CONTEMPORARY COMMUNITY STANDARD – What is, objectively acceptable to the community as a whole. Ascertainment of the standard must be based upon an objective determination of what is unacceptable to the community as a whole. Your own personal, social, or moral views on the material involved in the case may not be considered.

Yaam kws laj-mej-pej-xeem yuav hab siv taug.

CONTEMPT (OF COURT) - Disobeying a court order. Punishment can be a fine or jail.

Tsi noog hab tsi ua le xaam xaaj; lub txim yog maag nplua los-sis maag kaws-nkuaj.

CONTINUANCE - Putting off a court case to a later date. (See ADJOURNMENT).

Muab qhov “case” hloov moog rua lwm lub sib-hawm.

CONTINUING EXCLUSIVE JURISDICTION – Theory that only one support order should be valid between the same people at a time. And when a court hears a child support case, it can add to and change that order. The court of continuing exclusive jurisdiction has control over a support case until another court takes it away. This is defined in the Uniform Interstate Family Support Act (UIFSA).

Txuj-cai kws pub ib lub xaam lug txav-txim rua ob tog plaub-ntug has txug cov plaub-ntug nyob rua lub sib-hawm ntawd ntxawm has tas lwm lub xaam nyob rua lwm lub xeev, county, los-sis teb-chaws los yeej tsi pub lug has cov plaub-ntug ntawd le rua yog lub xaam xub-thawj tsi muaj txuj-cai lawm xwb.

CONTRACT - (1) an agreement between two or more people to do or not to do a particular thing; (2) an agreement between two or more people that makes, changes, or ends a legal relationship.

Cov lug sib cog lug ntawm ob tog lug ua ib yaam dlaab-tsi (“dlaim contract”) los-sis lug muab ib yaam dlaab-tsi tso tseg.

CONTRIBUTORY NEGLIGENCE - A legal doctrine that says if the plaintiff in a civil action for negligence also was negligent, in any way, he or she cannot recover damages from the defendant for the defendant's negligence.

Ib txuj-kev los-sis ib lub tswv-yim has tas yog tug tuab neeg kws foob txhum hab tes tug tsaug foob tsi laib lug them tug foob cov nuj-nqe tsaug mob txawm has tas tug tsaug foob tau ua txhum.

CONTROLLED SUBSTANCES – Any drug identified by law whose availability is restricted. Unless otherwise specified, a drug, substance, or immediate precursor which is listed in any schedule in Health & Safety Code sections 11054, 11055, 11056, 11057 or 11058.

Cov tshuaj, yeeb, los-sis xa kws txuj-cai, lij-choj tsi pub siv es tau muab sau tseg rua huv cov ntaub-ntawv kev-cai lij-choj.

CONVERSION - The wrongful assumption of ownership over the goods or personal property belonging to another.

Txuj-kev lug txeeb, nyag hab khuj lwm tug tswv tej khoom.

CONVEY – (1) to give the title to property to someone else. (2) to make known or communicate.

1) Lug muab dlaim “title” hov ntawm yug cov laj-teb aav rua lwm tug; 2) has qha rua los-sis txua lug nruag lwm tug kuam nwg paub meej.

CONVICT - (1) A person who has been found guilty of a crime and is serving a sentence for that crime; a prison inmate. (2) To find a person guilty of an offense by either a trial or a plea of guilty.

1) Tug tuab-neeg txhum plaub-ntug, tsaug-txim; 2) Kev txav-txim lug ntawm cov kev-txij-laug los-sis “jury” has tas tug ntawd yeej txhum-plaub tag.

CONVICTION - When a judge or jury finds a criminal defendant guilty.

Thaum kws tug kws-tu-plaub-ntug los-sis cov “jury” lug txav-txim has tas tug tsaug foob yog tug txhum cov plaub-ntug ntawd.

CORONER - Public official charged to inquire into the causes and circumstances of any death which occurs through violence or suddenly (suspicious causes).

Tug tuab-neeg kws pej-xeem xaiv lug nruag kev-pluj-kev-tuag ntawm cov tuab-neeg kws tau tuag lawm los-sis tau tsaug tua lawm.

CORPORATION - A group of persons who get a charter granting them as a body certain legal powers, rights, privileges, and liabilities as an individual.

Cov koos-hum los-sis cov “business” kws tau txais ntaub-ntawv los-sis txuj-cai lug ntawm ib lub xeev lug ua laag-luam le ib tug tuab-neeeg.

CORPUS DELECTI - Body of the crime. The objective proof that a crime has been committed. It sometimes refers to the body of the victim of a homicide or to the charred remains of a burned house, but the term has a broader meaning. For the state to introduce a confession or to convict the accused, it must prove the occurrence of a specific injury or loss and a criminal act was the source of that particular injury or loss.

Tug tuag lub cev; tej pov-thawj los-sis tej khoom kws ua qhov plaub-ntug tshwm-sim; yaam kws yuav tsum “prove” kuam tau es txhaj-le has tau tas tug ntawd yeej yog tug txhum tag tag.

CORROBORATE - To support with evidence or authority; make more certain.

Lug siv lwm cov pov-thawj lug ntxiv kuam cov qub pov-thawj zoo tshaaj los-sis muaj ceem tshaaj thaum tsi tau muab cov tshab ntxiv rua.

CORROBORATING EVIDENCE - Supplementary evidence that tends to strengthen or confirm the initial evidence.

Cov pov-thawj muab lug ntxiv kuam cov qub pov-thaw xub-thawj zoo tshaaj los-sis muaj ceem tshaaj thaum le kws thawm tsi tau muab cov tshab ntxiv rua.

CORROBORATION - Confirmation or support of a witness' statement or other fact.

Qhov kws lwm tug tuab-neeeg los-sis lwm yaam lug qha has tas qhov ntawd yeej muaj le ntawd tag.

CORRUPTLY - Dishonestly.

Ua zoo le tug khuj, phem, sab dlub, sab tsi ncaaj-nceeg.

COSTS - (1) Fees and charges that a party pays to file and present a court case or to enforce a judgment; (2) money won in a civil suit to pay for expenses.

Cov nuj-nqe siv ua plaub-ntug.

COUNSEL - One or more lawyers who represent a client. Also, legal advice. (See ATTORNEY).

Kws-lij-choj; lug tawm tswv-yim paab

COUNSEL TABLE - The physical location where the defense and prosecuting parties are seated during the trial.

Lub rooj (plaub-cheg) kws cov kws-lij-choj siv hab lug nyob quas-tsaws huv chaav-xaam has plaub-ntug.

COUNT - Each separate charge (or statement) in a criminal case. (See CHARGE).

Ib nqais lug foob.

COUNTERCLAIM - An independent charge by one side in a case (either the plaintiff or defendant) that goes against the claim made by the other side.

Tog tsaug foob cov lug foob.

COUNTERFEIT - To forge, to copy or imitate, without authority or right, and with the purpose to deceive by passing off the copy as genuine.

Cov ntaub-ntawv, nyaj-ntawv “poos” kws tsi yog cov tseem.

COUNTY JAIL - A building or structure used to put alleged criminals and/or convicted criminals of local area crimes.

Lub nkuaj kaws tuab-neeg tsaug-txim miv (nyob rua huv “county” xwb).

COURT - A judge or group of judges whose job is to hear cases and carry out justice. (See BENCH.)

Lub xaam; tug kws-tu-plaub-ntug; chaav xaam

COURT APPOINTED SPECIAL ADVOCATES (CASA) - These are volunteers who represent abused and neglected children.

Cov kws-lij-choj los-sis tuab-neeg kws xaam xaaj lug ua dlej-num paab dlawb pub rua cov miv-nyuas kws tsaug tsim-txom.

COURT ATTENDANT - Provide courtroom support in selected courtrooms by performing limited security-related and clerical duties and serving as the court liaison for juries, witnesses, attorneys and the public.

Tug tuab-neeg lug saib-xyuas los-sis tiv-thaib chaav-xaam los-sis taag nrho cov tuab-neeg tuaj nyob rua huv chaav-xaam ntawd.

COURT ADMINISTRATOR/CLERK OF COURT - An officer appointed by the Court or elected to oversee the administrative, non-judicial activities of the court.

Tug tuab-neeg kws xaam tau xaiv lug dla los-sis saib cov dlej-num huv ib lub xaam.

COURT APPOINTED COUNSEL - A defense attorney assigned by the court to represent a defendant who cannot afford to hire an attorney.

Tug kws-lij-choj kws xaam tau xaiv los-sis muab lug ua tug cev-lug rua cov tuab-neeg txom-nyem tsaug txim.

COURT COSTS - The expenses of prosecuting or defending a lawsuit, other than the attorneys' fees. An amount of money may be awarded to the successful party (and may be recoverable from the losing party) as reimbursement for court costs.

Cov nuj-nqes kws ib tog siv lug ua ntaub-ntawv nce xaam, them rua xaam lug has ib rooj plaub-ntug los-sis tiv-thaiv ib rooj plaub-ntug.

COURT OF RECORD - A court in which the proceedings are recorded, transcribed, and maintained as permanent records.

Lub xaam kws has hab tuav cov ntaub-ntawv ntawm ib rooj plaub-ntug.

COURT ORDER - A decision made by a judicial officer that gives someone certain rights or tells someone to do something.

Xaam tsaab qhaas-xaaj; xaam tej kev txav-txim

COURT REPORTER - Someone who writes down, word for word, what is said in court. What is recorded is called a TRANSCRIPT.

Tug tuab-neeg kws muab cov lug plaub-ntug sau los-sis kaw khaws ca tseg ua ib phau ntawv hu ua “transcript”.

COURT TRIAL - A trial without a jury. A judge decides the case.

Rooj plaub-ntug kws tug kws-tu-plaub-ntug txav-txim xib, tsi muaj cov kev-txij-laug (“jury”).

COURT, APPEALS - In some states, the highest appellate court, where it is the Court's decision whether to hear the case.

Lub xaam sab tshaaj hu ua “Appeals Court”

COURT, DISTRICT - (1) Federal - A trial court with general Federal jurisdiction. (2) State - Meaning varies from state to state.

Lub xaam yau nyob huv “Federal”.

COURT, JUVENILE - A court having jurisdiction over cases involving children under a specified age, usually 18. Cases generally involve delinquent, dependent, and neglected children.

Xaam has plaub-ntug miv-nyuas yau.

COURT, NIGHT - A specialized court that deals with cases during the late evening and early morning hours.

Xaam has plaub-ntug rua yaav tsaus ntuj hab yaav sawv ntxuv.

COURT, SUPERIOR - Trial court; meaning varies from state to state.

Lub xaam kws xub pib has ib rooj plaub-ntug nyob rua ib lub xeev hu ua “Superior Court”.

COURT, TRAFFIC - A specialized court that hears crimes dealing with traffic offenses.

Xaam has plaub-ntug has txug teeb-meem ua tsheb sib-tsoo.

COURTESY NOTICE - A notice made by a computer that is usually sent for traffic violations to tell a defendant about a court date, bail, etc.

Tsaab ntawv xaam ua tuaj qha txug lub sib hawm moog has plaub-ntug.

COURTROOM - The section of a courthouse in which the judge presides over the proceedings.

Chaav-xaam

COURTROOM CLERK - Courtroom personnel who attends court sessions and prepares record of court proceedings in conformance with statutes, policies, and the direction of a Judge; swears in witnesses and juries; maintains exhibits offered in evidence.

Tug tuab-neeeg khaws hab sau ntaub-ntawv nyob huv ib chaav-xaam.

CREDIBILITY - The quality in a witness which makes his or her testimony believable.

Txuj kev txaus ntseeg has txug ntawm ib tug tuab-neeeg los-sis ib tug laav-thaam.

CREDIT – Arrangement or understanding by the maker of a check with the person/institution upon which the order is drawn, for the payment of that check upon its presentation.

Meej-mom los-sis peev ua laag-luam (“credit”).

CRIME - Something you do, or don't do, that breaks a law. If you are found guilty, you can be punished by: death; jail or prison; fine; being removed from office; being unable to hold any office of honor, trust, or profit.

Plaub-ntug lub txim yog tsaug npluas los yog tsaug kaws-nkuaj.

CRIMINAL - Someone convicted of a felony or a misdemeanor.

Tug tsaug-txim maag kaw-nkuaj tsi has yog “felony” los yog “misdemeanor”.

CRIMINAL CASE - A court case that starts because of a crime.

Rooj “case” plaub-ntuj “criminal”

CRIMINAL CONDUCT – The nature of or involving a crime.

Yeeb-yaam tsaug-txim maag kaw-nkuaj

CRIMINAL INSANITY - Lack of mental ability to do or keep from doing a particular act; not able to distinguish right from wrong.

Thaum kws ib tug tuab-neeeg tsi muaj lub xuav-moom zoo lug ua tej yaam dlaab-quas-tsi, nwg yeej tsi paub qhov yog rua qhov tsi yog le.

CRIMINAL NEGLIGENCE – Act(s) which are aggravated, reckless or flagrant and which depart from the conduct of an ordinarily prudent, careful person under the same circumstances as to be contrary to a proper regard for human life or to constitute an indifference to the consequences of those acts.

Tej yaam yeeb-yaam kws ib tug tuab-neeeg ua kws nwg yeej yuav tsum paub has tas yog ua yaam ntawd tes yeej yuav tsum txhum kev-cai lij-choj xib hab yeej yuav tsum ua tsaug lwm tug tuab-neeeg mob xib los nwg tseem ua yaam ntawd quas qeeg hab.

CRIMINAL RECORD - (1) Arrest record. A written account listing all the instances in which a person has been arrested. (2) A form completed by a police officer when a person is arrested.

Dlaim ntawv kws qha has tas ib tug tuab-neeeg maag ntheeg pis-tsawg zag lawm: “criminal record”.

CRIMINAL STREET GANG - An ongoing organization, association, or group of three or more persons, having as one of its primary activities the commission of one or more criminal acts, having a common name or common identifying sign or symbol, and whose

members individually or collectively engage in or have engaged in a pattern of criminal gang activity.

“Laib”; miv-nyuas “laib”.

CRIMINAL SUMMONS - An order commanding an accused to appear in court.

Dlaim ntawv qhaa-xaaj kws has kuam tug tuab-neeg tsaag-lam tas nwg yuav tsum moog tom xaam.

CROSS-CLAIM - A claim filed by defendant(s) or plaintiff(s) against each other.

Kev sib-foob kws ob tog nyob ib saab rov lug sib foob.

CROSS-EXAMINATION - When the other side's lawyer asks a witness questions in a hearing or trial.

Thaum ib tog nug tog tom tug tuab neeg laav-thaam “witness” has txug saib nwg paub txug qhov teeb-meem los-sis plaub-ntug zoo los-sis npaum le caag.

CUMULATIVE SENTENCES - Sentences for two or more crimes to run a consecutively, rather than concurrently. (See CONCURRENT SENTENCES AND CONSECUTIVE SENTENCES.)

Taag nrho cov txim-maag-kaw-nkuaj.

CUSTODIAL PARENT – The parent that has primary care, custody, and control of the child(ren).

Tug nam-txiv kws cov miv-nyuas nrug nyob los-sis nwg muaj kev saib-xyuas.

CUSTODY - (1) When someone is under the physical control of the court to make sure they go to court when they're supposed to; (2) when the judge sends a person to jail after they are found guilty of a crime; (3) the care and control of children.

1) Thaum ib tug tuab-neeg maag xaam tuav los-sis xaaj kuam nwg tuaj ntsib xaam; 2) Thaum xaam tuav los-sis “khoo” tug tsaug-txim moog kaw kuaj; 3) kev saib-xyuas los-sis yug cov miv-nyuas nrug yug nyob.

CUSTODY ORDER - A court order that says who a child will live with and who should make decisions about health care, education, and other important things.

Qhaas xaaj kws qha has tas ob tog cov miv-nyuas yuav muab rua tug nam-txiv twg lug saib-xyuas los-sis lug yug.

CUSTOM – A usage or practice of the people, which, by common adoption and acquiescence, has become compulsory.

Keeb-kwm, kev-cai dlaab-qhuas

DAMAGES - Money that the losing side must pay to the winning side to make up for losses or injuries. There are two kinds of damages: (1) "compensatory," meaning money to pay for the actual cost of an injury or loss; and (2) "punitive" or "exemplary," meaning an amount of money that's more than the actual damages. This is a punishment for willful or malicious acts.

Cov nyaj-txag kws tog swb yuav tsum tau them rua tog yeej. Nwg muaj ob yaam: 1) nyaj them tsaws le tug nqe ntawm yaam khoom poob ntawd; 2) nyaj nplua vim tog swb txhob-txim lim-ham los-sis txhob-txim ua phem.

DEADLY WEAPON – Any weapon, instrument or object that is capable of being used to inflict death or great bodily injury.

Tej yaam khoom pev-txiv le rag phom kws ua tau tuab-neeeg tsaug mob luj los-sis tuag taug.

DEATH PENALTY - Death imposed by the state as punishment for a serious crime. (See CAPITAL PUNISHMENT.)

Lub txim tsaug tua.

DEATH ROW - The area of a state or federal prison where criminals who are sentenced to death are confined until their sentence is commuted or carried out.

Lub chaav los-sis lub chaw kws cov tuab-neeeg tsaug lub txim maag tua nyob los-sis maag kaw tog nwg lub sib-hawm kws laav-thaa-npaa yuav muab nwg tua.

DECEDENT – In criminal law, it means a murder victim; in probate law, it means a dead person.

Tug tuag lawm.

DECISION - A court's judgment or decree that settles a dispute. (See also DECREE, JUDGMENT.)

Txav-txim; kev tu-plaub-ntug.

DECLARATION - A statement that a person writes and files with the court. It tells the judge why the person should win the case. Sometimes, a person signs this under penalty of perjury.

Cov lug tsaa teg sau ntuj lug has hab sau lug qha has tas tej yaam kws tau ua yeej muaj le tau sau tag-tag.

DECLARATION OF PATERNITY – Form signed by unmarried parents, generally at the hospital, where the parents declare who is the father of the child.

Cov lug kws lug leeg has tas yug yeej yog leej txiv ntawm ib tug miv-nyuas tag-tag.

DECLARATORY JUDGMENT - A judgment of the court that explains what the existing law is or expresses the opinion of the court without the need for enforcement.

Txuj kev txav-txim lug ntawm xaam lug qha has tas txuj cai los-sis lij-choj yog le caag tag-tag.

DECREE - A court decision. It can be (1) "interlocutory," which means it is not a final decision, or (2) "final," which means all issues of the case are settled.

Kev txav-txim ntawm ib lub xaam los-sis tug kws-tu-plaub-ntug.

DE FACTO PARENT – A person found by the court to have assumed, on a day-to-day basis, the role of parent, fulfilling both the child's physical and psychological needs for care and affection, and who has assumed that role for a substantial period.

Tug tuab-neeg kws xaam yeej tau txav-txim rua has tas nwg yeej yog tug nam-txiv rua ib tug miv-nyuas vim has tas nwg yeej naj-nub tau saib-xyuas hab lug tu yug tug miv-nyuas ntawd zoo le ib leej nam los-sis leej txiv.

DE FACTO - To exercise power in a juvenile dependency case. Latin meaning "from the fact."

Yeej ua tsaws nkaus le (leej txiv los-sis leej nam yug ua le).

DEFAMATION - When one person hurts another person's character, fame, or reputation by making false and malicious statements that are not protected by law.

Txhob-txim lug tshuav lwm tug lug koob lub npe, lub meej-mom kuam poob los-sis tsi zoo moog.

DEFAULT - When a defendant in a civil case doesn't file an answer or go to court when they're supposed to, but was properly notified.

Tsi teb tsaab ntawv foob tes xaam txav-txim has tas nwg swb lawm los-sis "default" lawm.

DEFAULT JUDGMENT - A court decision in favor of the plaintiff when the defendant doesn't answer or go to court when they're supposed to.

Tsi teb tsaab ntawv foob tes xaam txav-txim has tas nwg swb lawm los-sis "default" lawm.

DEFENDANT - In a civil case, the person or company being sued. In a criminal or traffic case, the person accused of the crime.

Tug tuab-neeeg kws laaj-mej-pej-xeem lam has tas nwg tsaug-txim lawm los-sis ua txhum lawm.

DEFENSE - In a civil case, the facts or arguments presented by the defendant to show why the plaintiff doesn't have a right to the relief asked for. In a criminal case, the reasons why a defendant should not be convicted of the charge(s).

Cov lug tug-maag-lam siv lug tiv-thaiv cov nqais-lug kws lwm tug foob nwg.

DEFENSE ATTORNEY - In a criminal case, the lawyer that represents the accused person (called the "defendant").

Tug kws-lij-choj kws tuaj tiv-thaiv tug-maag-lam (has tas nwg txhum plaub lawm los-sis tsaug txim lawm).

DEFRAUD – To make a misrepresentation of an existing material fact, knowing it to be false or making it recklessly without regard to whether it is true or false. To practice fraud; to cheat or trick. To deprive a person of property or any interest, estate, or right by fraud, deceit or artifice.

Lug ntxag hab khuj lwm tug tuab-neeeg cov khoom los-sis cov nyaj-txag.

DEGREE - Scope of an action or charge.

Qha saib lub txim sab hab luj npaum le caag.

DELIBERATE - To consider all the evidence and arguments related to a case that were presented in court.

Lug saib-laaj txug rooj plaub-ntug, cov pov-thawj hab cov lug sib foob nyob rua huv xaam es txha-le lug txav-txim tau.

DELIBERATION - When a jury, for either a civil or criminal case, goes into the jury room to discuss the evidence and testimony and reach a verdict.

Kev saib-laaj hov ntawm cov kev-txij-laug los-sis jury.

DELINQUENCY COURT - The division of the Juvenile Court hearing cases where juveniles have been charged with committing a crime.

Lub xaam lug has los-sis lug txav cov txim kws cov miv-nyuas tsi tau muaj 18 xyoo tsaug lam los-sis ua txhum.

DELINQUENCY, JUVENILE - Antisocial behavior by a minor; especially behavior that would be criminally punishable if the minor were an adult, but instead is usually punished by special laws pertaining only to minors.

Kej loj-leeb ntawm cov miv-nyuas kws nwg yog tug laug tes nwg yeej tsaug-txim lawm.

DEMURRER - When a defendant says the facts presented by a plaintiff may be true, but they aren't enough to prove the defendant's legal responsibility.

Txuj kev-cai kws tug-tsaug-lam siv lug tiv-thaiv ib rooj plaub-ntug lug has tas txawm yog muaj le tug-foob tau lam los cov lug los-sis cov pov-thawj yeej tsi tau txaus lug txav txim muab tug-maag-lam ua tug-txhum.

DENNIS H. – A hearing to determine if there is sufficient evidence to sustain a juvenile court petition.

Ib qhov "hearing" lug saib-xyuas saib cov pov-thawj puas txaus lug qha has tas lub xaam miv-nyuas yau yeej txav-txim yog lawm.

DE NOVO - Starting a case all over again as if it had not been heard before. In Latin, *novo* means "new." (See TRIAL DE NOVO.)

Rov lug pib ib rooj plaub-ntug tshab.

DEPENDENCY COURT - The division of the Juvenile Court hearing cases of child abuse and neglect.

Ib feeb ntawm lub xaam miv-nyuam yau kws lug tu cov plaub-ntug has txug kev tsim-txom rua cov miv-nyuas.

DEPENDENT CHILD - In family law, this usually means a child that is financially supported by another person. In juvenile law, this means a minor that is in the custody of the court because he or she was abused, neglected, or molested or is physically dangerous to the public because of a mental or physical disorder.

Tug miv-nyuas kws nam-txiv los-sis lwm tug tseem laib saib yug los-sis ib tug miv-nyuas kws xaam lug khoo los-sis saib-xyuas kuam nwg txhob rov lug ua kev phem rua nwg tug kheej los-sis lwm tug tuab-neeg vim has tas nwg yog ib tug miv-nyuas muaj kev puag xuab-moom lawm.

DEPORTATION - The act of removing a person to another country. Order issued by an immigration judge, expelling an illegal resident from the United States. A deportation has certain consequences regarding the number of years within which a deportee may not legally immigrate. There are also criminal consequences for reentry within a prescribed time period.

Txuj kev kws laa-thaa-npaa muab ib tug tuab-neeg tuaj nyob rua teb-chaws Asmesliskas tsi muaj ntaub-ntawv los-sis nyag kev tuaj xib xaa rov moog rua nwg lub teb-chaws.

DEPOSITION - Written or oral testimony given under oath in front of an authorized third person like a court reporter. Depositions take place outside of the court. They allow the parties to get a record of a person's testimony, or to get testimony from a witness that lives far away. They can help the lawyers prepare their court papers called "pleadings." (See also DISCOVERY.)

Txuj kev tsa teg lug "xaam-phaj" (deposition) ib tug tuab-neeg tsaug-txim los-sis ib tug-pov-thawj nyob rua ib rooj plaub-ntug.

DEPRIVATION OF CUSTODY - The court transfer of legal custody of a person from parents or legal guardian to another person, agency, or institution. It may be temporary or permanent.

Muab kev saib-xyuas miv-nyuas ntawm ib tug tuab-neeg tshu tawm.

DEPUTY - One appointed to substitute for another with power to act for him in his name or on his behalf. For example, a Deputy County Clerk is appointed on behalf of the County Clerk.

Tug "loos" los-sis tug nyob qeg zog tug "nais"; tug paab tug "nais" luj.

DEPUTY D.A. - An assistant lawyer to the district attorney.

Tug "loos" rua to tug "D.A." los-sis tug "loos" rua tug kws-li-choj pej-xeem xaiv-tsa nyob rua ib lub "county".

DESCENT AND DISTRIBUTION STATUTES - State laws that provide for the distribution of estate property of a person who dies without a will. Same as **INTESTACY LAWS**.

Cov kev-cai lij-choj qha txug kev sib faib ib tug tuag cov nyaj-txhag hab khoom.

DESTRUCTIVE DEVICE / EXPLOSIVE - any substance, the purpose of which is detonation or rapid combustion, and which is capable of rapid release of gas and heat.

Tej yaam khoom kws tawg taug muaj ceem heev.

DETENTION - When a person is temporarily locked up until the court makes a final decision.

Nyob kaw-nkuaj tog lug has plaub-ntug.

DETENTION HEARING - The initial hearing in Dependency Court soon after the child has been removed from the parent.

Qhov “hearing” lug txav-txim txug teeb-meem miv-nyuas tom qaab kws tug miv-nyuas tuab muab tshu tawm ntawm nam-txiv txuj kev saib-xyuas, tu hab yug, lawm.

DETERMINATE (SENTENCE) - Confinement for a fixed period as specified by statute.

Muab kaw ntev raws le txuj kev-cai lij-choj tau qha tseg.

DEVELOPMENTALLY DISABLED - Those persons, not psychotic, who are so developmentally disabled from infancy or before reaching maturity that they are incapable of managing themselves and their affairs independently, with ordinary prudence, or of being taught to do so, and who require supervision, control, and care for their own welfare, or for the welfare of others, or for the welfare of the community. (Formerly termed "mentally retarded.")

Cov miv-nyuas los-sis cov tuab-neej kws nwg puag “xwab-moom” lawm es yuav tsum muaj lwm tug lug saib-xyuas xib txhaj le tau.

DEVISE - A gift of real property by a will.

Khoom-plig laj-aav kws tug tuag lawm muab tseg rua lawm tug kws tseem muaj neej nyob.

DEVISEE - A person who receives real property by will.

Tug tuab-neej kws tau txais khoom-plig laj-aav lug ntawm ib tug tuab-neej kws tau taag sim-neej lawm vim has tas ua ntej nwg taag sim-neej nwg muab sau hab qha le ntawd ca lawm.

DIRECT EVIDENCE - Proof of facts by witnesses who saw acts done or heard words spoken.

Yaam pov-thawj kws lug ntawm tug tuab-neej kws pum kag los-sis nov cov lug kag.

DIRECT EXAMINATION - When a witness testifies and answers questions asked by the party that asked them to testify. (Compare CROSS-EXAMINATION.)

Thaum kws yug tog tsov xwj hab nug yug nyob huv xaam.

DIRECTED VERDICT - An instruction by the judge to the jury to return a specific verdict. Now called Judgment as a Matter of Law.

Qhov “qhaa-xaaj” lug ntawm xaam lug kuam cov “jury” los-sis kev-txij-laug txav-txim le nwg tau xaaj.

DISBARMENT - Form of discipline of a lawyer resulting in the loss (often permanently) of that lawyer's right to practice law. It differs from censure (an official reprimand or condemnation) and from suspension (a temporary loss of the right to practice law).

Muab ib tug kws-lij-choj dlaim “license” tshu tawm hab tsi pub nwg rov lug ua ib tug kws-lij-choj lawm.

DISCLAIM - To refuse a gift made in a will.

Tsi leeg yuav los-sis txais ib yaam khoom-plig ib tug tuag muab raws le sau ca rua ib tsaab ntawv los-sis dlaim “will”.

DISCLAIMER - The repudiation or renunciation of a claim or power vested in a person or which he had formerly alleged to be his. The disavowal, denial, or renunciation of an interest, right, or property imputed to a person or alleged to be his.

Cov lug ceeb-toom qha rua suav dlawg paub has tas yeej tsi muaj le tau has.

DISCOVERY - The gathering of information (facts, documents, or testimony) before a case goes to trial. Discovery is done in many ways, such as through depositions, interrogations, or requests for admissions. It can also be done through independent investigation or by talking with the other side's lawyer.

Txuj kev lug tshawb-yos pov-thawj, nug hab ntsib cov pov-thawj, ntaub-ntawv, txhua-txhua yaam ua-ntej le maam moog hab rooj plaub tom xaam.

DISCOVERY MOTION - A motion to have evidence disclosed to the moving party.

Txuj cai thov kuam tog tod muab cov pov-thawj los-sis “evidence” qha rua ob tog paub tuab-si.

DISCRIMINATION – An act which confers particular privileges on a class arbitrarily selected.

Kev sib faib sib cais muab tshaaj rua ib cov xib es tseg lwm cov.

DISMISS - To terminate legal action involving outstanding charges against a defendant in a criminal case.

Muab qhov plaub-ntug tso tseg; muab tshu tawm.

DISMISSAL WITH PREJUDICE - When a court dismisses a case and will not allow any other suit to be filed on the same claim in the future.

Muab qhov plaub-ntug tshu tawm es tsi pub ob tog koj cov plaub ntug rov tuaj xaam has dlua le lawm.

DISMISSAL WITHOUT PREJUDICE - When a court dismisses a case, but will allow other suits to be filed on the same claim.

Muab qhov plaub-ntug tshu tawm tuab-sis yog yaav tom qaab ntawm yog tog twg xaav koj qhov plaub-ntug rov tuaj rua xaam tu los tseem tau.

DISORDERLY CONDUCT - Any behavior, contrary to law, which disturbs the public peace or decorum, scandalizes the community, or shocks the public sense of morality.

Kev yeeb-yaam ua pleeg tsi raws le txuj cai pub.

DISPARITY – Marked difference in quantity or quality between two things.

Kev txawv.

DISPOSITION - The final decision by the court in a dispute.

“Xaam” txuj kev tu plaub-ntug kawg; kev “xaus” ntawm ib rooj plaub-ntug.

DISPOSITIONAL HEARING – The hearing held after a petition is sustained (allegation found true), to determine whether the child will become a dependent of the court, where the child will reside, and what reunification services, if any, will be provided to the parent.

Lub “hearing” los-sis lub sib-hawm lug txav-txim saib yuav muab ib tug miv-nyuas koj moog nrug tug twg nyob, saib-xyuas, yug los-sis rua tug twg tu.

DISSENT - To disagree. An appellate court opinion setting forth the minority view and outlining the disagreement of one or more judges with the decision of the majority.

Kev pum txawv, tsi pum le lwm tug pum.

DISSOLUTION - A marriage that is ended by a judge's decision, also known as a "divorce." (Compare NULLITY.)

Kev sib-faib sib-nrauj.

DISSOLUTION OF MARRIAGE - The act of terminating a marriage; divorce; but the term does not include annulment.

Kev sib-faib sib-nrauj tu-ncua ib nkawm nam-txiv lawm.

DISTINCTIVELY MARKED – A vehicle, operated by a peace officer, is “distinctively marked” when in addition to a lighted red lamp and activated siren, the vehicle is of such appearance that a reasonable person would be able to recognize it as a peace officer’s vehicle, and a person fleeing is on reasonable notice that pursuit is by a peace officer.

Yaam khoom twg kws yeej muab “mark” los-sis khij txawv tshaaj plawg kuam tuab-neeg txhaj-le paub has tas yaam ntawd yog dlaab-tsi tag-tag, pev-txiv le lub tsheb tub-ceed-xwm siv.

DISTRICT ATTORNEY - A lawyer appointed or elected to represent the state in criminal cases in his or her respective judicial districts. (See PROSECUTOR.)

Yog tug kws-lij-choj pej-xeem tsaalug has plaub ntug rua laj-mej-pej-xeem.

DISTURBING THE PEACE - Conduct which tends to annoy all citizens, including unnecessary and distracting noisemaking.

Yeeb-yaam hab kev-pleeg kws ua rua lwm tug noog hab nyob tsi taug.

DIVERSION - Instead of going to jail, a defendant goes to a rehabilitation ("rehab") program and is supervised by a probation officer. When the defendant finishes the program, the charges are dismissed and the defendant is not sentenced. (Compare ELECTRONIC MONITORING, HOME MONITORING.)

Txuj kev maag txim kws tsi tsaug kaw-nkuaj tuab-sis yuav tsum moog txav yeeb txav “xa”. Yog thaum twg ua le ntawd taag lawm tes xaam yuav muab cov-lug los-sis nqais-lug-foob tshu tawm moog tsi muab tug tuab-neeg ntawd koj moog kaw-nkuaj ntxiv lawm.

DIVORCE - A common name for a marriage that is legally ended. See DISSOLUTION.

Sib nrauj.

DOCKET - A record with the complete history of each case a court hears. It contains short chronological summaries of the court proceedings.

Dlaim ntawv qha has tas nub ntawd xaam tau tu pis-tsawg rooj plaub lawm hab qha has tas tu moog le caag.

DOCKET NUMBER - Identification number that the court clerk's office gives a case. This number is on all papers filed in the case. Also called CASE NUMBER.

Tug “case number”.

DOE - Used in law courts, legal papers, etc., to refer to any person whose name is unknown.

Lub npe siv rua ib qhov case thaum twg xaam tsi paub lub npe tag-tag yog dlaab-tsi.

DOMESTIC VIOLENCE - An assault committed by one member of a household against another.

Kev sib tsim-txom, ua kev phem lug ntawm ib tsev tuab-nee (nyob ua-ke huv ib lub tsev).

DOMICILE - The place where a person has his or her permanent legal home. A person may have several residences, but only one domicile.

Yug qhov chaw nyob tag-tag.

DOUBLE JEOPARDY - The constitutional prohibition under the Fifth Amendment against a person being put on trial more than once for the same offense.

Txuj kev cai muaj nyob huv “the Fifth Amendment” kws has tas ib tug tuab-nee tsi pub maag has los-sis tsaug ob rooj plaub-ntug lug ntawm tuab qhov kev lam.

DRIVE-BY MURDER - Murder perpetrated by means of discharging a firearm from a motor vehicle intentionally at another person outside of the vehicle. When the perpetrator specifically intended to inflict death, the murder is of the first degree.

Tsaav tsheb tua tuab-nee saa-nrau.

DRIVING WHILE INTOXICATED (DWI) - The unlawful operation of a motor vehicle while under the influence of drugs or alcohol. In some jurisdictions it is synonymous with **DRIVING UNDER THE INFLUENCE (DUI)**, but in others, driving while intoxicated is a more serious offense than driving under the influence.

Haus dlej haus cawv los-sis qaug tshuaj qaug cawv los tseem tsaav tsheb.

DRUNK DRIVING - The operation of a vehicle in an impaired state after consuming alcohol that when tested is above the state's legal alcohol limit.

Qaug cawv los tseem tsaav tsheb.

DUE PROCESS OF LAW - The regular way that the law is administered through the courts. The U.S. Constitution says that everyone has to have a day in court, has the right to be represented by a lawyer, and the right to benefit from court procedures that are speedy, fair, and impartial.

Txuj cai has tas txhua-txhua tug pej-xeem Asmesliskas yuav tsum pub nwg qhov teeb-meem los-sis nwg rooj plaub-ntug has ncaaj-nceeg tsaws le cov kev-cai lij-choj sau tseg los-sis yuav tsum pub moog ntsib xaam xib.

DURESS – Consists in any illegal imprisonment or threats of bodily harm in order to coerce the will of another and inducing him to do an act contrary to his free will.

Kev yuam los-sis hem kuam lwm tug tuab-neeeg ua le yug nyam.

EASEMENTS – A right of use over the property of another.

Txuj cai kws ib tug tswv-teb tswv-aav pub yug siv nwg dlaim teb ib feeb ua txuj-kev moog hab lug.

ELEAZER MOTION - A motion to require prosecution to disclose the whereabouts of an informant or show that reasonable effort has been made to locate him.

Txuj cai kws yuam tau tog “prosecution” lug qha saib tug “informant” moog twg lawm los-sis nwg qhov chaw nyob yog le caag los-sis yuam tog “prosecution” lug qha has tas puab yeej tshawb-yos tug “informant” lawm es yeej yos tsi tau le.

ELECTRONIC MONITORING – Use of an electronic device to keep an eye on where a sentenced person is in the community and to restrict his or her activities, instead of putting the person in jail. (See also HOME MONITORING).

Txuj kev lug siv “xaim fai-fab” los-sis “khood fai-fab” lug saib-xyuas hab khoo ib tug tsaug-txim kuam nwg txhob tsiv los ua kev phem ntxiv.

ELECTRONIC TECHNOLOGY - includes, but is not limited to computer modem, magnetic media, optical disk, facsimile machine, or telephone.

Khood “fai-fab” los-sis “electronic”, pev-txiv le xuv-too, “fax machine”, “computer modem”.

ELEMENTS OF A CRIME - Specific factors that define a crime which the prosecution must prove beyond a reasonable doubt in order to obtain a conviction. The elements that

must be proven are 1) that a crime has actually occurred, 2) that the accused intended the crime to happen, and 3) a timely relationship between the first two factors.

Taag nrho rua txhua qais lug foob nyob rua ib rooj plaub-ntug mas cov “prosecution” yuav tsum “prove” tau has tas tug tsaug-lam-lub-txim ntawd yeej yog tug ua es yeej tsi muaj ib yaam dlaab-tsi tsi txaus-tseeg le tas tug tsaug-lam ntawd yeej yog tug tau ua.

EMANCIPATION – A legal way for children to become adults before they are 18. Once a child is emancipated, his or her parents don't have custody or control of him or her anymore.

Txuj cai pub cov miv-nyuas tsi tau puv 18 xyoo lug ua neeg laug. Thaum tug miv-nyuas thov tau txuj kev lug ua tau neeg laug lawm tes nwg nam-txiv yeej tsi muaj cai lug saib-xyuas zuv-khoo nwg lawm; nwg ua dlaab-tsi los ywj nwg lawm xib; lub txim yeej poob rua nwg lawm xib.

EMBEZZLE - To willfully take or convert to one's own use, another's money or property, which the wrongdoer initially acquired lawfully, because of some office, employment, or some position of trust.

Nyag lwm tug tuab-neeg cov khoom kws nwg tso rua yug tuav, saib-xyuas, khoo, khaws-cas.

EMBEZZLEMENT – Taking property by a person to whom the property has been entrusted.

Txuj kev nyag lwm tug tuab-neeg cov khoom kws nwg tso rua yug tuav, saib-xyuas, khoo, khaws-cas.

EMINENT DOMAIN - The right of the state to take private property for public use after giving fair compensation to the owner.

Txuj cai kws “laa-thaa-npaa” siv lug muab laj-aav ntawm ib tug tswv coj moog siv rua taag nrho rua laj-mej-pej-xeem tuab-sis. “Laa-thaa-npaa” yuav tsum them tug nqe rua tug tswv ntawd.

EN BANC - Court sessions where all the judges of a court participate, instead of the usual number. For example, the U.S. circuit courts of appeals usually use panels of three judges, but all the judges in the court may decide certain matters together. When that happens, they are sitting "en banc" (sometimes spelled "in banc"). It comes from the French language and means "on the bench."

Rooj plaub-ntug kws taag nrho cov kws-tu-plaub-ntug nyob rua ib lub xaam lug tu ib rooj plaub-ntug.

ENDORSE - To sign your name on a document to authorize its contents or transfer (as in a check that is endorsed to transfer money).

Lug “xee” los-sis “sign” koj lub npe rua ib dlaim “check” rua kuam koj los-sis lwm tug koj moog pauv tau.

ENDORSED-FILED COPIES - Copies of court papers that are stamped in the top right corner to show when they are filed. (Compare with CERTIFIED COPY.)

Cov ntaub-ntawv kws xaam tau “nas-thwj” rua lawm, lug qha tau has tas xaam yeej tau txais lawm.

ENDORSEMENT, FORGERY BY – Falsely writing or endorsing check to cheat another person.

Kev tub-saab nyag nyaj kws tug tub-saa txhob-txim nyag “xee” tug tswv lub npe rua dlaim check es koj moog pauv.

ENHANCE - To make greater in value, to increase.

Lug muab tsaa sab; luj zog.

ENHANCEMENT - An allegation added to a basic charge which, if proven, increases the basic sentence. Example: “use of a gun in the commission of a crime” may be added to the felony charge.

Txuj kev muab lub txim ua luj zog vim has tas nwg tau siv rag phom los-sis lwm yaam moog ua txuj kev phem los-sis tsim-txom ntawd.

ENJOINING - An order by the court telling a person to stop something.

Qhaa-xaaj lug ntawm xaam lug tsi pub ib tug tuab-neeg twg ua tej yaam.

ENTER A GUILTY PLEA - The formal statement before the court that the accused admits committing the criminal act.

Leeg lub txim

ENTRAPMENT - A defense to criminal charges alleging that agents of the government induced a person to commit a crime he or she otherwise would not have committed.

Ib txuj kev tiv-thaiv has tas yog laa-thaa-npaa ntxag tug ntawd ua xwb es nwg txhaj-le tsaug nteg los-sis txhum-plaub; yog muaj le ntawd tes xaam yeej tsi rau txim rua nwg.

ENTRY OF DEFAULT - The clerk's record that the defendant has defaulted by not answering, or not answering on time. The plaintiff must request this record entry.

Qhov kws sau has tas tug maag-lam-lub-txim tsi teb cov ntawv foob tes nwg yog tug shwb.

EQUAL PROTECTION - The guarantee in the Fourteenth Amendment to the U.S. Constitution that all persons be treated equally by the law.

Txuj kev ncaaj-nceeg tiv-thaiv lug ntawm kev-cai lij-choj rua txhua-txhua tug pej-xeem tuab-si.

EQUITABLE ACTION - An action which may be brought for the purpose of restraining the threatened infliction of wrongs or injuries, and the prevention of threatened illegal action.

Txuj cai los-sis ntaub-ntawv foob txav-txim kuam muaj kev ncaaj-nceeg rua txhua-txhua tug los-sis ob tog tuab-si.

EQUITY - A system of law that supplements the statutory and case law and is based on principles of what is "fair and right."

Txuj kev ua ncaaj-nceeg hab ua kuam yog.

ERROR CORAM NOBIS - Petition filed in trial court seeking relief from conviction based on new facts.

Txuj kev thov kuam lub xaam has rooj plaub tig rov lug txav-txim rua tug-maag-lam vim has tas nwg muaj cov pov-thawj tshwm-sim tshab.

ERROR CORAM VOBIS - Petition filed in appellate court seeking relief from conviction based on new facts.

Txuj kev thov kuam lub xaam luj los-sis lub xaam "appellate" lug txav-txim rua tug-maag-lam vim has tas nwg muaj cov pov-thawj tshwm-sim tshab.

ESCAPE BY FORCE OR VIOLENCE – Using force to escape from custody.

Siv rag phom lug yos kev dlim nkuaj.

ESCHEAT (ES-CHET) - The process by which a deceased person's property goes to the state if there is no will or no heirs.

Txuj kev kws ib tug tuag cov khoom, nyaj-txhag, laj-aav poob moog rua laa-thaa-npaa lawm vim has tas nwg tsi muaj tub kis, xeeb-ntxiv, los-sis kwv-tij neej-tsaa lug leeg cov khoom ntawd.

ESCROW - Money or a written instrument such as a deed that, by agreement between two parties, is held by a neutral third party (held in escrow) until all conditions of the agreement are met.

“Escrow” yog ib txij kev kws ob tog yeem lug muab ob tug cov ntaub-ntawv los-sis nyaj-txhag koj lug rua lwm tug tuab-neeeg khaws los-sis tuav es le maam muab rov qaab rua ob tog tom qaab cov plaub-ntug los-sis kev sib cov-nyom muab tu taag tsuav.

ESTATE - Everything a person (alive or dead) owns and owes. There are different types of estates, like probate, nonprobate, trust and taxable estates. Probate estate: The property in someone's will. Or, if they do not have a will, the property the probate court handles. Nonprobate estate: The property the probate court does not handle. For example, if there's a trust or joint tenancy. Trust estate: Property in a trust. A trustee controls the trust. Taxable estate: The property subject to federal estate tax when a person dies. For example, life insurance.

Taag nrho tej yaam khoom, laj-teb, nyaj-txhag, kws yog ib tug tuab-neeeg le.

ESTATE TAX - Generally, a tax on the privilege of transferring property to others after a person's death. In addition to federal estate taxes, many states have their own estate taxes.

Cov se los-sis “tax” kws yuav tsum tau them moog rua laa-thaa-npaa thaum tug tuab-neeeg ntawd tuag lawm es nwg muab nwg cov khoom, nyaj los-sis laj-aav rua ib tug tuab-neeeg tseem muaj neej nyob.

ESTOPPEL - An act or statement that prevents a person from later making claims to the contrary.

Tsi pub ua lawm.

ET AL - In Latin, this means "and others." Refers to parties not included in the formal name of a court case.

Taag nrho lawm; cov nrug hab.

ET SEQ - An abbreviation for et sequentes, or et sequentia. Latin meaning "and the following," ordinarily used in referring to a section of statutes.

Txij le nuav moog taag nrho.

ET UX - In Latin, this means "and wife."

Ntxiv yug tug quas-puj hab.

EVICTION - Recovery of land or rental property from another by legal process. (See UNLAWFUL DETAINER.)

Muab “laij” los-sis tshu tawm ntawm ib lub tsev.

EVIDENCE - Any proof legally presented at trial through witnesses, records, and/or exhibits.

Pov-thawj.

EVIDENCE, CIRCUMSTANTIAL - Conclusion drawn from proven facts.

Pov-thawj saab nrau.

EVIDENCE, DIRECT - Evidence in form of a witness's testimony, who actually saw, heard, or touched the subject in question.

Pov-thawj lug kag ntawm ncauj-muag pum, qhov-ntsej nov, los-sis tau kov lug.

EVIDENCE, EVANESCENT - Evidence which can disappear relatively quickly, such as the amount of alcohol in a person's blood.

Cov pov-thawj kws yuav pluj moog sai-sai, pev-txiv le dlej-cawv.

EXAMINATION, DIRECT - The first examination of a witness by the counsel who called the witness to testify.

Kev kws lug xwj ntawm yug tug “lav-thaam” los-sis “witness”.

EXAMINATION, RECROSS - A second examination of a witness by the opposing counsel after the second examination (or redirect examination) by the counsel who called the witness to testify is completed.

Rov lug nug tog tom tug “lav-thaam” zag ob.

EXAMINATION, REDIRECT - A second examination of a witness by the counsel who called the witness to testify. This examination is usually focused on certain matters that were discussed by the opposing counsel's examination.

Rov lug nug yug tug “lav-thaam” zag ob.

EXCEPTIONS - Declarations by either side in a civil or criminal case reserving the right to appeal a judge's ruling upon a motion. Also, in regulatory cases, objections by either side to points made by the other side or to rulings by the agency or one of its hearing officers.

Cov lug has tas yug yuav cov nqai-foob los-sis plaub-ntug nuav nce moog rua xaam luj tu.

EXCESSIVE FORCE – Use of unreasonable amount of force by police officer.

Dlaag-zug siv tshaaj le txuj cai pub lug nteg ib tug tuab-nee.

EXCLUSION OF WITNESSES - An order of the court requiring all witnesses to remain outside the courtroom until each is called to testify, except the plaintiff or defendant. The witnesses are ordered not to discuss their testimony with each other and may be held in contempt if they violate the order.

Txuj kev kws cais cov “lav-thaam” los-sis witnesses.

EXCLUSIONARY RULE - The rule preventing illegally obtained evidence to be used in any trial.

Txuj cai kws tsi pub cov pov-thawj kws cov tub-ceed-xeem los-sis laa-thaa-npaa muab tau lug tsi tsaws kev-cai lij-choj coj lug rua huv ib rooj plaub-ntug.

EXCLUSIVE JURISDICTION - The matter can only be filed in one court.

Tuab lub xaam ntawd txhaj-le tu tau cov plaub-ntug ntawd xib.

EX CONTRACTU - Arising from a contract.

Tshwm-sim lug ntawm dlaim ntawv cog-lug los-sis dlaim “contract”.

EXCULPATORY EVIDENCE - Evidence which tends to indicate that a defendant did not commit the alleged crime.

Cov pov-thawj kws yuav lug tso los-sis ua yug dlim yug lub txim.

EXECUTE - (1) To carry out all terms of a contract or court order; (2) to sign (a document); (3) to kill.

1) Ua le tsaug xaaj los-sis cog tseg; 2) lug “xee” ib tsaab ntawv; 3) lug tua ib tug tuab-nee

EXECUTION - The name of a court order issued to a sheriff, marshal, or constable authorizing and requiring him to carry out the judgment of the court.

Txuj kev ua le xaam xaaj.

EXECUTION OF SENTENCE SUSPENDED - Imposing a sentence that will not be served. This is frequently ordered in combination with grants of probation. If the

defendant is subsequently found in violation of probation, the suspension will be lifted and the sentence carried out.

Muab lub sib-hawm kws ib tug tsaug-txim maag kaw-nkuaj tso tseg; nwg tsi maag kaw nkuaj lawm.

EXECUTOR - Person or company named in a will to carry out the will's instructions and requests. The executor is usually supervised by the probate court.

Tug tuab-neeeg kws tug tuag xaiv lug tuav cov ntaub-ntawv hab lug faib tej khoom, nyaj-txhag, laj-teb rua cov kws tseem muaj neej nyob.

EX DELICTO - Arising from a wrong, breach of duty. (See TORT.)

Tshwm-sim lug ntawm tej yaam ua tsi tsaws kev-cai lij-choj.

EXEMPLARY DAMAGES - Monies awarded to the plaintiff that exceed the normal or expected amount. Serve as punishment for willful or malicious acts by the defendant, rather than act of negligence.

Nyaj-txhag nplua tug tsaug-txim es muab nwg ua ib tug qauv rua pej-xeem paub kuam suav dlawg txhob ua le nwg ua ib zag ntxiv.

EXEMPLIFICATION - An extremely formal type of certification in which the Clerk signs the certification of the document or record. The Presiding Judge then signs attesting to the fact of the identity of the Clerk, and that the signature is authentic. Finally, the Clerk signs again, this time attesting to the fact that the judge is a Judge of that county's General Jurisdiction Court, and that the signature is authentic.

Txuj kev cai kws xaam lug leeg has tas cov ntaub-ntawv yeej yog tag-tag. Tug "Clerk" yuav tsum tau "xee", tes tug kws-tu-plaub-ntug yuav tsum tau "xee" nwg lub npe lug leeg has tas tug "Clerk" yeej tau "xee" lawm hab tug leeg "xee" ntawd yeej yog tug "Clerk"; tsi taag le ntawd, tug "Clerk" los yuav tau rov lug "xee" leeg has tas lub npe tug kws-tu-plaub-ntug ntawd yeej yog tag-tag.

EXHIBIT - A document or an object shown and identified in court as evidence in a case.

Cov ntaub-ntawv muab koj moog ua pov-thawj huv ib rooj plaub-ntug.

EXHIBIT, PEOPLE'S - Exhibit and/or evidence that is offered by the prosecution.

Cov laa-thaa-npaa los-sis cov laj-mej-pej-xeem cov ntaub-ntawv pov thawj.

EXONERATE - To clear of blame or to relieve from responsibility.

Lug muab lub txim tshu tawm has tas tug ntawd tsi yog tug ua.

EX PARTE - A court procedure with only one side. For emergencies only.

Ib tog xib

EX PARTE PROCEEDING - The legal procedure in which only one side is represented.

Lub “hearing” kws muaj ib tog moog tshwm xib.

EXPERT TESTIMONY - Testimony given in relation to some scientific, technical, or professional matter by experts, i.e., person qualified to speak authoritatively by reason of their special training, skill, or familiarity with the subject.

Cov lug siv ua pov-thawj lug ntawm cov “expert” los-sis tug kws txawj, kws kawm yaam ntawd.

EXPLOSIVE/DESTRUCTIVE DEVICE – Any substance, or combination of substances, the primary or common purpose of which is detonation or rapid combustion, and which is capable of a relatively instantaneous or rapid release of gas and heat, or any substance, the primary purpose of which, when combined with others, is to form a substance capable of a relatively instantaneous or rapid release of gas and heat.

Cov khoom kws tawg thaug luj.

EX POST FACTO - Latin meaning, "after the fact." The Constitution prohibits the enactment of ex post facto laws. These are laws that permit conviction and punishment for a lawful act performed before the law was changed and the act made illegal.

Tom qaab dlaug lawm; cov kev cai lij-choj kws tshwm-sim tom qaab kws ib tug tuab neeg ua yaam plaub ntug ntawd taag lawm yeej tsi pub tug ntawd lug tsaug txim lug ntawm yaam plaub-ntug ntawd.

EXPUNGEMENT - Official and formal erasure of a record or partial contents of a record.

Txuj kev kws muab ib tug tsaug-txim cov “record” tshu tawm.

EXTENUATING CIRCUMSTANCES - Circumstances which render a crime less aggravated, heinous, or reprehensible than it would otherwise be.

Tej yaam kws lug qha tas lub txim yuav tsum muab txu qheg dlua le txuj kev-cai lij-choj tau has tseg.

EXTORTION - The act of obtaining the property of another person through wrongful use of actual or threatened force, violence, or fear.

Txu kev siv rag, phom, kev phem lug hem hab txeeb khoom, nyaj-txhag, laj-aav ntawm lwm tug tswv los-sis tuab-nee.

EXTRADITION - Bringing a person that is in custody in one state to the authorities of another state where that person has been accused or convicted of a crime.

Txuj kev kws muab tug tsaug-txim nyob rua ib lub xeev los-sis teb-chaws tshu moog rua lwm lub xeev los-sis teb-chaws.

EXTRAORDINARY WRIT - A court order, often issued by an appellate court, making available remedies not regularly within the powers of lower courts. They include writs of habeas corpus, mandamus, prohibition and quo warranto.

Qhaas-xaaj lug ntawm xaam luj lug kws cov xaam yau ua tsi tau.

EYE WITNESS - One who saw the act, fact, or transaction to which he or she testifies.

Tug “laav-thaam” ua pov-thawj kws pum kag qhov teeb-meem los qhov “crime” ntawd.

FACTUAL BASIS - The underlying facts supporting a defendant’s guilty or NOLO CONTENDERE plea.

Tej yaam kws muaj tag-tag

FACTUALLY INNOCENT - No reasonable cause exists to believe the person arrested committed the offense.

Yeej tsi muaj tej yaam kws paub meej-meej lug qha tas tug ntawd yeej yog tug txhum cov plaub-ntug ntawd.

FAILURE TO APPEAR - The act of not appearing in court after being presented with a subpoena or summons.

Tsi pum tshwm tom xaam.

FAILURE TO COMPLY - The act of not following an order that is directed by the court.

Tsi ua le xaam xaaj.

FAIR HEARING - A hearing in which certain rights are respected such as the right to present evidence, to cross examine and to have findings supported by evidence.

Lub “hearing” kws taug txuj kev ncaaj-nceeg.

FAIR MARKET VALUE – The cash value price that the property would have brought at the time it was taken.

Tug nqe tsaws le kws yaam khoom ntawd yuav muag tau.

FALSE ARREST - Any unlawful physical restraint of another's personal liberty, whether or not carried out by a peace officer.

Nteg yoom-kev lawm.

FALSE IMPRISONMENT - The unlawful restraint by one person of another person's physical liberty.

Muab “khoo” los-sis nteg tau yoom-kev lawm es tug tuab-neeg ntawd tawm tsi tau moog.

FALSE PRETENSES - Representation of some fact or circumstance which is not true and is calculated to mislead, by which a person obtains another's money or goods.

Txuj kev tub-saab kws ntxag kuam lwm tug muab nwg cov khoom los-sis nyaj-txhag rua tug ntawd.

FALSE TOKEN – Any tangible object or a document that is not genuine, is not what it appears or claims to be, and is intended to be used and is used to deceive the person to whom it is presented.

Tej khoom tsi tseem tuab-sis tseem muab coj lug siv has qha tas yog yaam tseem tag-tag.

FAMILY ALLOWANCE - A small amount of money kept from the estate of the deceased to provide for the surviving family members during the administration of the estate.

Cov nyaj-txhag kws muab lug ntawm ib tug tuag lug siv rua nwg tsev tuab-neeg noj-haus nyob rua lub sib-hawm kws tseem lug muab tug tuag cov khoom, nyaj-txhag tuav los-sis sib faib.

FEDERAL EMPLOYER'S LIABILITY ACT – Federal workers' compensation law which protects railroad employees.

Txuj lij-choj kws tiv-thaiv cov tuab-neeg ua hauj-lwm rua cov “train company” thaum puab tsaug mob ua puab lub luag hauj-lwm.

FEES - A specific amount of money that's paid in exchange for a service, such as filing a court paper.

Cov nqe yuav tsum tau them yog tug twg ua ntawv (foob) moog tom xaam.

FEE SIMPLE - The most complete, unlimited form of ownership of real property, which lasts until the current holder dies without an heir.

Qhov kws qha has tas yug tau taag nrho le; yug yog tswv taag nrho le.

FEE WAIVER - Permission not to pay the court's filing fees. People with very low income can ask the court clerk for a fee waiver form.

Txuj kev kws xaam pub rua cov tuab-nee txom-nyem lug tsi laib them cov "fees" los-sis nqe ua ntaub-ntawv moog tom xaam.

FELONY - A serious crime that can be punished by more than one year in prison or by death. (Compare INFRACTION, MISDEMEANOR).

"Felony" has cov plaub-ntug kws tsaugkaw nkuaj tshaaj le ib xyoos hov sau.

FELONY MURDER - A murder committed during the commission of a felony such as robbery, burglary, or kidnapping.

Lub txim tua tuab-nee tuag kws lug ntawm txuj kev ua tub-saab, tub-nyag.

FIDUCIARY - A person that acts for another person's benefit, like a trustee or guardian. It also means something that is based on a trust or confidence. (See also TRUSTEE.)

Txuj kev kws ib tug lug ua tej yaam rua lwm tug, pev-txiv le kws lug tuav nyaj-txhag los-sis ntaub-ntawv; yog ib txuj kev sib ntseeg sab heev.

FIELD SOBRIETY TEST - A method of determining whether a person is intoxicated using a motor skills test which is administered by testing the driver's speaking ability and/or physical coordination.

Txuj kev kws siv thaum nteg tau tej tug tuab-nee tom kev lug nruag tug tuab-nee ntawd saib nwg puas qaug cawv.

FIFTH AMENDMENT - Among other rights, the Fifth Amendment to the U.S. Constitution guarantees that a person cannot be forced to present self-incriminating testimony in a criminal proceeding.

Kev-cai lij-choj luj hu ua "Fifth Amendment" kws lug tiv-thaiv laj-mej-pej-xeem txuj cai tsi pub nwg lug has tej cov lug kws laa-thaa-npaa yuav siv rov lug "tuaj-xub" nwg es muab nwg koj moog kaw-nkuaj.

FILE - When a person officially gives a paper to a court clerk and that paper becomes part of the record of a case.

Lub sib-hawm kws ib tug tuab-nee cev nwg cov ntaub-ntawv rua tug “Clerk” tom xaam es xaam muab khaws ca nrug tog lug sib-hawm lug has nwg rooj plaub-ntug.

FIND GUILTY - For the judge or jury to determine and declare the guilt of the defendant.

Lug tu has tas txhum.

FINDING - When a judicial officer or jury says something is a fact.

Qhov txav-txim hab tu has tas muaj le ntawd tag-tag.

FINDINGS OF FACT - An oral or written statement by a judge after a review of the evidence stating that the facts given are found to be true.

Qhov txav-txim hab tu has tas muaj le ntawd tag-tag.

FINE - The money a person must pay as punishment for doing something illegal or for not doing something they were supposed to do.

Nplua nyaj vim has tas tsi ua le has.

FINGERPRINT - The distinctive pattern of lines on human fingertips that are used as a method of identification in criminal cases.

Lug “nas-teg”.

FIREARM - A weapon which acts by force of gunpowder, such as a rifle, shotgun or revolver.

Rag-phom

FIRST APPEARANCE - The initial appearance of an arrested person before a judge to determine whether there is probable cause for his or her arrest. Generally, the person comes before a judge within hours of the arrest, and are informed of the charges against him or her and of his or her rights to a preliminary hearing, to counsel, and to bail. No plea is asked for at this time. Also called **INITIAL APPEARANCE**.

Zag ib kws tug tsaug-txim lug ntsib tug kws-tu-plaub-ntug.

FITNESS HEARING – A court hearing to decide if a juvenile (minor) should be tried as an adult.

Lub “hearing” lug nruag saib cov miv-nyuas kws tsi tau muaj 18 xyoo puas yuav muab coj lug has plaub-ntug le cov tuab-nee laug lawm.

FORCIBLE AND ATROCIOUS CRIME – Any felony that by its nature and the manner of its commission threatens, or is reasonably believed by the defendant to threaten life or great bodily injury so as to instill in him a reasonable fear of death or great bodily injury. Murder, mayhem, rape, and robbery are all forcible and atrocious crimes.

Cov “crime” los-sis plaub-ntug kws tsaug mob luj los-sis tsaug tuag.

FORCIBLE ENTRY AND DETAINER - Ordinarily refers to a summary proceeding for restoring possession of land to one who has been wrongfully deprived of possession.

Txuj kev kws tug tswv tag-tag moog muab nwg tej laj-teb rov lug vim has tas lwm tug moog txeeb tau lawm.

FORECLOSURE - Procedure by which mortgaged property is sold on default of the mortgagor in satisfaction of mortgage debt.

Txuj kev kws “bank” los-sis “laa-thaa-npaa” tuaj muab ib tug tswv lub tsev coj moog muag lug them tug tswv tsev ntawd cov nuj-nqe vim has tas nwg them cov “mortgage” los-sis nwg cov nuj-nqe tsev tsi taug lawm los-sis yeej tsi them nwg cov nuj-nqe tsev le.

FORFEIT - To lose, or lose the right to. In Traffic – to forfeit means to enter an implied guilty plea and pay total bail to close a case.

Nyoo shwb.

FORFEITURE - When a person must give up money or property because he or she didn't meet a legal obligation. (See also BAIL FORFEITURE).

Txuj kev kws ib tug tuab-neeeg nyoo shwb los-sis nyoo tso nwg cov nyaj-txhag, laj-teb poob moog

FORGERY - The act of claiming one's own writing to be that of another.

“Xee” lwm tug lub npe nyob rua tej dlaim ntaub-ntawv los-sis check.

FORMAL PROBATION - Court-ordered terms and conditions placed upon a defendant instead of a sentence. Formal probation involves supervision of the defendant by a probation officer. Summary probation involves no probation officer; the defendant is responsible directly to the court.

Muab tso “probation” es tsi kaw-nkuaj; maag tub-ceed-xim “khoo” vim has tas tsaug-txim.

FORUM NON CONVENIENS - A doctrine patterned upon the right of the court in the exercise of its equitable powers to refuse the imposition upon its jurisdiction of the trial of cases even through the venue is properly laid if it appears that for the convenience of litigants and witnesses and in the interest of justice the action should be instituted in another forum where the action might have been brought.

Txuj cai kws xaam muaj lug hloov qhov chaw kws lug has ib rooj plaub-ntug vim has tas yuav zoo hab yooj-yim rua ob tog tuaj tu plaub-ntug.

FOSTER CARE - A program that gives money to a person, family, or institution to raise someone else's child.

Ib qhov "ooskaa" los-sis "program" muaj lug paab nyaj-txhag lug yug, saib-xyuas lwm tug tuab-neeg tug/cov miv-nyuas.

FOUNDATION - In a trial, a foundation must be laid to establish the basis for the admissibility of certain types of evidence. For example, an expert witnesses's qualifications must be shown before expert testimony will be admissible.

Ncaaj-nceeg; nyob rua ib rooj plaub-ntug mas ua-ntej tej cov-thawj yuav muab coj lug qha rua tug kws-tu-plaub-ntug los-sis cov kev-txij-laug pum mas yuav tsum qha meej-meej tas cov pov-thawj ntawd yeej yog cov tag-tag los-sis yuav tsum nug-paub meej-meej has tas tug "expert" los-sis tug kws-txawj ntawd yeej muaj txuj kev kawm hab tshawb-xyuas yaam kws nwg yuav tuaj thaam txug taag mas txhaj-le pub nwg lgb cev lug nyob rua huv xaam hab txhaj-le pub cov kev-txij-laug (jury) lug nov nwg cov lug.

FOURTEENTH AMENDMENT - Among other matters, the 14th Amendment to the U.S. Constitution prohibits states from depriving any person of life, liberty, or property without adequate DUE PROCESS.

Txuj kev-cai lij-choj luj kws lug tiv-thaiv laj-mej-pej-xeem txuj cai kws has tas ua-ntej ib tug pej-xeem yuav tsaug nteg, tsaug tua, tsaug kaw-nkuaj, los-sis tsaug muab nwg cov laj-teb tshu tawm mas cov laa-thaa-npaa yuav tsum muab lub sib-hawm (hearing) rua nwg tuaj xub los-sis lug qha txug qhov ntawd.

FRAUD - Deceiving someone on purpose in a way that financially hurts others.

Txuj kev tub-saa lug ntxag, dlaag kuam lug txeeb tau lwm tug tej nyaj-txhag los-sis laj-teb, aav.

GAG ORDER - Orders restraining parties and counsel to a criminal proceeding from talking about the case to the press or public.

Qhaa-xaaj lug ntawm ib tug kws-tu-plaub-ntug lug tsi pub ob tog plaub-ntug qha los-sis sib txua nrug laj-mej-pej-xeem los-sis cov "nav-xwj-qhauj" has txug rooj plaub-ntug ntawd.

GAMBLING - The act of staking money, or other thing of value, on an uncertain event or outcome.

Txuj kev twv-nyaj twv-txaj.

GARNISH - To withhold a debtor's money, and turn it over to another in order to pay a debt. Typically, the one withholding the money is the debtor's employer.

Lug tshu tug-tshuav lwm tug nuj-nqe cov nyaj-salary, nyaj-hli, los-sis, nyaj-hauj-lwm coj moog them nwg cov nuj-nqe.

GARNISHMENT - A legal process that allows part of a person's wages or property to be withheld for payment of a debt.

Txuj kev-cai kws lug tshu tug-tshuav lwm tug nuj-nqe cov nyaj-salary, nyaj-hli, los-sis, nyaj-hauj-lwm coj moog them nwg cov nuj-nqe.

GENERAL ASSIGNMENT - The voluntary transfer, by a debtor, of all property to a trustee for the benefit of all of his or her creditors.

Txuj kev kws tug-tshuav lwm tug nuj-nqe muab nwg cov khoom, nyaj-txhag, laj-aav rua ib tug tuab-neeg (txij-laug) lug tuav es tug txij-laug le maam muab faib rua cov tuab-neeg kws nwg tseem tshuav nuj-nqe.

GENERAL JURISDICTION - Refers to courts that have no limit on the types of criminal and civil cases they may hear.

Cov xaam kws nwg has yaam plaub-ntug dlaab-tsi los tau tuab-si.

GLUE SNIFFING - The act of inhaling glue in order "to get high".

Na cov paa "glue".

GOOD CAUSE - A good reason. For example, a person must have good cause (better than not having a car or a baby-sitter) for not coming to a court hearing.

Cov lug zoo kws qha rua xaam has tas vim le caag yug txhaj-le tuaj cuag xaam tsi tau (cov lug yuav tsum zoo tshaaj le has tas "kuv tsi muaj tsheb" los-sis "kuv tsi muaj tuab-neeg zuv kuv cov miv-nyuas").

GOOD FAITH - An honest belief, the absence of malice, and the absence of design to defraud.

Ua tsaws le muaj tag, yeej tsi dlaag, ua ncaaj nceeg.

GOOD SAMARITAN RULE - One who assists a person in imminent and serious danger, though negligence of another cannot be charged with negligence in attempting a rescue.

Txuj cai kws has tas tug tuab-neeg kws sab zoo sab dlawb moog paab los-sis cawm lwm tug tuab-neeg yuav tsum tsi pub muaj plaub-ntug rua nwg yog nwg ua tej yaam yoom-kev mij-ntsiv nyob rua lub sib-hawm nwg moog paab los-sis cawm tug tuab-neeg ntawd.

GOOD TIME - A reduction in sentenced time in custody as a reward for good behavior. It usually is one-third to one-half off the maximum sentence.

Lub txim zoo los-sis txu txug ib feeb peb los-sis ib nraab.

GRAND JURY - A group of 16 to 23 citizens that listen to the prosecutor's evidence of criminal allegations and decide whether there is probable cause to believe a person committed a crime and to charge them with that crime.

16 rua 23 tug txij-laug kws lug saib puas muaj pov-thawj txaus lug muab ib tug tuab-neeg nteg coj moog kaw-nkuaj hab lub tu nwg cov plaub-ntug.

GRAND THEFT - Taking and carrying away the personal property of another person of a value in excess of an amount set by law with the intent to deprive the owner or possessor of it permanently.

Kev ua tub-saab luj kws cov nuj-nqe rua yaam-khoom nyag ntawd ntau tshaaj le txuj kev-cai lij-choj tau has tseg.

GRANTOR OR SETTLOR - The person who sets up a trust.

Tug tswv kws tsaab ib lub koom-hum lug tuav ib pob nyaj-txag yuav muab coj lug yug lwm tug tuab-neeg los-sis siv coj moog paab rua lwm tug tuab-neeg.

GREAT BODILY INJURY – Injury which involves a substantial risk of death, serious permanent disfigurement, or loss of function of any part of an organ of the body. Is a graver and more serious than ordinary battery.

Kev tsaug mob tsaug nkeeg luj heev, tej yaam kev mob kev nkeeg kws yuav ua tuab-neeg tuag los-sis tu npaab, tu teg, tu taw, tu plawv, los-sis to nyuv.

GROSS NEGLIGENCE – A negligent act(s) which is reckless or flagrant and which is such a departure from conduct of an ordinary, prudent person under the same circumstances as to be contrary to a proper regard for human life or to constitute indifference to the consequences of those acts. The facts must be such that the consequences of the negligent act(s) could reasonably have been foreseen and it must

appear that the death/danger to human life was not the result of inattention or mistaken judgment, but the natural and probable result of reckless or flagrantly negligent act.

Txuj kev-pleeg kws yug yeej paub has tas yog ua ntxiv moog tes yeej yuav muaj tuab-neeeg tsaug mob xib los yug yeej tsi tseg es tseem ua ntxiv es ua tsaug lwm tug tuab-neeeg mob tag-tag vim has tas yug txuj kev-pleeg ntawd.

FOUNDATIONS - A foundation or basis; points relied on.

Cov ncaaj-nceeg ntawm ib tug tuab-neeeg cov lug; cov lug tseem-ceed npaaj tog has.

GUARDIAN - A person appointed by will or by law to assume responsibility for incompetent adults or minor children. If a parent dies, this will usually be the other parent. If both die, it probably will be a close relative. In Juvenile Dependency cases, once a guardian is appointed, dependency may be terminated.

Tug tuab-neeeg kws xaam xaiv los-sis xaaj lug saib-xyuas, tu-yug ib tug miv-nyuas los-sis cov tuab-neeeg laug kws tsi paub-qaab-haus, tsi-meej-pem.

GUARDIAN AD LITEM - An adult appointed by a court who represents a minor child or legally incompetent person. (See also AD LITEM).

Tug tuab-neeeg kws xaam xaiv los-sis xaaj lug saib-xyuas, tu-yug ib tug miv-nyuas.

GUARDIANSHIP - A court proceeding where a judge chooses someone to care for a person under age 18 or to manage the minor's estate (property), or both. In some states, conservatorship of an adult is called guardianship, but not in California. (Compare with CONSERVATORSHIP.)

Txuj kev kws ib tug kws-tu-plaub-ntug xaaj kuam lwm tug tuab-neeeg lug saib-xyuas, tu hab yug ib tug miv-nyuas.

GUILTY - A court decision that a defendant committed a crime.

Txhum plaub, tsaug txim.

GUILTY PLEA - When a person admits in court that he or she is guilty of a crime.

Leeg lub txim, leeg has tas txhum lawm.

HABEAS CORPUS - The name of a writ used to bring a person before a court or judge to decide whether that person is being unlawfully denied his or her freedom. The term comes from Latin.

Lub npe thaum tug-tsaug-txim thov xaam lug txav-txim los-sis nruag saib nwg lub txim tsaug kaw-nkuaj puas ua tsaws txuj cai tag-tag vim has tas nwg txuj kev ywj-pheej los-sis ua neej yeej tsi yuav tsi pub muaj le lawm.

HANDCUFFS - Chains or shackles for the hands to secure prisoners.

Xaav teg los-sis khi teg-taw coj moog rau-txim los-sis kaw-nkuaj.

HARASSMENT - Words, gestures, and actions which tend to annoy, alarm, and verbally abuse another person.

Txuj kev kws lwm tug tuab-neej siv cau, teg-taw, los-sis tej yaam yeeb-yaam kws ua lwm tug tuab-neej tsi nyam, ntshai los ceeb.

HARMLESS ERROR - An error committed during a trial that was corrected or was not serious enough to affect the outcome of a trial and therefore was not sufficiently harmful (prejudicial) to be reversed on appeal.

Tej yaam kws tau ua yoom-kev tuab-si tsi luj nyob rua ib rooj plaub-ntug hab muab khu taag lawm es yeej yuav tsi txaus lug hloov qhov txav-txim tawm lug ntawm xaam yau lug.

HARVEY WAIVER – The facts, relating to a charge that was dismissed as part of a plea bargain, are “related to” the particular charge for which the minor is being sentenced may be considered at the time of disposition.

Tej yaam pov-thawj kws moog rua ib qhov kws yug tuab leeg txhum lawm los-sis tseem pub coj lug dlu nrug lwm cov thaum tug kws-tu-plaub-ntug yuav lug txav-txim tom kawg.

HEARING - A formal court proceeding with the judge and opposing sides present, but no jury.

“Hearing” yog ib lub rooj tu plaub-ntug kws muaj tug kws-tu-plaub-ntug hab ob tog tuab-si tsi muaj cov “jury” los-sis kev-txij-laug xib.

HEARING, CONTESTED - A hearing held for the purpose of deciding issues or fact of law that both parties are disputing.

Lub hearing kws ob tog yeej muaj kev sib-cov-nyom es tug kws-tu-plaub-ntug yuav tsum tau lug txav-txim.

HEARING DE NOVO - A full, new hearing.

Lub hearing tshab, pib huv hauv-paug tuaj le.

HEARING, PRELIMINARY - The hearing given to person accused of crime, by a magistrate or judge, to determine whether there is enough evidence to warrant the confinement and holding to bail the person accused.

Lub hearing xub-thawj nruug tug kws-tu-plaub-ntug lug nruag saib puas muaj pov-thawj txaus lug muab ib tug tuab-neeg coj moog kaw-nkuaj.

HEARSAY - Statements by a witness who did not see or hear the incident in question, but heard about it from someone else. Hearsay usually can't be used as evidence in court.

Lug fuab-cua lug ntawm lwm tug tuab-neeg lug es yug yeej tsi nov kag. Cov lug fuab-cua "hearsay" nuav yeej tsi pub coj lug tshwm los-sis ua pov-thawj nyob rua huv ib rooj plaub-ntug.

HEIR - A person that has the right to inherit money or property from someone who dies without a will.

Tug tuab-neeg tau txais khoom-plig los-sis laj-aav lug ntawm ib tug kws txheeb-ze kws tuag lawm.

HIT AND RUN - Crime in which the driver of a vehicle leaves the scene of an accident without identifying himself or herself.

"Tsoo hab dlha tsiv lawm" yog ib qhov plaub-ntug kws tug tsaav tsheb tsiv lawm es tsi qha tog tod nwg lub npe los-sis nwg tsi tog tub-ceev-xwm tuaj txug es nwg ca le tsiv lawm le xib.

HITCH MOTION - A request to exclude evidence.

Ib txuj-kev thov kuam xaam muab ib cov pov-thawj tshu tawm.

HOLDING CELL - A temporary location inside a courthouse where prisoners are held before and after their court appearance.

Qhov chaw nyob huv xaam kws tug tsaug-txim nyob tog moog ntsib xaam los-sis qhov chaw kws nwg nyob tog tom qaab xaam tu nwg cov plaub-ntug taag lawm ua ntej le coj nwg moog kaw-nkuaj.

HOLOGRAPHIC WILL - A handwritten will. The court needs to see proof of the person's handwriting. No one has to witness or notarize a handwritten will.

Dlaim ntawv kws tug tswv sau, tsi yog muab ntaus, kws tseg nyaj-txhag, laj-aav rua nwg tsev tuab-neeg los-sis cov txheeb-ze. Dlaim ntawv nuav tsi taag kuam lwm tug pum nwg sau le, zoo le ntawd xib los yeej siv tau lawm.

HOME MONITORING - An alternative to imprisonment where an individual is confined to his or her home and monitored electronically.

Qhov kws muab ib tug tsaug-txim kaw tom nwg tsev, tsi yog tom chaw/chaav kaw-nkuaj.

HOME SUPERVISION – Temporary house arrest for a minor while awaiting the court’s final decision. Also used as punishment after the court’s final decision.

Txuj cai kws muab ib tug miv-nyuas yau tsi tau muaj 18 xyoo khoo los-sis kaw nyob tom tsev tog xaam txav txim. Yog ib qhov kws xaam rau txim rua ib tug miv-nyuas yau.

HOMICIDE - The unlawful killing of one human being by another.

Tuab-nee rov tua tuab-nee.

HOSTILE WITNESS - A witness whose testimony is not favorable to the party who calls him or her as a witness. May be asked leading questions and may be cross-examined by the party who calls him or her to the stand.

Yug tug laav-thaam los-sis tuab-nee ua laav-thaam kws has lug paab los-sis moog tuaj tog tod lawm.

HUNG JURY - A jury whose members cannot agree upon a verdict.

Ib cov-kev-txij-laug “jury” kws txav-txim tsi tau ua ib lub suab los-sis moog ib saab.

HYPOTHETICAL QUESTION - An imaginary situation, using facts previously admitted into evidence, upon which an expert witness is permitted to give an opinion as to a condition resulting from the situation.

Ib lu-lug-nug rua ib tug kws-txawj-ntse “expert” saib nwg pum le caag yog muaj moog le has.

IDIOCY- It is the complete absence of mind that is generally the result of a birth defect rather than a disease.

Tsuam.

IGNORANCE OF FACT- The lack of knowledge of some fact or facts relating to the subject matter at hand. May sometimes be used as a defense or ground for relief.

Tsi paub has tas ntawd puas le tag-tag los-sis puas yog le ntawd tag-tag.

ILLEGAL - Against, or not authorized by law.

Tsi tsaws le txuj-cai, txhum kev-cai lij-choj.

IMMINENT PERIL – Certain, immediate, and impending danger.

Kev “danger” los-sis nyuaj-sab, tshai, tsaug-mob-nkeeg ti los-sis ze-ze lawm.

IMMUNITY - A right to be excepted from duty or penalty. (See also PRIVILEGE.)

Txuj cai tsi pub tsaug nplua los-sis foob.

IMPANEL - To seat a jury. When voir dire is finished and both sides have exercised their challenges, the jury is impaneled. The jurors are sworn in and the trial is ready to proceed.

Tsaa cov-kev-txij-laug taag lawm; cov txij-laug npaaj tau taag lawm, rooj plaub-ntug pib tau.

IMPEACHMENT OF WITNESS - To call into question the truthfulness of a witness.

Txuj-kev lug nthuav-thuam ib tug laav-thaam ua pov-thawj has tas nwg cov lug has tsi ncaaj, tsi yog, hab tsi muaj; nwg dlaag xib.

IMPLIED – Where intention is not manifested by explicit words, but is gathered by implication.

Lub ncauj tsi has kag tuab-si yeeb-yaam hab lub tswv-yim yeej xaav kuam has le ntawd, muaj le ntawd, moog le ntawd.

IMPLIED CONTRACT - A contract in which the promise made by one party is not expressed, but inferred by that party's conduct or is implied in law.

Ib qhov “contract” los-sis kev sib-cog-lug kws tshwm-sim lug vim has tas ob tog cov yeeb-yaam yeej qha tau has tas ob tug yeej yeem lug ua le los-sis sib cog lug le ntawd.

IMPOUND - To take and keep an animal or an object in custody.

Muab ib yaam khoom los-sis ib tug tsaj khaws ca los-sis koj moog kaw tuav tseg.

IMPRISONMENT – The act of putting or confining a man in prison, or the restraint of a man's personal liberty.

Kev tsaug kaw-nkuaj.

INADMISSIBLE - Cannot be admitted as evidence in a trial or hearing.

Tsi pub cov pov-thawj nkaag lug rua ib rooj plaub-ntug.

IN CAMERA - A hearing held in the judge's chambers or in a court with all spectators (including the jury) excluded. From the Latin that means "in chamber."

Lub "hearing" nyob rua huv tug kws-tu-plaub-ntug lub chaav nyob ua ntaub-ntawv, tsi yog nwg lub chaav tu plaub-ntug, muaj ob tog xib, tsi pub cov txij-laug nov.

INCAPACITY - The lack of power or the legal ability to act.

Tsi muaj peev-xwm los-sis txuj-cai lug ua tej yaam dlaab-tsi.

INCARCERATE - To put in jail or prison.

Lug muab kaw-nkuaj.

INCEST - Sexual intercourse between persons so closely related that marriage between them would be unlawful.

Txuj kev-cai txhum plaub kws tsi pub ob tug tuab-neeg sib-txheeb-ze lug sib-aim, sib-ua.

INCOMPETENCY - Lack of capacity to understand the nature and object of the proceedings, to consult with counsel, and to assist in preparing a defense.

Txuj kev tsi paub, tsi muaj peev-xwm, puag xuab-moom lawm, es paab tsi tau tug kheej lawm.

INCRIMINATE - To hold yourself or another person responsible for criminal actions.

Lug ua tej yaam kws lwm tug twg tau has tas yuav yeej yog tug txhum ntaag.

INDECENT EXPOSURE - Showing private body parts in a lewd or indecent manner in a public place.

Lab-qaab nyob rua tom tej kev kws muaj tuab-neeg moog-moog--lug-lug.

INDEMNIFY - Liability for loss is shifted from one person held legally responsible to another.

Lwm tug tsaug them los-sis txhum lawm, tsi yog yug lawm.

INDEMNITY - An obligation to provide compensation (usually money) for a loss, hurt or damage.

Txuj-kev tshuav lwm tug nuj-nqes es yuav tsum tau them rov qaab rua nwg.

INDEPENDENT EXECUTOR - A special kind of executor, permitted by the laws of certain states, who performs the duties of an executor without intervention by the court.

Ib tug “executor” nwg tau nwg lub luag hauj-lwm lug ntawm nwg lug xib, tsi yog lug tom xaam lug.

INDETERMINATE SENTENCE - A sentence of imprisonment to a specified minimum and maximum period of time, specifically authorized by statute, subject to termination by a parole board or other authorized agency after the prisoner has served the minimum term.

Qhov kev tsaug kaw-nkuaj kws yug yeej paub has tas tug tuab-neeg ntawd yuav maag kaw-nkuaj ntev npaum le caag.

INDIAN CHILD WELFARE ACT (ICWA): Federal law to protect the integrity of Indian families.

Txuj lij-choj “Federal” lug tiv-thaiv txhua-txhua tsev tuab-neeg “qhab”.

INDICTMENT - A formal charge by a grand jury saying there is enough evidence that the defendant committed the crime to justify having a trial. Used primarily for felonies.

Txuj kev tsaug foob.

INDIGENT - A person who is poor, needy, and has no one to look to for support.

Ib tug tuab-neeg txom-nyem, tsi muaj nyaj, los-sis tsi muaj lwm tug lug paab.

INDIVIDUAL EDUCATION PLAN (IEP): Plan for a student who is entitled to special education services.

“IEP” yog ib qhov “plan” los-sis ib txuj kev lug paab cov tub-ntxhais “xiam-oos-qhab” los-sis “puag xoos-moom” txuj kev kawm ntawv.

INDORSEMENT - That which is written on the back of a negotiable instrument. It is also used with reference to writs, insurance policies, certificates of stocks, etc.

Tej yaam kws tej dlaim “insurance policy” muaj ntxiv los-sis sau ntxiv rua “nab” tom qaab ntawm dlaim “policy” los-sis “certificate”.

IN FORMA PAUPERIS - When the court says a person does not have to pay a filing fee because the person can't afford it. In Latin, means "in the manner of a pauper."

Qhov kws xaam has tas yug tsi taag them cov “fee” los-sis nqe foob vim has tas yug yog tuab-neeeg txom-nyem los-sis yug them tsi taug.

INFORMANT - An undisclosed person who confidentially discloses material information of a crime to the police, which is usually done in exchange for a reward or special treatment.

Ib tug tuab-neeeg kws tub-ceed-xwm them nyaj rua los-sis muab ib yaam khoom-plig rua kuam nwg lug paab muab “information” los-sis pov-thawj rua cov tub-ceed-xwm.

INFORMATION - A written accusation charging a person with a crime. It is presented in court by a prosecuting officer under oath and does not come from a grand jury.

Ntawv foob lug lam ib tug tuab-neeeg has tas nwg ua txhum txuj-cai lawm.

INFRACTION - A minor violation of a law, contract, or right that is not a misdemeanor or a felony and can't be punished by time in prison. Minor traffic offenses are generally considered infractions.

Tej kev-txhum-cai miv-miv kws tau maag nplua nyaj-txhag xib, pev-txiv le, kev hlaa teeb-la, tsaav tsheb ceev, es txawm ua txhum lawm los tsi maag kaw-nkuaj.

INHABITED – Act of residing actually and permanently in a given place or dwelling. Synonymous with domicile, dwell, live, sojourn.

Lug ua vaaj-tsev nyob ib qhov chaw los-sis ib thooj aav.

INHABITED DWELLING – A structure which is currently used as a residence whether occupied or not. Courts flexibly interpret this term. It is still inhabited even if the occupants are temporarily absent.

Lub tsev nyob tsi has tas yeej tsi muaj tuab-neeeg huv le.

INHERITANCE TAX - A state tax on property that an heir or beneficiary under a will receives from a deceased person's estate. The heir or beneficiary pays this tax.

Cov se “tax” kws tug tseem tuab neeg muaj neej hab tug tau txais tug tuag tej khoom, laj-aav yuav tau them.

INITIAL APPEARANCE - In criminal law, the hearing at which a judge determines whether there is sufficient evidence against a person charged with a crime to hold him or her for trial. The Constitution bans secret accusations, so initial appearances are public unless the defendant asks otherwise; the accused must be present, though he or she usually does not offer evidence. Also called **FIRST APPEARANCE**.

Zag ib kws tau tuaj ntsib xaam saib pub muaj pov-thawj txaus muab yug coj moog has plaub-ntug los-sis kaw-nkuaj.

INJUNCTION - A court order that says a defendant can't perform, or must perform, a specific act. (See RESTRAINING ORDER.)

Txuj kev qhaa-xaaj lug ntawm xaam lug tsi pub ua tej yaam tsaws le xaam tau xaaj.

IN LOCO PARENTIS - Latin meaning "in the place of the parent." Refers to actions of a custodian, guardian, or other person acting in the parent's place.

Tej yaam kws tug "guardian" ua.

INMATE - A person confined to a prison, penitentiary, or jail.

Tug tsaug-txim, tug maag kaw-nkuaj, tug txhum-plaub.

INNOCENT UNTIL PROVEN GUILTY - A belief in the American legal system which states that all people accused of a criminal act are considered not to have committed the crime until the evidence leaves no doubt in the mind of the court or the jury that the accused did or did not commit the crime.

Txuj cai kws laj-mej-pej-xeem Asmesliskas ntseeg los-sis muaj kws has tas tug-maam-lam mas yeej tsi tau yog tug txhum, yuav tsum yog xaam los-sis cov kev-txij-laug txav-txim taag lawm mas txhaj-le paub has tas nwg txhum los tsi txhum.

IN PERSONAM - An act or proceeding done or directed against or with reference to a specific person.

Has txug tej yaam tsaug tuab-nee.

IN PROPIA PERSONA (IN PRO PER) - When a person represents himself or herself without a lawyer. This comes from the Latin for "in one's own proper person." (See also PRO PER AND PRO SE.)

Tug tuab-nee kws nwg tsi muaj tug cev-lug lossis tug kws-lij-choj, nwg yeej cev-lug rua nwg tug kheej xib.

IN REM - A procedural term used to designate proceedings or actions instituted against the thing in contrast to actions instituted IN PERSONAM or against the person.

Has txug tej yaam khoom los-sis laj-aav.

INSANITY PLEA - A claim by a defendant that he or she lacks the soundness of mind required by law to accept responsibility for a criminal act.

Lug leeg has tas yug puag “xuab-moom” lawm es yug yeej lug leeg tsi tau lub txim has tas yug yog tug txhum tag-tag.

INSTRUCTIONS - The explanation of constitutional rights given by a judge to a defendant.

Tug kws tu-plaub-ntug txuj kev-qha tug tsaug-txim nwg cov cai.

INTANGIBLE ASSETS - Property that you own, but do not physically have. For example, stocks, bonds, bank accounts, copyrights, patents, etc.

Tej khoom yog yug le tuab-sis yug yeej kov hab siv tsi tau le pev-txiv le “bank accounts”, “patents”, “stocks”, “bonds”.

INTENT - The purpose to use a particular means to bring about a certain result.

Lub tswv-yim, lub hom-phaj, yeej txhob-txim ua

INTENT TO DEFRAUD –To have in mind a purpose to cheat or trick someone. For example, purposely writing a bad check.

Txhob-txim lug “khuj” los-sis dlaag lwm tug tej nyaj-txhag, laaj-av.

INTER ALIA - Among other things.

Ntxiv lwm yaam

INTER VIVOS GIFT - A gift made during the giver's life.

Khoom-plig muab rua lwm tug ua ntej nwg taag ib sim-neej.

INTER VIVOS TRUST - A trust made while the owner is still alive. Another name for a *living trust*.

Ib lub “trust” kws tug tswv tseem muaj neej nyob.

INTERLINEATIONS - The act of writing between the lines of a document.

Ntxiv ntawv rua huv plawv ob kaab ntawv.

INTERLOCUTORY - Provisional; not final. An interlocutory appeal concerns only a part of the issues raised in a lawsuit. (Compare to DECREE.)

Tsi tau meej los-sis “final”; Txuj kev nce xaam sab lug txav-txim saib lub xaam yau ua tej yaam puas tsaws txuj cai, tau qhov nuav lawm mas lub xaam yau txhaj-le has tau rooj plaub-ntug tuaj txug ntawm nwg.

INTERPLEADER - When two or more people say they have a claim to the same thing held by a third party. The third party may force them to go to trial with each other to settle their dispute.

Txuj kev kws tug tuav ib yaam khoom los-sis ib cov nyaj-txhag es nwg muaj ob tug tuab-neeg lug txheeb los-sis lug leeg has tas yog ob tug le; yog muaj le nuav lawm tes ua ntej tug kws tuav yaam khoom ntawd tsi paub muab yaam khoom ntawd faib rua tug twg tes nwg yuav tsum yuam kuam ob tug tuab-neeg ntawd sib foob es kuam xaam txav-txim meej-meej ua-ntej tug kws-tuav ntawd le maam muab yaam khoom ntawd tso tawm moog rua tug yeej; tsi yog ua le nuav, tes nwg yeej tsi paub muab yaam khoom ntawd rua twg tug le.

INTERPRETER - A person who is certified as being able to translate, orally or in writing, spoken or sign language into the common language of the court.

Tug tuab neeg kws txhais lug

INTERROGATORIES - Written questions asked by one party in a lawsuit for which the opposing party must answer them in writing.

Cov lug-nug kws muab sau taag lawm es kuam tog tod lug teb.

INTERVENOR - A person who voluntarily interrupts in an action or other proceeding with the leave of the court.

Ib tug tuab-neeg kws xaam pub nkaag lug ntxiv nrug rua ib rooj plaub-ntug kws tuab pi has lawm.

INTERVENTION - An action by which a third person who may be affected by a lawsuit is permitted to become a party to the suit. Differs from the process of becoming an AMICUS CURIAE.

Txuj kev kws ib tug tuab-neeg nkaag ntxiv lug rua ib rooj plaub-ntug vim has tas rooj plaub-ntug ntawd yuav has tsaug nwg los-sis nwg txuj-cai.

INTESTACY LAWS - See DESCENT AND DISTRIBUTION STATUTES.

Cov lij-choj lug tiv-thaiv hab qha txug kev sib-faib khoom, nyaj-txhag tom qaab ntawm ib tug tuab-neeg tuag lawm kws nwg yeej tsi muaj ntaub-ntawv sau tseg ca has tas nwg cov khoom yuav muab faib le caag.

INTESTATE - To die without making a will or leaving instructions for disposal of your property after death. (See TESTATE.)

Tuag tuab-sis tsi muaj ntaub-ntawv lug qha has tas nwg tej khoom, nyaj-txhag, laj-aav yuav muab faib ua le caag le los-sis tseg rua leej twg le.

INTESTATE SUCCESSION - The process by which the property of a person who has died without a will passes on to others according to state law.

Txuj kev faib khoom, nyaj-txhag tsaws le ib lub xeev cov kev-cai lij-choj tom qaab ntawm ib tug tuab-neeg tuag lawm.

INTOXICATION – A diminished ability to act with full mental and physical capabilities because of alcohol or drug consumption; drunkenness.

Qaug dlej-cawv lawm.

INTRODUCTORY INSTRUCTIONS – Pre-trial admonitions or statements by judge or other court official that explain to the jury, lawyers, and/ or audience their duties, and obligations during court proceedings.

Cov lug-qha rua suav dlawg ua-ntej ib rooj plaub-ntug pib

INVESTIGATION - A legal inquiry to discover and collect facts concerning a certain matter.

Tshawb-ntshav, “investigate”

INVOLUNTARY MANSLAUGHTER – The unlawful killing of a human being in which there is no intention to kill or do grievous bodily harm, but that is committed with criminal negligence or during the commission of a crime not included within the felony murder rule. (Also called negligent manslaughter.)

Lub txim tua tuab-neeg tuag tsi yog vim has tas yug txhob-txim, tuab-sis yog has tas yug tsi saib-xyua zoo es yug ua yaam kws tsaug tug tuab-neeg tuag lawm.

INVOLUNTARY INTOXICATION – The ingestion of alcohol or drugs against one’s will or without ones knowledge. This may be used as an affirmative defense to a criminal negligence charge.

Qaug dlej-cawv vim has tas lwm tug yuam yug haus los-sis tso tshuaj rua yug tej dlej-cawv es yug haus tau lawm txhaj-le qaug. Qhov nuav tej zag yuav lug tiv-thaiv tau yug txuj kev txhum.

IRRELEVANT - Evidence not sufficiently related to the matter at issue.

Tsi tsaug los-sis nkaag lub ntsab-lug, tsi tseem-ceed.

IRREVOCABLE TRUST - A trust that cannot be changed or cancelled after it is made.

Lub "trust" kws tsi pub hloov los-sis tshu tawm le.

ISSUE - 1) The disputed point in a disagreement between parties in a lawsuit. 2) To send out officially, as when a court issues an order.

Qhov teeb-meem los-sis qhov sib cov-nyom ntawm ob tog.

JAIL - A place of confinement that is more than a police station and less than a prison. It is usually used to hold persons convicted of misdemeanors or persons awaiting trial.

Lub nkuaj kaw tuab-need tsaug-txim

JEOPARDY - Risk to a defendant of possible conviction and punishment. In a criminal case, the defendant is usually said to be "in jeopardy" after the preliminary hearing has taken place and the jury has been sworn in.

Yuav tsaug kev tsi zoo, tsaug kev phem

JOHNSON MOTION - A motion to discuss grand jury indictment.

Txuj-cai hu ua "Johnson" pub lug has txug kev-txij-laug cov nqais foob.

JOIN - To unite, to combine, to enter into an alliance.

Sib koom-teg ua-ke; muab tso ua-ke; lug ua ib paab ib pawg

JOINDER - Generally, a bringing or joining together. For example, plaintiff's joining in a suit, or a joining of actions or defense.

Txuj kev lug muab ib qhov plaub-ntug los-sis ob tog lug tso ua-ke.

JOINT AND SEVERAL LIABILITY - A legal doctrine that makes each of the parties who are responsible for an injury liable for all the damages awarded in a lawsuit if the other parties responsible cannot pay.

Taag nrho cov tsaug-txim yuav tsum tsaug them cov nuj-nqe; tsi taag le ntawd, yog lwm cov them tsi thaug lawm tes tug them taug yuav tsum laib them cov nuj-nqe taag nrho rua tog yeej.

JOINT TENANCY - When two or more people own something and have rights of survivorship. This means that if one tenant dies, his or her share goes to the other tenants.

Qhov nuav qha has tas yog ob leeg le khoom tuab-sis yog thaum twg ib tug tuag lawm tes tug caj laib taag nrho cov khoom ntawd; cov khoom ntawd muaj moog rua lwm tug, pev-txiv le yaam khoom ntawd tsi poob moog rua cov tub-ntxhais los-s cov xeeb-ntxiv.

JOINT VENTURE - An association of persons jointly undertaking some commercial enterprise. Unlike a partnership, a joint venture does not entail a continuing relationship among the parties.

Sib koom-sab, koom-teg lug ua laag-luam ua-ke.

JOYRIDING - Illegally taking an automobile without intent to deprive the owner permanently of the vehicle, often involving reckless driving.

Tsaav tshab ua loj-leej.

JUDGE - An elected or appointed public official with authority to hear and decide cases in a court of law.

Kws-tu-plaub-ntug

JUDGMENT (JUDGEMENT) - The judge's final decision in a case. It says how much the person who lost has to pay the person who won, and when. Sometimes, you can change part of the judgment with a hearing.

Qhov kev txav-txim ntawm ib tug kws-tu-plaub-ntug.

JUDGMENT CREDITOR - The person who wins the case.

Tug yeej; tug kws xaam txav-txim has tas yeej lawm es tog swb yuav tsum them nwg.

JUDGMENT DEBTOR - The person who loses the case.

Tug swb kws tseem tiv nuj-nqe.

JUDICIAL COUNCIL - The constitutionally mandated body responsible for improving the administration of justice in the state. The council is made up of judges, court executives, attorneys, and legislators. It was established to standardize court administration, practice, and procedure by adopting and enforcing court rules.

Lub koos-hum lug saib-xyuas cov kev-cai, "form", tej yaam ntaub-ntawv, hab lwm yaam siv nyob rua huv xaam kuam zoo los-sis yog.

JUDICIAL NOTICE - A court's recognition of the truth of basic facts without formal evidence.

Txuj cai kws xaam tau lug leeg has tas yeej muaj tag, yeej yog lawm es tsi taag yos lwm yaam lug qha ntxiv lawm.

JUDICIAL OFFICER - Judges, referees, and commissioners who make court decisions as a judge.

Cov kws-tu-plaub-ntug nyob huv xaam.

JUDICIAL REVIEW - The authority of a court to review the official actions of other branches of government. Also, the authority to declare unconstitutional the actions of other branches.

Txuj cai kws xaam muaj lug saib-xyuas los-sis txav-txim txug tej yeeb-yaam lug ntawm lwm ceg laav-thaa-npaa.

JURAT - Certificate of officer or person before whom writing was sworn to. The clause written at the foot of an affidavit, stating where, when, and before whom the affidavit was sworn.

Cov lug “affidavit” kws tug tub-ceed-xwm lug leeg tas nwg yeej tau pum cov ntawv kws cov tuaj xee rua nwg pum.

JURISDICTION - (1) The legal authority of a court to hear and decide a case. (2) The geographic area over which the court has authority to decide cases. (3) the territory, subject matter, or persons over which lawful authority may be exercised by a court.

1) Txuj cai kws ib lub xaam muaj lug tu plaub-ntug; 2) Lub roog kws ib lub xaam muaj txuj cai lug tu plaub-ntug; 3) tej yaam los-sis koj pej-xeem kws ib lub xaam muaj txuj cai lug tu puab cov plaub-ntug.

JURISDICTIONAL HEARINGS – A hearing at which the court determines whether the child falls within the jurisdiction of the juvenile court.

Lub “hearing” lug nruag saib ib tug miv-nyuas cov plaub-ntug puas yuav poob rua xaam miv-nyuas txuj cai lug has rooj plaub-ntug ntawd.

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

Txuj kev kawm txuj kev-cai lij-choj.

JUROR - Member of the jury.

Ib tug txij-laug (“juror”).

JUROR, ALTERNATE - Additional juror impaneled in case of sickness or disability of another juror.

Tug txij-laug kws nyob npaaj tog es lug hloov lwm tug “juror” yog nwg muaj teeb-meem los-sis tsi xis-nyob lawm.

JURY - A group of citizens picked according to law and authorized to decide a case.

Cov kev txij-laug (“jury”).

JURY BOX - The specific place in the courtroom where the jury sits during the trial.

Chaav kws cov kev-txij laug nyob noog rooj plaub-ntug.

JURY COMMISSIONER - The local official responsible for giving the court lists of qualified potential jurors.

Tug num-tswv kws nwg lub luag hauj-lwm yog lug ua hab tuav cov “lists” los-sis cov txij-laug npe kws yuav tau hu tuaj ua txij-laug (“juror”).

JURY FOREMAN - The juror who is in charge of the jury during deliberations and speaks for the jury in court when announcing the verdict.

Tug thawj txij-laug ntawm ib paab kev-txij-laug.

JURY, HUNG - A jury which is unable to agree on a verdict after a suitable period of deliberation.

Paab kev-txij-laug kws tsi muaj kev sib-hum-xeeb los-sis txav-txim tsi tau ua ib lub suab.

JURY INSTRUCTIONS - Directions that the judge gives the jury right before they decide a case. They tell the jury what laws apply to that particular case.

Cov lug-qha rua cov kev-txij-laug has tas cov cai yuav siv lug txav lub txim los-sis tu rooj-ntug ntawd yog le caag.

JURY TRIAL - A trial that is heard and decided by a jury.

Ib rooj plaub-ntug kws muaj cov kev-txij-laug lug noog hab txav-txim.

JUSTIFICATION – A lawful or sufficient reason for one’s acts or omissions. A defense of justification is a showing of a sufficient reason for an action by defendant. For example, in an assault prosecution against a defendant, a justification would be that the violence was necessary.

Txuj kev qha has tas vim le caag yug txhaj-le ua le ntawd.

JUSTIFIABLE - Issues and claims capable of being properly examined in court.

Tej yaam kws yug yuav lug qha tau txug huv lub xaam.

JUSTIFIABLE HOMICIDE – The intentional killing of another human being without any evil design, and under such circumstances of necessity or duty as render the act proper, and relieve the party from any shadow of blame.

Txuj kev txhob-txim tua tuab-neeg tsaws le txuj cai pub es tug tua tsi txhum plaub los-sis yuav tsaug-txim.

JUVENILE - A person under 18 years old. (See also MINOR.)

Miv-nyuas yau tsi tau puv 18 xyoo.

JUVENILE COURT – Part of the Superior Court that handles delinquency and dependency cases involving minors.

Xaam has plaub-ntug miv-nyuas tau tsaug los-sis has txug teeb-meem miv-nyuas yau.

JUVENILE HALL - The facility where juvenile offenders are held in custody.

Lub tsev kaw-nkuaj rua cov miv-nyuas yau tsi tau puv 18 xyoo.

JUVENILE WAIVER - A procedure by which a charge(s) against a minor is transferred from a juvenile to circuit court.

Txuj kev kws muab tej cov plaub-ntug miv-nyuas yau hloov moog rua lub xaam luj lug txav-txim.

KIDNAPPING - The taking or detaining of a person against his or her will and without lawful authority.

Nyag tuab-neeg

KEEPER - An officer that the court appoints to be responsible for money or property legally seized in connection with a pending case.

Tug tub-ceed-xwm xaam xaiv lug tuav, tiv-thaiv, saib-xyuas cov nyaj-txag nyob ntawm ib rooj plaub-ntug.

KNOWINGLY - With knowledge, willfully or intentionally with respect to a material element of an offense.

Ua le kws paub, txhob-txim

LACKING CAPACITY – Lacking qualification, competency, power or fitness. Being incapable of giving legal consent. Lack of fundamental ability to be accountable for actions.

Tsi txawj, tsi muaj peev xim ua tau. Tsi muaj peev xim tso cai los yog txav txim rua tug kheej. Tsi muaj peev xim lug laav txhua yaam kws nwg tug kheej ua.

LARCENY - Stealing or theft.

Kev ua tubsaab-tubnyag.

LAW - Combination of rules and principles of conduct made known by legislative authority, derived from court decisions, and established by local custom.

Kev-cai-lij-choj

LAW AND MOTION - A setting before a judge at which time a variety of motions, pleas, sentencing, orders to show cause or procedural requests may be presented. Normally, evidence is not taken. Defendants must be present.

Sib hawm ob tog lug ntsib “xaam” lug has txug tej-yaam ib tog los-sis ob tog tau tog kuam “xaam” lug tu. Tug maag lam yuav tsum moog tshwm.

LAW CLERKS - Persons trained in the law who assist judges in researching legal opinions.

Tug neeg kawm txug kev cai lij-choj kws paab cov judges tshawb ntshav ntaub ntawv txug kev cai lij-choj.

LAW ENFORCEMENT AGENT - A sworn peace officer with legal authorization to arrest individuals under suspicion of breaking the law.

TUB NCEEV-XWM – Tug tuab neeg muaj txuj cai lug nteg cov tuab neeg ua dlhau cai los yog yuam cai.

LAWSUIT - An action between two or more persons in the courts of law, not a criminal matter.

Plaub-ntug sib-foob kws tsi yog ua txug kev phem kev sib ntau sib tua.

LAY PERSON - One not trained in law.

Tug tuab neeg thas-mab-ntas kws tsi tau kawm kev-cai-lij-choj.

LEADING QUESTION - A question which instructs the witness how to answer or puts words in his mouth. Suggests to the witness the desired answer.

Cov lug nug tug tuab neeg ua pov-thawj kuam nwg teb cov lug tsaws le tug nug xaav nov, xaav tau.

LEASE - An agreement for renting real property. Usually written and for a specific amount of time.

Dlaim ntawv cog-lug lug “xob” vaaj-tsev es qha txug saib xob ntev le caag hab them nqe-xob pis-tsawg.

LEGAL AID - Professional legal services available usually to persons or organizations unable to afford such services.

Kooshum paab lug paab cov tuab-neeg txom nyem dlaws puj tej txim los-sis teeb-meem.

LENIENCY - Recommendation for a sentence less than the maximum allowed.

Cov lug thov txu lub txim txu.

LESSER INCLUDED OFFENSE - A crime composed of some, but not all, of the elements of a greater crime; commission of the greater crime automatically includes commission of the lesser included offense.

lub tswv-yim kws has tas yog ib tuab-neeg tsaug lub txim luj tes lub txim yau tes yeej nyob nrug huv lawm.

LETTERS OF ADMINISTRATION - Legal document issued by a court that shows an administrator's legal right to take control of assets in the deceased person's name.

Court tsaab ntawv kws tso cai rua tug tuab neeg saib ntaub-ntawv lug saib xyuas tug tuab neeg taag sim-neej tej khoom txhua tsaav txhua yaam.

LETTERS OF CONSERVATORSHIP - A court paper that states that the conservator is authorized to act on the conservatee's behalf. Also called "Letters."

Court tsaab ntawv kws has tas tug conservator muaj txuj cai lug ua tau txhua yawm rua tug conservatee. Tsaab ntawv nuav hu ua “Letters.”

LETTERS OF GUARDIANSHIP - The instrument by which a person is empowered to take charge of the person and/or estate of minors and insane or incompetent persons, whenever necessary or convenient.

Txuj kev lossis tsaab ntawv kws tso cai rua ib tug tuab neeg twg lug saib xyuas txhua tsaav txhua yaam ntawm lwm tug tuab neeg lub neej los yog saib xyuas tej mivnyuas kws tsi tau muaj 18 xyoo tej khoom los vaaj tsev txhua yaam. Hab lug saib xyuas cov neeg kws tsi taug los tsi mejpeem ntawm lub neej ua kuam yooj yim.

LETTERS ROGATORY - A formal communication, in writing, sent by a court in which an action is pending to a court or judge of a foreign country, requesting that the testimony of a witness who lives within the jurisdiction of the foreign court may be taken under its direction and transmitted to the first court for use in the pending action.

Tsaa ntawv sau moog qha rua lwm lub “xaam” txawv teb-chaws has txug ib rooj plaub-ntug tas tug “xaam” nuav yuav siv cov lug nyob rua lub “xaam” los-sis lub teb-chaws ntawd lug tu rooj plaub-ntug taam-sim ntawd.

LETTERS TESTAMENTARY - Legal document issued by a court that shows an executor's legal right to take control of assets in the deceased person's name.

Court cov ntawv kws tso cai rua tug executor lug saib xyuas txhua yaam ntawm tuab neeg lub neej thaum kws tug tuab neeg ntawm tau taag sim neej lawm. Cov ntawv nuav tso cai rua tug executor siv tug tuab neeg ntawm lub npe moog saib xyuam tej khom ntawm.

LEVY - To obtain money by legal process through seizure and/or sale of property.

Moog muab yug cov khoom ntawm lwm tug tuab-neeg vim has tas txuj-cai “xaam” pub rua yug lawm.

LEWD CONDUCT - Behavior that is obscene, lustful, indecent, vulgar.

Yeej-yaam kws khaus noov, khaus pim es lug ua-phem-ua-qas, ua-dlev-ua-npua kws tsi tsaws txuj cai.

LIABILITY - Legal debts and obligations.

Tej nuj nqes kws yuav tau them tsaws le txuj cai.

LIABLE - Legally responsible.

Tsaug txim lawm, leeg lub txim le txuj cai tau has tseg.

LIBEL - False and malicious material that is written or published that harms a person's reputation. See DEFAMATION.

Cov ntawb-ntawv ua tawm moog tshuav ib tug tuab neeg lub koob lub npe los-sis nwg lub meej mom. Saib lu lug DEFAMATION.

LIE DETECTOR - A machine which records by a needle on a graph varying emotional disturbances when answering questions truly or falsely, as indicated by fluctuations in blood pressure, respiration, or perspiration.

Lub machine kws siv koob moog ntsuag ntshaav, ntsuag paa, hab ntsuag fws saib ib tug tuab neeg teb lug dlaag los teb lug tag.

LIEN - The right to keep a debtor's property from being sold or transferred until the debtor pays what he or she owes.

Txuj cai kws txav tsi pub ib tug tuab neeg muab nwg tej khoom muag yog tas nwg tseem tshuav nuj nqe es tsi tau them taag.

LIFE IMPRISONMENT - A type of sentence where the convicted criminal is ordered to spend the rest of his or her life in prison.

Kev tsau txim kws tsaug kaws nkuaj moog taag ib sim neej.

LIMINE - A motion requesting that the court not allow certain evidence that might prejudice the jury.

Qhov motion thov court kuam tsi xob pub txais tej pov-thawj kws yuav ua rua cov jury txav txim tsi ncaaj nceeg.

LIMINE MOTION - A pretrial motion requesting the court to prohibit opposing counsel from referring to or offering evidence on matters.

Qhov pretrial motion kws thov court kuam tsi pub tug kws-lij-choj tog tom has txug tej yaam khoom pov-thawj los-sis muab tej cov pov-thawj tshu tawm vim has tas nwg yuav ua cov jury (kev-txij laug) lug txav txim tsi ncaaj-nceeg.

LIMITATION OF ACTIONS – The time period imposed by law to bring an action in court. (Example—statutes of limitation)

Lub sib hawm kws tso cai rua ib tug neeg twg nce xaam moog has plaub-ntug. Dlhau lub caij ntawm los tes has tsi tau lawm.

LIMITED ACTION - A civil action in which recovery of less than a certain amount (as specified by statute) is sought. Simplified rules of procedure are used in such actions.

Cov plaub-ntug los-sis kev sib-foob kws tsi pub dlhau tej qhov amount.

LIMITED JURISDICTION - Refers to courts that are limited in the types of criminal and civil cases they may hear. For example, traffic violations generally are heard by limited jurisdiction courts.

Lub court kws muaj txuj cai moog tu tej cov plaub-ntug miv xib. Plaub-ntug txug kev tsaav tshab yog moog has ntawm limited jurisdiction courts.

LINEUP - A police identification procedure by which the suspect to a crime is exhibited, along with others, before the victim or witness to determine if the victim or witness can identify the suspect as the person who committed the crime.

Thaum tub-ceed-xwm koj cov tuab neeg moog ua kaab rua tug tuab neeg ua laav-thaam moog taw-teg saib leej twg yog tug tuab neeg tau ua phem los-sis ua txhum tag.

LIS PENDENS - A pending suit.

Rooj plaub-ntug kws tseem has tsi tau tav los-sis tseem taab-tom has.

LITIGANT - A party, or side involved in a lawsuit.

Ib saab, ib tog ntawm ib rooj-plauj-ntug.

LITIGATION - A case, controversy, or lawsuit.

Ib rooj-plaub-ntug.

LIVING TRUST - A trust set up and in effect during the lifetime of the person. Also called *inter vivos trust*.

Lub trust lug saib ib tug neeg tej khoom txua yaam thaum nwg tseem muaj neej nyob.

LOCALITY DISCRIMINATION – Those either giving undue preference to any locality or subjecting it to undue prejudice.

Nyam ib lub zog tshaaj le lwm lub; txhub ib lub zog, nyam lwm lub zog es tsi muab ncaaj-nceeg rua lub tsi nyam ntawd.

LOCAL RULES - A set of rules you have to follow to start a court case. Every county and court has different local rules.

Cov rules kws yuav tau ua ua-ntej kws pib has ib rooj-plaub-ntug. Cov rules nuav tsi yog tuab cov. Txhua-txhua lub “xaam” los-sis zog nwg yeej muaj nwg cov “local rules” nuav. Cov “rules” nuav tsi zoo tuab-yaam.

LOCUS DELICTI - The place of the offense.

Qhov chaw kws rooj plaub-ntug tshwm-sim los-sis qhov chaw kws tug tsaug txim tau ua yaam phem ntawd.

LOITERING - To stand idly around, particularly in a public place.

Nyob los-sis sawv quas-ntsug es tsi ua dlaab-tsi tseem-ceeb le rua yog tog ua qhov qha los-sis kev phem xib.

LYNCHING - Putting a person to death, usually by hanging, without legal authority.

Muab ib tug tuab dlai-tuag tsi tsaws txuj cai.

MAGISTRATE - Judicial officer with the power to issue arrest warrants.

Kws-tu-plaub-ntug kws muab “qhaas-xaaj” rua tub-ceev-xwm moog nteg tuab-neeg ua txhum txuj cai.

MAKE OR DRAW – To cause to exist. To fashion or produce in legal form. To prepare a draft; to compose and write out in due form, such as a deed, contract, complaint, answer, petition, etc.

Lub ua, sau, los-sis tshwm-sim ib tsa ntauwv, “qhaa-xaaj” los-sis tej yaam zoo le ntauw.

MALFEASANCE - Performance of an act that should not have been done at all.

Kev ua phem, ua tsi raws cai, tsi txaus nyam.

MALICE - Ill will, hatred, or hostility by one person toward another which may prompt the intentional doing of a wrongful act without legal justification or excuse.

Kev phem, kev sib-ntxub, sab-qa.

MALICE AFORETHOUGHT – Intending to kill another person or intending to do an act with knowledge that it is dangerous to human life.

Khuv tua ib tug tuab neeg los yog khuv ua tej yaam phem kws yuav txu tau ib tug tuab neeg txuj sa.

MALICIOUS MISCHIEF - Willful destruction of property, from actual ill will or resentment toward its owner or possessor.

Ib tug tuab neeg txhob txim moog muab lwm tug tej khoom uas puam tsuaj vim nwg sab phem los yog ntxub tug ntauw.

MALICIOUS PROSECUTION - An action with the intention of injuring the defendant and without probable cause, and which terminates in favor of the person prosecuted.

Txhob txim foob lwm tug tuab-neeg kws yeej tsi muaj pov-thawj txaus le.

MALICIOUSLY – To annoy, or injure another, or an intent to do a wrongful act, and may consist in direct intention to injure, or in reckless disregard of another's rights

Muab ib tug neeg ua tsaug mob los ua muaj kev xeeb txob los ua yaam tsi tsaug cai rua tug neeg ntawm. Ua tej nuav rua ib tug neeg kuam nwg tsaug mob yaam kws saib tsi taug nwg. Ua phem rua ib tug neeg vim tas xaav kom nwg tsaug mob los yog saib tsi taug tug neeg ntaw.

MALPRACTICE - Violation of a professional duty to act with reasonable care and in good faith without fraud or collusion. This term is usually applied to such conduct by doctors, lawyers, or accountants.

Ua yoom-kev los-sis ua tau tej yaam tsi raws le txuj cai los-sis qhov kws yog tag-tag.

MANDAMUS - A writ issued by a court ordering a public official to perform an act.

Court tsaab ntawv xaaj kuam ib tug num-tswv moog ua ib yaam dlaab-tsi los-sis txhob moog ua tej-yaam dlaab-tsi vim has tas yog nwg ua tej yeej txhum txuj-cai xib.

MANDATE - A judicial command or order proceeding from a court or judicial officer, directing the proper officer to enforce a judgment, sentence, or decree.

Court cov lug los yog tsaab ntawv xaaj kuam nwg cov tuab neeg moog saib xyuas kuam ua tsau le tau txav txim tseg los tau yog has tseg.

MANDATORY - Required, ordered.

Yuav tsu tau ua. Tsaug xaaj.

MANSLAUGHTER, INVOLUNTARY - Unlawful killing of another, without malice, when the death is caused by some other unlawful act not usually expected to result in great bodily harm.

Kev tua tuab neeg kws yog tua tau yoom kev vim tas ua tej yaam tsi tsaug txuj cai. Kev tua tuab neeg nuav tsi yog lug ntawm kev sib ntxub.

MANSLAUGHTER, VOLUNTARY - Unlawful killing of another, without malice, when the act is committed with a sudden extreme emotional impulse.

Plaub-ntug tua tuab-neeg tuag tshwm lug ntawm kev npau sab npau tsaws, kev sib-khib xib tsi yog lug ntawm kev sib ntxub, kev sab-dlub, sab-phem.

MARIJUANA – "Cannabis" is an annual herb having angular rough stem and deeply lobed leaves. It is an illegal drug commonly used through smoke inhalation or ingestion,

the use of which results in prolonged intoxication. Any person who cultivates, transports, or possesses marijuana, for personal use or sale, is guilty of a crime, unless they can assert a proper defense.

“Xas”

MARIJUANA, defense of compassionate use – The cultivation, transportation, or possession of marijuana is lawful for compassionate use under certain circumstances, such as when its medical use is deemed appropriate by a physician and has been recommended by the physician orally or in writing, provided it is for the personal use of the patient and it is a reasonable amount.

Coj xas, nqaa xas, los yog siv xas ua tshuaj tsaws txuj cai los tau tuab-sis yuav yog tau ntaub ntawv lug ntawm ib tug kws-tshuaj.

MARSDEN MOTION – A minor who is represented by appointed counsel requests the Court to remove the attorney and appoint new counsel if the minor’s right to effective counsel would be substantially impaired by continuing with the original attorney.

Txuj kev thov kuam “xaam” hloov kws-lij-choj vim has tas tug kws-lij-choj taam-sim nuav paab tsi tau nwg zoo le kws txuj cai kuam paab los-sis “toob-kaas”.

MASSIAH MOTION-A motion to exclude fraudulently obtained confessions.

Txuj kev thov kuam muab cov lug leeg txim tshu tawm ntawm rooj plaub-ntug vim has tas cov pov-thawj ntawd yog muab tau lug tsi tsaws txuj cai.

MASTER - An attorney who is appointed by the judges of a circuit court with the approval of the Chief Judge of the Court of Appeals, to conduct hearings and to make finding of facts, conclusions of law, and recommendations as to an appropriate order.

Tug attorney kws “xaam” muab lug has cov hearings, moog ntshav hab tshawb lug, hab tshawb ntshav tej kev cai lij-choj. Tug attorney nuav yog tug moog xawb-nawm saib ua le caag xav le yog txuj cai. Tug Chief Judge ntawm lub Court of Appeals yog tug tso cai court tsaab tug attorney ntawm moog ua tej dlej num ntawm.

MATERIAL EVIDENCE - That quality of evidence which tends to influence the judge and/or jury because of its logical connection with the issue.

Cov pov-thawj kws tseem-ceed rua ib rooj plaub-ntug tsi has tas cov ua tug maag lam tsaug txim los-sis dlim txim.

MATERIAL WITNESS - In criminal trial, a witness whose testimony is crucial to either the defense or prosecution.

Tug tuab-neeg kws lug cev lug tseem-ceed rua ib rooj plaub-ntug.

MAYHEM - A malicious injury which disables or disfigures another.

Kev tsaug mob-nkeeg kws ib tug tuab-neeg tau tu teg tug taws los-sis tau tsaug hlai es tawv qaj yuav ua co-plav.

MEDIATION - A process in which people that are having a dispute are helped by a neutral person to communicate so they can reach a settlement acceptable to both.

Kev sib khu plaub-ntug los-sis lug sib cov-nyom.

MEMORANDUM OF COSTS - A certified, itemized statement of the amount of costs after judgment.

Tsaab ntawv qha txug tug nqe tom qaab kws txav txim taag lawm yog npau le caag.

MEMORIALIZED - To mark by observation in writing.

Muab sau tseg ca rua ntaub-ntawv.

MENACE – A threat; the declaration or show of a disposition or determination to inflict an evil or injury upon another.

Kev hem; qha txug hab has txug kev ua phem, ua moob rua lwm tug neeg.

MENS REA - The “guilty mind” necessary to establish criminal responsibility.

Lub sab ntws los-sis paaj hlwb (los-sis hom-phaj) zoo/phem.

MENTAL HEALTH - The wellness of a person's state of mind.

Kev thaaj yeeb ntawm ib tug tuab-neeg pev-txiv le nwg lub hlub, lub taub-hau.

MENTAL INCAPACITY –Where a person is found to be incapable of understanding and acting with discretion in the ordinary affairs of life due to a loss of reasoning faculties.

Kev meej-pem, paub tom-ntej, tom-qaab kws nwg yeej lug cev lug pov-thawj tau zoo.

MENTAL STATE – Capacity or condition of one’s mind in terms of ability to do or not to do a certain act.

Has txug ib tug tuab-neeg txuj kev muaj peev-xim vim has tas nwg lub “xuab-moom” tseem zoo los-sis tsi zoo lawm.

MERITS - A decision "on the merits" is one that reaches the right(s) of a party, as distinguished from disposition of a case on a ground not reaching the right(s) raised in an action.

Yaam muaj tag-tag; yaam yog

MINOR – A child under the age of 18 years. (See also JUVENILE).

Tug miv-nyuas yau kws tsi tau muaj 18 xyoo.

MINUTE ORDER - Document prepared by the clerk recording the orders of the clerk.

Dlaim ntawv kws tug clerk sau txug nwg cov qhaas xaaj (orders).

MIRANDA RIGHTS - Requirement that police tell a person who is arrested or questioned their constitutional rights before they question him or her: specifically, the right to remain silent; that any statement made may be used against him or her; the right to an attorney; and if the person cannot afford an attorney, one will be appointed if he or she desires.

Txuj cai kws cov tub ceev xwm yuav tau qha rua tug neeg tsaug nteg los tug neeg tsaug "xwj"j tas nwg cov constitutional rights. Puab yuav tau qha ua ntej kws nteg nwg los xwj nwg. Tug neeg muaj txuj cai tsi has lug; cov lug kws nwg has tej zag yuav tsaug siv tuaj xub nwg; muaj txuj cai txais kev paab lug ntawm kws-lij-choj; hab yog nwg ndlav tsi taug ib tug kws-lij-choj los nwg muaj cai thov ib tug lug paab yog nwg dlawb.

MIRANDA WARNING - See MIRANDA RIGHTS.

Saib MIRANDA RIGHTS.

MISDEMEANOR - A crime that can be punished by up to one year in jail.

Lub txim kws yuav tsaug kaw txug ib xyoos.

MISTAKE – Some unintentional act, omission, or error arising from ignorance, surprise, imposition, or misplaced confidence.

Yoom kev. Tsi txhob txhim ua.

MISTRIAL - A trial that has been ended and declared void (of no legal effect) due to prejudicial error in the proceedings or other extraordinary circumstances.

Rooj plaub-ntug kws has taag lawm tuab-sis siv tsi tau vim has tas nwg muaj tej yaam lug ua rooj plaub-ntug moog tsi taug.

MITIGATING CIRCUMSTANCES - Facts which do not constitute a justification or excuse for an offense but which may be considered as reasons for reducing the degree of blame.

Tej yaam kws yuav lug paab txu lub txim.

MITIGATING FACTORS - Facts that do not constitute a justification or excuse for an offense but which may be considered as reasons for reducing the degree of blame.

Tej yaam kws yuav lug paab txu lub txim.

MITIGATION OF DAMAGES – Imposes on the injured party duty to minimize his damages after injury has been inflicted.

Ua kuam txhob phem los-sis puag luj tshaaj le thaum pib.

MITTIMUS - The name of an order in writing, issuing from a court and directing the sheriff or other officer to take a person to a prison, asylum, or reformatory, and directing the jailer or other appropriate official to receive and safely keep the person until his or her fate shall be determined by due course of law.

Qhaa xaaj kws xaaj kuam tub ceev xwm nteg ib tug tuab-neeg moog kaws hab zuv nwg tog kuam zoo lug nyob tog rooj plaub-ntug.

MODIFICATION - A spoken or written request that one side makes to ask the judge to make a decision or an order on a specific point.

Tsaab ntawv los yog cov lug moog thov kuam tug judge txav txim txug ib qeb lug.

MOOT - A point or question related to a legal case that usually has no practical importance or relevance to the case. A moot point is a point that can't be resolved by the judge, is not disputed by either side, or is resolved out of court.

Qhov teeb-meem tsi taag has lawm vim has tas tsi muaj dlaab-tsi has los-sis lug tu lawm vim has tas tsi muaj kev sib cov-nyom lawm.

MORAL TURPITUDE - Immorality. An element of crimes inherently bad, as opposed to crimes bad merely because they are forbidden by statute.

Kev phem kev tsi ncaaj-nceeg; ua tej yaam tuab-neeg siv tsi tau hab txuj-cai tsi pub ua.

MOTION - Oral or written request made by a party to an action before, during, or after a trial asking the judge to issue a ruling or order in that party's favor.

Txuj kev thov xaam lug ua ib yaam yug xaav tau lug ntawm tug judge.

MOTION DENIED - Ruling or order issued by the judge refusing the party's request.

Xaam txav txim tsi pub le ib tog tau thov.

MOTION GRANTED - Ruling or order issued by the judge approving the party's request.

Xaam txav txim pub le ib tog tau thov.

MOTION IN LIMINE - A written motion which is usually made before or after the beginning of a jury trial for a protective order against prejudicial questions and statements.

Txuj kev thov ua ntej pib rooj plaub-ntug kuam xaam muab tej cov lug tsi ncaaj-nceeg tshu ntawm los-sis txhob pub nug.

MOTION TO QUASH - A request to make something null or ineffective, such as to "quash a subpoena."

Kev thov kuam muab tej yaam tshu tawm los-sis tso-tseg.

MOTION TO SEVER - A request usually by defense, to have a separate trial as to either jointly tried defendants or jointly charged counts.

Kev thov kuam muab ib rooj plaub-ntug sib faib sib cais moog ua ob rooj.

MOTION TO SUPPRESS - A request to suppress as evidence at trial things or statements obtained as a result of an allegedly illegal search and seizure (commonly referred to as 1538.5 PC motions.)

Kev thov tsi pub siv khoom ua pov thawj los yog lug ua pov thawj vim tas yuam txuj cai moog muab tej khom hab tej lug ntawm lug siv ua pov thawj..

MUGSHOT - Pictures taken after a suspect is taken into custody (booked), usually used as an official photograph by police officers.

Dlaim dlub kws cov tub ceev xwm thaj tom qaab kws puab nteg ib tug tuab-neeg.

MULTIPLICITY OF ACTIONS - Numerous and unnecessary attempts to litigate the same issue.

Has taag has dlua, foob taag foob dlua.

MURDER - The unlawful killing of a human being with deliberate intent to kill.

Kev tug neeg kws yeej yog txhob txhim tua.

MURGIA MOTION - A request made by defense counsel to dismiss based on a group of people being systematically discriminated against.

Txuj kev thov kuam xaam muab rooj plaub tshu tawm vim nwg muaj ib haiv neeg los-sis paab tuab-neeg ntxub lwm paab.

NECESSITY – Controlling force; irresistible compulsion; a power or impulse so great that it admits no choice of conduct.

Yuav tsum tau ua (le ntawd) xib vim yog yeej tsi muaj lwm txuj kev le lawm.

NE EXEAT - A writ or court order which forbids the person to whom it is addressed to leave the country, the state, or the jurisdiction of the court.

Qhaa-xaaj tsi pub ib tug neeg tawm moog lwm lub tebchaws, lub state, los yog ib lub thaaj tsaam.

NEGLECT – Absence of care or attention in the doing or omission of a given act.

Tsi saib xyuas, tso tseg.

NEGLIGENCE - When someone fails to be as careful as the law requires to protect the rights and property of others.

Ua tsi raws le txuj cai, ua tsi cuag txuj cai (xaav tau lug ntawm ib tug tuab-neeg) es ua tsaug lwm tug tuab-neeg mob.

NEGOTIABLE INSTRUMENTS – A written and signed unconditional promise or order to pay a specified sum of money on demand or at a definite time payable to the bearer.

Tej yaam ntaub-ntawv kws siv ua laag-luam, pev-txiv le nyaj txag, los-sis ntawv sib-cog-lug (contract) ua laag-luam.

NEXT FRIEND - One acting without formal appointment as guardian for the benefit of an infant, a person of unsound mind not judicially declared incompetent, or other person under some disability.

Ib tug tuab-neeg kws nwg leeg lug saib-xyuas tej tug miv-nyuas yaus es tsi muaj qhaa-xaaj lug ntawm xaam lug le.

NO BILL - This phrase, endorsed by a grand jury on the written indictment submitted for approval, means that the evidence was found insufficient to indict.

Cov pov-thawj tsi txau lug muab tug tuab-neeg ntawd nteg kaw es coj moog has plaub los-sis rau-txim.

NO-CONTEST CLAUSE - Language in a will that is meant to keep people from challenging the will. It says that if a person challenges the will and loses, the person gives up anything he or she would have inherited.

Tsi tuaj-xub, tso tseg le ntawd, yuav le ntawd, tsi yuav lawm.

NO-FAULT PROCEEDINGS - A civil case in which parties may resolve their dispute without a formal finding of error or fault.

Ib rooj plaub lug moog sis khu kuam ob tog zoo sab hab tej plaub ntug pluj moog. Yuav tsi has kuam muaj tug yeej los tug swb.

NOLLE PROSEQUI - Decision by a prosecutor not to go forward with charging a crime. It translates, "I do not choose to prosecute." Also loosely called nolle pros.

Qhov txav-txim ntawm tug prosecutor has tas nwg yeej tsi foob ntxiv moog lawm, muab rooj plaub-ntug tso tseg.

NOLO CONTENDRE - Same as pleading guilty, except that your plea cannot be used against you in civil court. This can only be used in traffic or criminal court. From the Latin for "I do not wish to contend."

Leeg lub txim es tsi tuaj-xub lawm hab luas yuav siv tsi tau lub txim lug tuaj xub nyob rua huv civil court. Luas siv tau txuj kev leeg txim ntawm tuaj xub tug neeg ntawm huv traffic los yog criminal court xib.

NOMINAL PARTY - One who is joined as a party or defendant merely because the technical rules of pleading require his presence in the record.

Ib tog kws laam tso npe xib vim has tas txuj cai kuam tso tuab-sis yeej yog tog kws tsi muaj dlaab-tsi nyob huv rooj plaub-ntug ntawd le.

NON COMPOS MENTIS - Not of sound mind; insane.

Vwm; hlwb tsi qoog los yog tsi paub tom ntej tom qaab lawm.

NON-CAPITAL CASE - A criminal case in which the allowable penalty does not include death.

Rooj plaub (criminal case) kws lub txim yuav tsi tsaug tua.

NON EST (INVENTUS) - A return of process when the sheriff could not find the person who is to be served. Latin meaning "not to be found."

Tsaab ntawv kws qha has tas cov tub-ceed-xwm yos tsi tau tug tuab-neeg kws xaam xaaj kuam puab koj tsaab ntawv foob moog rua.

NON OBSTANTE VERDICTO (N.O.V.) - A verdict entered by the judge contrary to a jury's verdict.

Qhov kws xaam lub txav-txim has tas cov kev-txij-laug tu rooj plaub-ntug tsi yog lawm vim has tas raws le nwg nrug mas cov pov-thawj tsi muaj txaus lug cuag lub txim ntawd.

NONSUIT - The name of a judgment given against a plaintiff when he is unable to prove a case, or when he refuses or neglects to proceed to trial and leaves the issue undetermined.

Prove tsi tau yug qhov case; tsi muaj pov-thawj txaus lug has yug rooj plaub-ntug.

NOT GUILTY - The form of verdict in criminal cases where the jury acquits the defendant.

Tsi txhum (qhov txav-txim lug ntawm cov kev-txij-laug/jury lug).

NOT GUILTY BY REASON OF INSANITY - The jury or the judge must determine that the defendant, because of mental disease or defect, could not commit the offense.

Tsi txhum vim has tas tug ntawd tsi muaj peevxwm moog ua txhum txuj cai vim tas nwg yog ib tub neeg vwm los yog mob hlwb, tsi paub tom ntej tom qaab lawm tes nwg yeej ua tsi tau le ntawd le.

NOTARY PUBLIC - A person authorized to certify a person's signature, administer oaths, certify that documents are authentic, and take depositions.

Tug tuab-neeg lug ntaus-thwj lug ua tug pov-thawj has tas nwg yeej pum tug ntawd "xee" nwg lub npe es tsaab/dlaim ntawv ntawd yeej yog le sau tag-tag.

NOTICE - Written information or warning. For example, a notice to the other side that you will make a motion in court on a certain date.

Ceeb-toom; ntawv ceeb-toom.

NOTICE OF MOTION - A notice to the opposing party, that on a certain date a motion will be made in court.

Tsaab ntawv ceeb-toom rua tog tod has tas yug muaj kev thov lug ntawm xaam.

NOTICE TO PRODUCE - A notice in writing requiring the opposite party to produce a certain described paper or document at the trial, or in the course of pre-trial discovery.

Tsaab ntawv has kuam ib tog tod muab taag nrho nwg cov pov-thawj xaa tuaj rua tog nuav.

NUISANCE – That activity which arises from unreasonable, unwarranted or unlawful use by a person of his own property, and producing such material annoyance resulting in damage.

Kev meem-txom lwm tug ua rua yug.

NULL AND VOID - Having no force, legal power to bind, or validity.

Taag lawm, tsi muaj dlaab-tsi ntxiv lawm.

NULLITY - A legal action that says a marriage never existed and the persons are still single. (Compare DISSOLUTION.)

Tu taag lawm; Rauj tav taag lawm.

NUNC PRO TUNC -When a court order is issued on one date, but is effective as of a date that is in the past. From the Latin for "now for then."

Thaum xaam txav-txim has tas lub txim nraug ua ntej nub txav-txim lug lawm.

NUNCUPATIVE WILL - An oral (unwritten) will.

Qhov "will" sib cog ncauj-lug xib (yeej tsi muab sau ca rua huv ntaub-ntawv le).

OATH - When a witness promises to tell the truth in a legal proceeding.

Qhov tsaag teg lug leeg has tas yeej has ncaaj-nceeg tsi dlaag le.

OBJECT - To protest to the court against an act or omission by the opposing party.

Lug-twv has tas tog tod ua tsi yog lawm los-sis tog tod ua tsi ncaaj-nceeg lawm.

OBJECTION - A formal protest made by a party over testimony or evidence that the other side tries to introduce in court.

Lug-twv has tas tog tod ua tsi yog lawm los-sis tog tod ua tsi ncaaj-nceeg lawm.

OBJECTION OVERRULED - A ruling by the court upholding the act or omission of the opposing party.

Thaum court txav txim has tog tom cov ua yog lawm.

OBJECTION SUSTAINED - A ruling by the court in favor of the party making the objection.

Court txav txim tas tog kws twv lug twv yog lawm, tog tod yuav tsum tseg txhob ua moog le ntawd ntxiv lawm.

OBSCENITY – Conduct tending to corrupt the public morals by its indecency or lewdness.

Yeeb-yaam ua kev khaus-noov, khaus-pim tsi tsaug nrej-muag saib.

OF COUNSEL - A phrase commonly applied to counsel employed to assist in the preparation or management of the case, or its presentation on appeal, but who is not the principal attorney for the party.

Cov lawyer kws dlav lug paab tug thawj lawyer npaaj hab tawm tswv yim moog has rooj plaub.

OFFENDER - One who commits a crime, such as a felony, misdemeanor, or other punishable unlawful act.

Tug neeg kws ua phem txhum txuj cai.

OFFENSE - An act that breaks the law.

Txuj kev ua dlau txuj cai lawm, ua txhum plaub lawm.

OFFENSIVE WORDS – Language that offends; displeasing or annoying language.

Cov lug phem hab lug tsi zoo nkauj. Cov lug siv has tau-qaug lwm tug.

OFFER OF PROOF - Presentation of evidence to the court (out of the hearing of the jury) for the court's decision of whether the evidence is admissible.

Muab tej cov pov thawj lug qha rua “Xaam” saib puas yuav siv tau cov pov-thawj ntawd; thaum ua le nuav yeej tsi pub cov kev-txij-laug (jury) nov hab pum.

ON A PERSON'S OWN RECOGNIZANCE - Release of a person from custody without the payment of any BAIL or posting of BOND, upon the promise to return to court.

Tso tawm nkuaj lug tuab-sis tug neeg ntawm tsi thau them BAIL los BOND vim tas nwg cog lug yuav rov moog has nwg rooj plaub.

ONE-THIRD THE MIDTERM RULE - The rule that limits a person's sentence when they have been convicted of multiple offenses.

Txuj cai kws muab lub txim txu vim has tas tug txhum ntawd yeej tau txhum plaub ntau zag lug lawm.

OPENING ARGUMENT - The initial statement made by attorneys for each side, outlining the facts each intends to establish during the trial.

Cov lug kws ob tog xub-xub has lug qheb hab qha has tas rooj plaub-ntug yuav moog zoo le caag.

OPENING STATEMENT - See OPENING ARGUMENT.

Ib yaam le OPENING ARGUMENT. Cov lug kws ob tog xub-xub has lug qheb hab qha has tas rooj plaub-ntug yuav moog zoo le caag.

OPINION - A judge's written explanation of a decision of the court or of a majority of judges. A dissenting opinion disagrees with the majority opinion because of the reasoning and/or the principles of law on which the decision is based. A concurring opinion agrees with the decision of the court but offers further comment. A PER CURIAM OPINION is an unsigned opinion "of the court."

Tug kws-tu-plaub-ntug cov lug txav-txim.

OPINION EVIDENCE - Witnesses are normally required to confine their testimony to statements of fact and are not allowed to give their opinions in court. However, if a witness is qualified as an expert in a particular field, he or she may be allowed to state an opinion as an expert based on certain facts.

Lug pov-thawj.

OPPOSITION - (1) act of opposing or resisting. (2) confronting another.

(1) Tuaj xub. (2) Twv lwm tug.

ORAL ARGUMENT - The part of the trial when lawyers summarize their position in court and also answer the judge's questions.

Lug cev rua Xaam hab cov lug sib-txhua nrug rua Xaam has txug ib rooj plaub-ntug has qha yog le caag nwg tog txhaj le yog tog yuav tsum yeej.

ORAL COPULATION – the act of copulating the mouth of one person with the sexual organ or anus of another person, however slight. Penetration of the mouth, sexual organ or anus is not required.

Yaim qaus yaim pim.

ORDER TO SHOW CAUSE - Court order that makes someone go to court to explain to the judge why he or she did not follow the rules.

Thawm court xaaj kuam ib tug neeg moog tom court moog qha saiv yog vim le caag nwg txhaj le ua yuam cai.

ORDER, COURT - (1) Decision of a judicial officer; (2) a directive of the court.

(1) Lug txav txim lug ntawm ib tug kws-tu-plaub-ntug; (2) Qhaa-xaaj lug ntawm xaam lug.

ORDINARY NEGLIGENCE – The failure to use that degree of care which the ordinary or reasonably prudent person would have used under the circumstances and for which the negligent person is liable.

Ua txhum, ua tsi raws le laj-mej-pej-xeem yuav tsum tau ua los-sis ua tsi cuag le txuj cai tau sau/has tseg.

ORDINANCE - A regulation made by a local government to enforce, control, or limit certain activities.

Kev cai lij-choj lug ntawm ib lub zog (city) lug.

ORIGINAL JURISDICTION - The court in which a matter must first be filed.

Lub xaam kws yuav tsum tau has rooj plaub-ntug.

OVERRULE - A judge's decision not to allow an objection. A decision by a higher court finding that a lower court decision was wrong

Tsi pub; Kev txav-txim lug ntawm lub xaam sab lug has tas lub xaam yaus txav-txim tsi yog lawm.

OVERRULED - See OVERRULE.

Muab tso tseg lawm, muab lub xaam yaus qhov txav-txim tshu tawm lawm. Tuab yaam le “OVERRULE”.

OVERT ACT - An open act showing the intent to commit a crime.

Yeej-yaam ua tshwm sau rooj, txhob txim ua kuam lwm tug paub.

OWN RECOGNIZANCE - Release of a person from custody without the payment of any bail or posting of bond.

Tso ib tug neeg tawm nkuaj hab tsi yuav kuam nwg them BAIL los BOND.

PANDERING - Pimping. Arranging for acts of prostitution.

Kev ua nam ndlav.

PARALEGAL - A person with legal skills, but who is not an attorney, and who works under the supervision of a lawyer or who is otherwise authorized by law to use those legal skills.

Tug neeg kws paub kev cai lij-choj tuab-sis tsi tau yog ib tug lawyer. Nwg rua hauj lwm rua lawyer los yog lug tug kws muaj txuj cai nce moog has plaub ntug.

PARDON - When the chief executive of a state or country releases a convicted person from the punishment given him or her by a court sentence.

Thaum tug “governor” los-sis “mayor” lug zaam txim rua ib tug neeg tsaug txim los yog rhu hab tshem tug neeg ntawm lub txim tseg.

PARENS PATRIAE - The power of the state to act in the parents' place to protect a child or his or her property.

Laav-thaa-npaas ua nam-txiv.

PAROLE - Supervised release of a prisoner that allows the person to serve the rest of the sentence out of prison if all conditions of release are met.

Tug neeg tsaug txim kws tau tawm nkuaj lawm tuab-sis tseem aub nwg lub txim hab luas tseem saib xyuas zoo.

PAROLE EVIDENCE - Oral or verbal evidence rather than written. The Parole Evidence Rule limits the admissibility of parole evidence which would directly contradict the clear meaning of terms of a written contract.

Cov lug pov-thawj (tsi tau muab sau rua ntaub-ntawv) kws muab siv lug has tas tsaab-ntawv sib-cog-lug (dlaim contract) tsi yog le ntawd. Txuj cai has txug cov lug le nuav mas feem-ntau yeej tsi pub lug has ib rooj plaub-ntug has txug dlaim contract ntawd.

PARTY - One of the sides of a case. The person who started the case is called the plaintiff or defendant. The person being sued is called the defendant or respondent.

Ib tog ntawm ib rooj plaub. Tug neeg kws sawv nce xaam foob yog tug plaintiff los yog defendant. Tug neeg kws tsaug foob yog tug defendant.

PAT DOWN SEARCH – A limited search of the outer clothing of a person in an attempt to discover weapons which might be used to assault the officer and may be conducted if the officer has a reasonable belief that the detained person is armed and dangerous.

Thaum tug tub-ceed-xwm kuj ib tug neeg kws yog plhw tug neeg tej tsiq tso saib puas coj tsag phom kws tej zag yuav siv tua tuf tub-ceed-xwm. Cov tub-ceed-xwm muaj txuj cai lug moog kuaj tej tub neeg le nuav yog tas puab xoom-xaim tas tej zag tug neeg ntawm nqa tsag phom.

PATENT - A government grant giving an inventor the exclusive right to make or sell his or her invention for a term of years.

Lab-tha-npaas qhov grant kws tso cai rua ib tug neeg twg muag tej khoom kws tug neeg ntawm xaab los yog ua tshwm sim lug muag. Qhov grant nuav npaav sib hawm rua tug neeg ntawm muag nwg qhov khom. Nyob rua lub sib hawm ntawm lwm tug tsi muaj txuj cai muag tau qhov khoom ntawm.

PATERNITY - Who the birth (biological) parents of a child are.

Tug twg yog nam-txiv ntawm ib tug miv-nyuas.

PEACE OFFICER – Includes sheriffs and their deputies, members of the police force of cities, and other officers whose duty is to enforce and preserve the public peace.

Cov tub ceev-xum xis le cov sheriffs, police, hab lwm cov neeg kws saib xyuas kev tsuaj ntseg hab kev thaaj yeeb.

PENALTY - Punishment for breaking a law.

Kev nplua.

PENALTY ASSESSMENT - An amount of money added to a fine.

Cov nyaj kws muab coj lug ntxiv rua cov nyaj nplua.

PENALTY OF PERJURY – Circumstances under which a person takes an oath that he will testify, declare, depose or certify truthfully.

Lub txim kws tsa teg lub has dlaag.

PENDING - The status of a case that is not yet resolved by the court.

Tseem muaj, tseem has; Ib qhov case los yog ib rooj plaub kws court tsi tau has tav.

PENETRATION, UNLAWFUL – Unlawful insertion of the male part into the female parts, however slight an extent.

Sib chwv qaus chwv pim tsi raws le txuj cai pub.

PENITENTIARY - A prison or place of confinement where convicted felons are sent to serve out the term of their sentence.

Lub nkuaj kaw tuab neeg tsaug txim.

PEOPLE (PROSECUTION) - A state, for example, the People of the State of California.

Laj-mej-pej-xeem. Laav-thaa-mpaas tuaj-xub.

PER CURIUM OPINION - An unsigned OPINION of the court.

Tsaab ntawv txav-txim kws tug kws-tu-plaub-ntug tsi tau “xee”.

PEREMPTORY CHALLENGE - The right to challenge a juror without assigning a reason for the challenge.

Txuj cai kws ib tog muaj es muab ib tug txij-laug (“juror”) tshu tawm es tsi taag qha has tas yog vim le caag.

PERJURY - A false statement made on purpose while under oath in a court proceeding.

Cov lug dlaag kws txhob txhim has thawm kws tseem taab tom has rooj plaub.

PERMANENCY HEARING – The hearing for children placed in or awaiting placement in foster care who were under age three at the time of detention, and for all children, to monitor the welfare of the child, evaluate the parents’ reunification efforts and establish a permanent plan for the child.

Lub hearing kws lug txav-txim saib yuav muab tug miv-nyuas ntawd rua tug twg yug moog taag ib sim-neej.

PERMANENT INJUNCTION - A court order requiring that some action be taken, or that some party refrain from taking action. It differs from forms of temporary relief, such as a TEMPORARY RESTRIANING ORDER or PRELIMINARY INJUNCTION.

Qhaaj-xaaj tsi pub ib tug tuab-neej ua tej yaam tsi yog txuj-cai los-sis tsi moog le qhov qhaa-xaaj.

PERMANENT PLANNED LIVING ARRANGEMENT (PPLA) – One of the permanent plans that may be ordered for a child who is not returned to parental custody (formerly long term foster care).

Txuj kev kws muab ib tug miv-nyuas moog rua lwm tug saib-xyuas hab yug.

PERMANENT RESIDENT - One who lives in a location for a period of time and indicates that it is their official address or residence.

PERMANENT RESIDENT – Tug pej-xeem kws muaj chaw nyob, muaj ntaub-ntawv.

PERSON IN NEED OF SUPERVISION - Juvenile found to have committed a status offense rather than a crime that would provide a basis for a finding of delinquency. Typical status offenses are habitual truancy, violating a curfew, or running away from home. These are not crimes, but they might be enough to place a child under supervision. In different states, status offenders might be called children in need of supervision or minors in need of supervision. (See STATUS OFFENDERS.)

Tej mivnyuav tsi tau nto 18 xyoos kws tsi noj lug nyoog has, tsi kawm ntawv, hab tsiv ntawm tsev moog lawm. Tej nuav tsi yog kev txhum plaub tuab-sis yog tej kev txoj kws yuav tau khoo hab saib kuam ntsuj.

PERSONAL PROPERTY - Things that you own and can move, like furniture, equipment, or paintings.

Ib tug tuab-neej tej yaam khoom tshu moog tshu lug los tau.

PERSONAL RECOGNIZANCE - Pre-trial release based on the person's own promise that he or she will show up for trial (no bond required). Also referred to as release on own recognizance or ROR. (See ON A PERSON'S OWN RECOGNIZANCE.)

Tso nwg nyob nwg tsi taag khoo nwg le.

PERSONAL REPRESENTATIVE - A person picked by the court to collect, manage and distribute a person's property (estate) when they die. If named in a will, that person's title is an EXECUTOR . If there is no valid will, that person's title is an ADMINISTRATOR.

Tug cev-lug tuav ntaub-ntawv rua lwm tug los-sis tug kws lug faib cov khoom kws ib tug tau tuag lawm rua nwg cov tub-ki, ntxhais-vauv, etc...

PETIT JURY or (TRIAL JURY) - A group of citizens that listen to the evidence presented by both sides at trial and figure out the facts in dispute. Criminal juries are made up of 12 people; civil juries are made up of at least 6 people.

Paab kev txij laug kws nyob noog cov lug plaub-ntug saib rooj plaub yog dlaab tsi tag tag. Criminal juries yog muaj 12 tug tuab neeg. Civil juries yog muaj 6 leej.

PETITION - A court paper that asks the court to take action. For example, in juvenile cases, the Petition starts the court case. (Compare MOTION.)

Kev thov xaam kuam xaam ua tej yaam dlaab-tsi rua nwg.

PETITIONER - A person who presents a petition to the court.

Tug thov.

PETTY OFFENSE - An offense for which the authorized penalty does not exceed imprisonment for 3 months or a fine of \$500.

Kev txhum plaub kws lub txim tsi pub kaw dlhau 3 hlis los yog tsi pub nplua nyaj tshaaj \$500.

PETTY THEFT - The act of taking and carrying away the personal property of another of a value usually below \$100.00 with the intent to deprive the owner of it permanently.

Ua tub-saab nyag nyaj kws nyag tau \$100 rov huv.

PIMP - (1) the act of getting customers for a whore or prostitute; (2) one who gets customers for a whore or prostitute.

(1) Kev tshav tuab-neeg lug ua ib tug nam dlav; (2) Tug neeg kws ntshav neeg rua cov nam dlav

PITCHESS MOTION - A request made by the defendant for discovery of a peace officer's personnel file with regards to any complaints or acts of excessive force and violence.

Txuj cai kev thov kuam xaam muaj tug tub-ceed-xwm kws nteg tug tsaug-txim cov ntaub-ntawv ua hauj-lwm saib nwg puas muaj kev ua phem, ua dlau txuj cai, los-sis lwm yaam zoo le ntawd.

PLAINTIFF - The person or company that files a lawsuit.

Tug foob.

PLEA - In a criminal case, the defendant's statement pleading "guilty" or "not guilty" in answer to the charges. (See also NOLO CONTENDRE).

Lu-lug lug leeg txim.

PLEA BARGAIN - An agreement between the prosecutor and the defendant. It lets the defendant plead guilty to a less serious charge, if the court approves.

Lug sib-cog nrug tug “prosecutor” has tas lub txim yug yuav lug leeg yog le caag.

PLEAD - To admit or deny committing a crime.

Lug leeg los tsi leeg ib lub txim los-sis ib qhov plaub-ntug.

PLEADING - Written statements filed with the court that describes a party's legal or factual claims about the case and what the party wants from the court.

Tsaab ntawv ua moog rua court qha txug tog ntawm cov lug hab qha rua court tas nwg xav kuam court ua dlaab tsi rua nwg.

POLLING THE JURY - A practice in which jurors are asked individually whether they agree with the final verdict in the case they just decided.

Txuj kev kws nug cov jury ib tug quas zug saib puab puas yuav le kws puab paab jury ntawm tau tu txim rua rooj plaub ntawm.

POLYGRAPH - Lie detector test and the apparatus for conducting the test.

Ib lub cav kws nruag hab qha txug thaum ib tug neeg has lug dlaag.

POSSESSION OF DRUGS – The presence of drugs on the accused for recreational use or for the purpose to sell.

Tuav, khaws, los-sis muaj “drugs” (yeeb, xas) koj lug siv ua si los-sis koj moog muag ua luam.

POST CONVICTION – A procedure by which a convicted defendant challenges the conviction and/or sentence on the basis of some alleged violation or error.

Tom qaab kev-txij-laug txav-txim taag lawm has tas nwg txhum lawm.

POSTPONEMENT – To put off or delay a court hearing.

Muab rooj plaub-ntug cuaj rua lwm lub sib lawm maam has.

POUR-OVER WILL – A will that leaves some or all estate property to a trust established before the will-maker's death.

Dlaim “will” kws tseg tej khoom txua yaam rua ib lub “trust” saib xyuas ua ntej kws tug neeg kws ua dlaim “will” tau taag sim neej.

POWER OF ATTORNEY – Formal authorization of a person to act in the interest of another person.

Kev tso cai rua lwm tug tuab-neeg lug cev lug los-sis lug txav-txim rua yug.

PRAYER- A request of the court to grant the process, aid, or relief which the complainant desires; also, that portion of a document containing such request.

PRAYER- Qhov thov kws yug xaav tau dlaab-tsi lug ntawm “Xaam” los-sis rooj plaub-ntug lug.

PRECEDENT –A court decision in an earlier case that the court uses to decide similar or new cases.

Court txuj kev txav txim kws ua dlhau lug kws muab siv coj lug has tej rooj plaub-ntug kws zoo le rooj plaub ntawm.

PREINJUNCTION – Court order requiring action or forbidding action until a decision can be made whether to issue a permanent injunction. It differs from a TEMPORARY RESTRAINING ORDER.

Court xaaj kuam ua dlaab tsi los xaaj tsi pub ua ib yaam dlaab tsi. Yuav tau tog saib puas yuav xaaj kuam ua los tsi ua tuaj moog rua tom ntej. Nuav tsi yog le ib qhov TEMPORARY RESTRAINING ORDER.

PREJUDICE – When an act or decision affects a person's rights in a negative way.

Thaum ib tug ua tej yam los yog txav txim ua tej yam kws tsi zoo hab tsi ncaaj nceeg rua lwm tug.

PREJUDICIAL ERROR – Synonymous with *reversible error*; an error which authorizes the appellate court to reverse the judgment before it.

Ib qhov yoom kev los-sis txav-txim tsi ncaag-nceeg es lub xaam luj/sab yuav tsum lug hloov xib txhaj le taag.

PREJUDICIAL EVIDENCE – Evidence which might unfairly sway the judge or jury to one side or the other.

Cov pov-thawj kws yog siv tes yuav ua rua tug judge los cov jury txav txim tsi ncaaj-nceeg rua ib tog.

PRELIMINARY HEARING – The hearing available to a person charged with a felony to determine if there is enough evidence (probable cause) to hold him for trial.

Cov hearing ua ntej ob tug lug has rooj plaub lug nruag saib puas muaj pov-thawj txaus lug laam rua tug tuab-neeeg tsaug nteg ntawd.

PRELIMINARY INJUNCTION – In civil cases when it is necessary to preserve the status quo prior to trial, the court may issue this or a temporary restraining order ordering a party to carry out a specified activity.

Qhaa-xaaj lug ntawm xaam lug kuam ib tog tseg tsi ua tej yaam dlaab-tsi.

PREMEDITATION –The planning of a crime before the crime takes place, rather than committing the crime on the spur of the moment.

Kev npaaj tog, tawm tswv yim ua ntej, moog ua tej yaam dlaab-tsi phem, tsi zoo.

PREMISES – That which is put before; that which precedes; the foregoing statements.

Lub tswv-yim kws yog caag ib tug tuab-neeeg rua ua ib yaam dlaab-tsi le ntawd; lub tswv-yim kws qha tau has tas yog caag nwg rua ua le nwg tau ua lawm.

PREPERMANENCY HEARING – The hearing conducted according to Welfare and Institutions Code Section 366.21(e) for foster care placement children who were over age three at the time of detention, to monitor the welfare of the child and evaluate the parents’ reunification efforts.

Lub “hearing” lug nrug saib yuav muab cov miv-nyuas kws tsi tau muaj 3 xyoos moog nrug leej twg nyob hab saib-xyuas los-sis yug ua neej moog tom qaab.

PREPONDERANCE OF THE EVIDENCE – To win a civil case, the plaintiff has to prove that most of the evidence is on his or her side.

Qhov has tas ib tog kws yuav tsum muaj pov-thawj tshaaj le 50% nwg txhaj-le yeej taug rooj plaub-ntug.

PRESENTENCE REPORT – A report prepared by the probation department for the judge when sentencing a defendant. Describes defendant's background: financial, job, and family status; community ties; criminal history; and facts of the current offense.

Cov ntawv kws lub probation department ua moog rua tug judge thawm kws moog tu txim rua tug neeg tsaug txim. Yov ntawv nuav qha txug tug neeg ntawm tug kheej, nyaj-txag, kev ua haujlwm, tsev neeg, kev ntaus phooj ywg nrug pej-xeem-fub-fwm, hab qha txuj kev ua txhum cai zag ntawm.

PRESENTMENT – Declaration or document issued by a grand jury that either makes a neutral report or notes misdeeds by officials charged with specified public duties. It ordinarily does not include a formal charge of crime. A presentment differs from an INDICTMENT.

Tsaab ntawv qha cov lug foob los-sis has txug tas tug maag lam txhum plaub ntawd yog txhum yaam plaub dlaab-tsi.

PRESUMED FATHER – A man who is married to the mother of the child, who has signed a declaration of paternity, or has received the child into his home and held the child out to the community as his child, whether that man is the biological father of the child, or not.

Tug neeg kws tau xee tsaab ntawv leeg tas nwg yog leej txiv. Tug neeg kws koj ib tug mivnyuas lug nrug nwg nyob hab qha rua suav dlawg tas nwg yog leej txiv. Tug neeg tsi taag yuav yog leej txiv tag tag.

PRESUMPTION – An inference of the truth or falsity of a proposition or fact, that stands until rebutted by evidence to the contrary.

Lub tswv-yim kws has tas qhov nuav los-sis txuj cai nuav yeej muaj le nuav, yeej yog le nuav lawm, yog tsi muaj lwm yaam pov-thawj tuaj xub qhov ntawd le.

PRESUMPTION OF INNOCENCE – A hallowed principle of criminal law that a person is innocent of a crime until proven guilty. The government has the burden of proving every element of a crime beyond a reasonable doubt and the defendant has no burden to prove his innocence.

Txuj cai kws has tas ib tug tuab-neeg kws tsaug nteg lawm mas yeej muab ntau los-sis “thwm” has tas nwg yeej tsi yog tug ua txhum los-sis nwg yeej tsi txhum. Qhov txhum los-sis tsi txhum nuav mas yuav tsum yog “laav-thaa-npaas” lug “prove” tau raws le txuj cai tsuav. Yeej tsi yog tug maag lam txuj cai lug “prove” has tas nwg tsi yog tug tau ua los-sis tug txhum.

PRESUMPTION OF LAW – a rule of law that courts and judges shall draw a particular inference from a particular fact, or from particular evidence.

Txuj cai kws has tas “Xaam” yuav tsum muab qhov ntawd tau nqe yog los-sis muaj xib vim has tas txuj cai yeej has/qha le ntawd.

PRETERMITTED CHILD - A child born after a will was written, who is not provided for by the will. Most states have laws that provide for a share of estate property to go to such children.

Tug mivnyuas kws yug tom qaab kws tau muab tsaab will sau taag lawm. Tsaab will ntawm tsi faib ib yaam dlaab tsi rua tug mivnyuas ntawm. Tej lub state muaj kev cai lij-choj lug khoo kuam faib ib qhov rua nwg.

PRETRIAL CONFERENCE - Any time both sides of the case go to court before trial. In criminal cases, it's usually when the defendant and prosecutor talk about settling the case.

Kev saab-laaj nrug tug kws-tu-plaub-ntug has txug tej yaam kev cov-nyom ntawm rooj plaub-ntug ua ntej muab rooj plaub-ntug qheb lug qha rua cov kev-txij-laug (“jury”) nov, noog, hab lug tu.

PRIMA FACIE CASE - A case that is sufficient and has the minimum amount of evidence necessary to allow it to continue in the judicial process. From the Latin for "from first view."

Muaj pov-thawj txaus lawm.

PRINCIPAL – The source of authority or right.

Qhov tseeb; yaam tag; tug hlub, luj, tug coj (los-sis tug tau ua kag).

PRINCIPALS – Persons who are involved in committing or attempting to commit a crime. Includes those who directly and actively commit or attempt to commit the crime, or those who assist (aid and abet) in the commission or attempted commission of the crime.

Cov tuab-neeg kws tau tawm tswv-yim hab ua kag (qhov phem los-sis qhov plaub-ntug ntawd).

PRINCIPLE TERM - Greatest term of imprisonment imposed by the court on any one count, imposed of base term plus any enhancements, to which subordinate terms are added.

Lub txim kws luj tsaaj plaug kws Xaam tau tu nyob rua ntawm ib qaib-lug foob hab tseem muaj cov txim yau ntxiv nrug rua hab.

PRIORS - Term meaning previous conviction(s) of the accused.

Cov txim yaav taag lug lawm.

PRIOR CONVICTION - As used in Superior Court pleadings, an allegation that defendant has previously been imprisoned.

Cov txim yaav taag lug lawm.

PRIOR INCONSISTENT STATEMENT – In evidence, these are prior statements made by the witness which contradict statements the witness made on the witness stand.

Cov lug kws has taag lawm yaav taag lug es tsi raws le los-sis txawv le cov has taam-sim nuav.

PRISON – A federal or state public building or other place for the confinement of persons. It is used as either a punishment imposed by the law or otherwise in the course of the administration of justice. Also known as penitentiary, penal institution, adult correctional institution, or jail.

Tsev kaw-nkuaj.

PRIVACY, RIGHT OF – The right to be left alone; the right of a person to be free from unwarranted publicity.

Txuj cai kws ib tug tuab-neeg muaj kws nwg ua dlaab-tsi nwg vaaj-tsev los tau es tsi pub lwm tug lug “voob-voos” nwg.

PRIVILEGE - An advantage not enjoyed by all; a special exemption from prosecution or other lawsuits. (See also IMMUNITY.)

Kev kws yug muaj es feem-coob tsi muaj; Qhov kws tsi tsaug foob ntxiv lawm.

PRIVILEGED COMMUNICATIONS - Confidential communications to certain persons that are protected by law against any disclosure, including forced disclosure in legal proceedings. Communications between lawyer and client, physician and patient, psychotherapist and patient, priest, minister, or rabbi and penitent are typically privileged.

Co lug sib-txhua kws ib tug tuab-neeg muaj nrug nwg tug “doctor/nais-muam”, kws-lij-choj, los-sis tug xib-fwb es tsi pub qha rua lwm tug, has tag ntawd tes ca le ntawd.

PRIVITY - Mutual or successive relationships to the same right of property, or the same interest of one person with another which represents the same legal right.

Kev sib txheeb, kev sib lu; Kev sib paub.

PROBABLE CAUSE - A good reason to believe that a crime has or is being committed; the basis for all lawful searches, seizures, and arrests.

Qhov kws muaj pov-thawj txaus lug has tau has tas tug ntawd yog tug tau ua los-sis tug kws yuav tsum tau maag nteg los-sis muaj pov-thawj txaus lug foob ib tug tuab-neeg.

PROBATE - The judicial process to determine if a will of a dead person is genuine or not; lawful distribution of a decedent's estate.

Txuj kev Xaam lug paab ib tsev tuab-nee sib faib nyaj-txag los-sis khoom tseg tom qaab ib tug tuab-nee puv 120 xyoo lawm es nwg sau tau ib dlaim "will" tseg ca.

PROBATE COURT - The court with authority to deal with the estates of people who have died.

Lub court kws muaj cai lug has txug vaaj tsev, nyaj txag, hab txhua yaam khoom kws tug neeg taag sim neej tseg ca.

PROBATE ESTATE - All the assets in an estate that are subject to probate. This does not include all property. For example, property in joint tenancy are not part of the probate estate.

Txhua txhua yaam kws tsaug moog probate saib puas muaj tseeb le tau has tseg. Txhua yaam kws yog ob leeg le tsi tsau moog probate.

PROBATION - A sentencing alternative to imprisonment in which the court releases a convicted defendant under supervision of a probation officer that makes certain that the defendant follows certain rules, for example, gets a job, gets drug counseling.

Txuj kev kws ib tug tsaug txim tsaug tub-ceed-xwm saib-xyuas, zuv-khoos kuam nwg txhob ua phem, ua raws le xaam tau txav-txim xib.

PROBATION BEFORE JUDGMENT (PBJ) - A conditional avoidance of imposing a sentence after conviction.

Txuj kev kws tau txais "probation" es tau maag kaws-nkuaj tom qaab cov kev-txij-laug tau txav-txim has tas nwg yog tug txhum lawm.

PROBATION DEPARTMENT - The department that oversees the actions of those who are on probation as well as the location of where probation officers work.

Lub department kws saib xyuas cov neeg tsaug nyob probation hab saib xyuas cov probation officer.

PROBATION OFFICER - One who supervises a person placed on probation and is required to report the progress and to surrender them if they violate the terms and conditions of the probation.

Tug tub-ceed-xwm kws lug saib-xyuas cov tsaug-txim kws tau txais probation.

PRO BONO - Legal work done for free. From the Latin meaning "for the public good."

Paab dlawb

PROCEDURAL LAW - The method, established normally by rules to be followed in a case; the formal steps in a judicial proceeding.

Txheej txheem has plaub-ntug.

PRODUCTS LIABILITY – Refers to the legal liability of manufacturers and sellers to compensate buyers, users and even bystanders for damages or injuries suffered because of defects in goods purchased.

Cov khws ua khoom muag hab cov muag khoom ntawm yuav tau laav paab cov neeg yuav cov khoom yog tas yaam khoom ntawm ua rua puab tsaug mob.

PROFFER - An offer of proof as to what the evidence would be if a witness were called to testify or answer a question.

Txuj kev muab cov pov-thawj lug has los-sis qha rua xaam

PRO HAC VICE - for this one particular occasion. For example, an out-of-state lawyer may be admitted to practice in a local jurisdiction for a particular case only. From the Latin meaning "for this turn."

Pub has ib zag xib; pev-txiv tas, txawm has tas ib tug kws-lij-choj nyob lwm lub xeev es tsi muaj "license" lug has plaub-ntug nyob rua ib lub xeev twg los yog muaj tej yaam teeb-meem kws nwg yuav tsum tau has tes lub xeev ntawd tej zag yuav pum nwg moog has rooj plaub-ntug ntawd ib zag nuav.

PROHIBITION: Act or law that forbids something.

Kev tsi pub ua tej yaam dlaab-tsi.

PROMISSORY NOTE - A written document that says a person promises to pay money to another.

Tsaab ntawv sib cog-lug lug txais nyaj txag tas tug txais yeej leeg lug them cov nyaj txais ntawd xib.

PROOF - Any fact or evidence that leads to a judgment of the court.

Cov pov-thawj kws Court siv lug tu ib rooj plaub-ntug.

PROOF OF SERVICE - A form filed with the court that proves that court papers were properly delivered to someone.

Ib dlaim form qha rua court tas cov qhaa-xaaj los-sis ntawv foog muab xaa moog txug taag lawm.

PRO PER - Person who presents their own cases in court without lawyers (See also IN PROPRIA PERSONA and PRO SE.)

Tug tuab-neeeg kws nwg moog cev lug rua nwg tug kheej xib es nwg yeej tsi lawyer le. (Lu IN PROPRIA hab lu PROSE yog tuab lu.)

PROPERTY – Something tangible or intangible that someone holds legal title.

Tej khoom kws ib tug tuab-neeeg muaj.

PRO SE - Person who presents their own cases in court without lawyers (See also PRO PER and PRO SE.)

Tug tuab-neeeg kws nwg moog cev lug rua nwg tug kheej xib es nwg yeej tsi lawyer le. (Lu IN PROPRIA hab lu PROSE yog tuab lu.)

PROSECUTING ATTORNEY - A public office who prosecutes criminal cases for the state. See PROSECUTOR and DISTRICT ATTORNEY.

Lub office los-sis tug kws-lij-choj kws tiv-thaiv cov laj-pej-xeem kws foob los-sis xub kuam tug tsaug nteg kuam nwg txhum lub txhim . Saib PROSECUTOR hab DISTRICT ATTORNEY.

PROSECUTION - The party that starts a criminal case and files criminal charges. The prosecution is the lawyer for the state. A common name for the state's side of the case.

Tog kws lam hab foob tas tug tsaug nteg yog tu txhum nyob huv ib rooj plaub-ntug criminal. Tug nuav yog state tug lawyer. Siv lu lug nuav has txug state tog los tau.

PROSECUTOR - A trial lawyer representing the government in a criminal case and the interests of the state in civil matters. In criminal cases, the prosecutor has the responsibility of deciding who and when to file charges.

Tug kws-lij-choj kws tiv-thaiv cov laj-pej-xeem kws foob los-sis xub kuam tug tsaug nteg kuam nwg txhum lub txhim

PROSTITUTION - The performance or agreement to perform a sexual act for hire.

Kev ua nam dlaav.

PROTECTIVE ORDER - A court order to protect a person from further harassment, service of process, or discovery.

Qhaa-xaaj lug ntawm xaam lug tiv-thaiv ib tug tuab-neeg kuam nwg txhob tsaug hem, tsaug “thaa-lais”.

PRO TEM - A temporary assigned official with authority to hear and decide cases in a court.

Tug kws-tu-plaub-ntug xaam xaiv lub has ib rooj plaub-ntug “temporary” los-sis tej lub sib-hawm xib.

PROXIMATE CAUSE - The act that caused an event to occur.

Qhov kws ua tej yaam dlaab-tsi tshwm-sim.

PUBLIC DEFENDER - A lawyer picked by the court to represent a defendant who cannot afford a lawyer.

Tug lawyer kws court tso paab ib tug tuab neeg vim tas nwg dlav tsi taug lwm tug lawyer; tug lawyer “luam”.

PUNITIVE DAMAGES - Money awarded to an injured person, over and above the measurable value of the injury, in order to punish the person who hurt him.

Cov nyaj txag nplua tog shwb.

PURGE - To clean or clear, such as eliminating inactive records from court files; with respect to civil contempt, to clear the noncompliance that caused the contempt finding.

Muab pov tseg; muab tshu los-sis tua tawm.

QUANTUM MERUIT - Latin meaning "as much as he deserves," and describes the extent of liability on a contract implied by law.

Muab raws le kws nwg yuav tsum tau raws le tsaab ntawv cog lug (“under the contract”) tau has tseg.

QUASH - To overthrow, to vacate, to annul or make void.

Muab tshu tawm, muab ncaws tawm, muab ua kuas pluj moog.

QUASI JUDICIAL - Authority or discretion vested in an officer whose actions are of a judicial character.

Ua los-sis zoo moog le “xaam” ua.

QUID PRO QUO - Something for something; giving one valuable thing for another.

Txuj kev kws has tas yog koj muab dlaab-tsi rua kuv tes kuv muab dlaab-tsi rov rua koj; koj paab kuv es kuv paab koj.

QUO WARRANTO - A writ issuable by the state, through which it demands an individual show by what right he or she exercises authority which can only be exercised through a grant from the state or why he or she should not be removed from a state office.

Tsaab “qhaas-xaaj” kuam ib tug num-tswv lug qha has tas txuj cai kws nwg taug lug ua yaam nwg ua ntawd yog dlaab-tsi los-sis kuam nwg lug qha yog le caag nwg txhaj le tsi tsaug muab tshu tawm ntawm nug lub luag hauj-lwm.

RAP SHEET - A written summary of a person's criminal history.

Dlaim ntawv qha txug ib tug tuab-neej tej kev phem los-sis tsaug-txim taag lawm yaav taag lug.

RAPE - Unlawful intercourse with an individual without their consent.

Mos ua, mos aim.

RAPE, STATUTORY - See STATUTORY RAPE.

Txuj cai kws tsi pub ib tug tuab-neej aim lwm tug tuab-neej kws txuj cai tau txav lub noob-nyoog (pis-tsawg xyoo) txawm has tas tug tuab-neej ntawd yeem los tsi yeem, tso cai los tsi tso.

RATIFICATION - The confirmation or adoption of a previous act done either by the party himself or by another.

Kev lug leeg los-sis lug pum-zoo ua le nwg los-sis lwm tug tau has lawm.

RATIO DECIDENDI - The ground or reason of the decision in a case.

Cov cai los-sis cov tswv-yim kws yog le caag rooj plaub-ntug tau muab tu le ntawd.

RE - In the matter of; in the case of.

Txug; has txug.

REAL EVIDENCE - Evidence given to explain, repel, counteract, or disprove facts given in evidence by the adverse party.

Cov pov-thawj muaj muab lug has ib rooj plaub-ntug.

REAL PROPERTY - Land and buildings.

Laj-aav hab vaaj-tsev

REASONABLE DOUBT, BEYOND A - The degree of certainty required for a juror to legally find a criminal defendant guilty. An accused person is entitled to acquittal if, in the minds of the jury, his or her guilt has not been proved beyond a "reasonable doubt"; that state of mind of jurors in which they cannot say they feel a persisting conviction as to the truth of the charge.

Qhov kws cov kev-txij-laug yuav tsum paub meej nyob rua puab lub paaj-hlwb has tas yeej tsi muaj lwm yaam kws yuav ua puab ntseeg tsi tau has tas tug kws tsaug lam txhum rua cov plaub-ntug lam hov ntawd le lawm es yeej paub meej-meej has tas nwg yeej yog tug ua hab tug txhum.

REASONABLE PERSON - A phrase used to define a hypothetical person who exercises qualities of attention, knowledge, intelligence, and judgment that society requires of its members for the protection of his or her own interest and the interests of others. Thus, the test of negligence is based on either a failure to do something that a reasonable person, guided by considerations that ordinarily regulate conduct, would do, or on the doing of something that a reasonable and prudent (wise) person would not do.

Lub tswv-yim kws has tas yuav tsum ua raws le laj-mej-pej-xeem pum has tas ua los yog, ua los tau, los tsi tau, es txawm yog leej twg los yeej yuav tsum ua le ntawd xib yog nwg tau tsaug nyob rua tej kev ntxhuv-sab los-sis teeb-meem zoo le ntawd.

REBUTTAL - Evidence presented at trial by one party in order to overcome evidence introduced by another party.

Muab pov-thawj has moog tiv-thaiv, moog xub, los-sis moog teb cov lug los-sis cov pov-thawj kws lwm tog tau muab tawm lug has ib rooj plaub-ntug.

RECALL - Cancellation by a court of a warrant before its execution by the arrest of a defendant; also, a process by which a retired judge may be asked to sit on a particular case.

Txuj kev kws rov muab ib qhov "qhaas-xaaj" ("warrant") moog nteg ib tug tuab-neeg tshu tawm; los-sis yog ib txuj kev kws ib lub "xaam" thov kuam ib tug kws-tu-plaub-ntug kws nwg "retired" lawm rov lug paab xaam lug tu ib rooj plaub-ntug.

RECEIVING STOLEN PROPERTY – Offense of receiving any property with the knowledge that it has been feloniously, or unlawfully stolen, taken, extorted, obtained, embezzled, or disposed of.

Ib qhov plaub-ntug kws has tas yog ib tug tuab-neeg kws nwg paub meej has tas nwg muaj tej yaam khoom kws nwg los-sis lwm tug muab tau lug ntawm txuj kev tub-saab-tub-nyag tes nwg yuav tsaug-txim.

RECIDIVISM – The continued, habitual, or compulsive breaking the law after having been convicted of prior offenses.

Txuj kev kws ua taag los tseem ua dlua, tuab tsaug-txim lawm los tsi ca le es tseem ua dlua.

RECKLESS DRIVING – Operation of a motor vehicle that shows a reckless disregard of possible consequences and indifference of other’s rights.

Laam-taug laam-tsaav tshob tsi saib tom ntej tom qaab kws yuav muaj feem ua tsaug mob rua lwm tug.

RECLASSIFY - To change the jurisdiction of the case from Limited (up to \$25,000) to Unlimited (more than \$25,000) and vice versa.

Muab rooj plaub-ntug yau (“Limited”, tsi tshaaj \$25,000) hloov rua rooj “Unlimited”, tshaaj \$25,000) los-sis hloov rooj “Unlimited” lug ua rooj “Limited”.

RECOGNIZANCE – The practice which enables an accused awaiting trial to be released without posting any security other than a promise to appear before the court at the proper time. Failure to appear in court at the proper time is a separate crime.

Tso tug tsaug nteg nwg moog nwg tsi taag yuav ib yaam dlaab-tsi lug caas kuam nwg rov tuaj ntsib “xaam” le. Yog nwg tsi rov tuaj tes qhov ntawd nwg tseem txhum ib qhov plaub ntxiv hab.

RECORD – The official papers that make up a court case.

Taag ntsho cov ntaub-ntawv kws muaj nyob rua ib rooj plaub-ntug.

RECUSE – When you remove yourself or are removed from a criminal or civil proceeding because you have a conflict of interest. For example, a judge can recuse himself because someone in the case is a friend or business partner.

Txuj kev kws ib tug kws-tu-plaub-ntug tshu nwg tug kheej tawm ntawm ib rooj plaub-ntug vim has tas nwg muaj kev txheeb-ze rua qhov plaub-ntug los-sis cov tuab-neeg tuaj has rooj plaub-ntug ntawd.

REDACT - To adapt or edit for public record.

Muab tej cov lug sau rua tej dlaim ntaub-ntawv tshu/tua tawm los-sis muab hloov.

RE-DIRECT EXAMINATION – Opportunity to present rebuttal evidence after one’s evidence has been subjected to cross-examination.

Lub sib-hawm kws yug rov lug nug yug tug laav-thaam ntxiv.

REDRESS – To set right; to remedy; to compensate; to remove the causes of a grievance.

Lug khu los-sis lug txuav kuam cov plaub-ntug taag; lug khu kuam raws txuj cai; lug them nyaj-txhag kuam tog ntawd zoo sab.

REFEREE – A person appointed by the court to hear and make decisions on limited legal matters, like juvenile or traffic offenses.

Tug kws-tu-plaub-ntug.

REGULATION – A rule or order prescribed for management or government.

Cov kev cai lij-choj (“regulations”) kws qha has tas “laa-thaa-npaa” yuav ua nwg lub luag hauj-lwm zoo le caag.

REHEARING – Another hearing of a civil or criminal case by the same court in which the case was originally heard.

Rov lug tu rooj plaub-ntug los-sis lug khu cov lug sib-cov-nyom.

REINSTATED - To bring back to a previous condition. When bail that had been forfeited, exonerated, or reduced is reestablished in its original amount.

Rov lug rau lub txim rua vim has tas nwg tsi ua le tau has tseg.

REJOINDER – Opportunity for the side that opened the case to offer limited response to evidence presented during the REBUTTAL by the opposing side.

Lub sib-hawm kws tog xub-xub qheb rooj plaub-ntug los-sis xub-xub cev cov-lug-pov-thawj rov lug muab pov-thawj ntxiv tom qaab tog tod muab lug pov-thawj lug teb cov lug xub-xub has.

RELEVANT – Evidence that helps to prove a point or issue in a case.

Tsaug lub rab lug ntawm rooj plaub-ntug

RELINQUISHMENT – A forsaking, abandoning, renouncing, or giving over a right.

Tso tseg; tsuam tsi ua tuaj moog lawm.

REMAND – (1) When an appellate court sends a case to a lower court for further proceedings; (2) to return a prisoner to custody.

1) *Thaum kws lub “xaam” luj muab ib rooj plaub-ntug xaa rov moog rua lub “xaam” yau tu;* 2) *Muab ib tug tsaug-kaw-nkuaj lawm coj rov moog kaw-nkuaj.*

REMEDY – The means by which a right is enforced or the violation of a right is prevented, redressed or compensated.

Kev khu (nyob rua kev ua plaub-ntug).

REMITTITUR - The transfer of records of a case from a court of appeal to the original trial court for further action or other disposition as ordered by the appellate court.

Txuj kev kws lub “xaam” luj muab ib rooj plaub-ntug xaa rov moog rua lub “xaam” yau tu raws le lub “xaam” luj tau txav-txim.

REMOVAL – The transfer of a state case to federal court for trial; in civil cases, because the parties are from different states; in criminal and some civil cases, because there is a significant possibility that there could not be a fair trial in state court.

Txuj kev kws muab ib rooj plaub-ntug nyob huv ib lub “xaam”-xeev (“State Court”) tshu moog rua ib lub “xaam-Federal”.

REPLEVIN – An action for the recovery of a possession that has been wrongfully taken.

Txuj kev foob moog muab yug tej khoom kws lwm tug coj moog lawm rov lug.

REPLY – The response by a party to charges raised in a pleading by the other party.

Teb moog; teb cov lug foob moog rua tog foob.

REPORT – An official or formal statement of facts or proceedings.

Tsaab ntawv ua qha txug ib rooj plaub-ntug has tas rooj plaub-ntug has moog txug twg lawm, zoo le caag lawm.

RES - A thing; an object; a subject matter; or a status.

Ib yaam khoom; ib yaam dlaab-tsi; ib lub cev, pev-txiv le ib pob nyaj, ib dlaim teb los-sis laj-av.

RES IPSA LOQUITUR - Latin meaning "a thing that speaks for itself." In tort law, the doctrine which holds a defendant guilty of negligence without an actual showing that he or she was negligent.

Ib lub tswv-yim kws has tas tim koj xib vim has tas tsi muaj leej twg le lawm es tsi yog koj ua yog leej twg hab.

RES JUDICATA - A rule of civil law that once a matter has been litigated and final judgment has been rendered by the trial court, the matter cannot be relitigated by the parties in the same court, or any other trial court.

Txuj cai kws has tas yog ib rooj plaub-ntug tuab muab tu taag lawm es yog lwm tug los-sis ib tog tsi zoo sab es yuav foob hab lug has txug cov teeb-meem qub tes “xaam” yeej tsi pub has ntxiv lawm.

RESCUE DOCTRINE – Rescue doctrine is that one who has, through his negligence, endangered safety of another and may be held liable for injuries sustained by third person who attempts to save other from injury.

Txuj cai nuav has tas yog koj txav-txim moog paab ib tug tuab-neeeg lawm tes koj yuav tsum moog paab raws le koj ua tau tes koj tsi tsaug txim. Huab yog koj leeg moog los-sis pib moog paab ib tug tuab-neeeg es koj paab tsi zoo los-sis koj tso tseg lawm es koj tsi paab lawm es koj ua tau lwm tug tuab-neeeg kws yuav moog paab tso tseg tsi moog paab lawm hab tes yog tug tuab-neeeg kws koj yuav moog paab ntawd tsaug mob los-sis tuag tes tej zag koj yuav tsaug lub txim los-sis tsaug nplua.

RESPONDEAT SUPERIOR - "Let the master answer." The doctrine which holds that employers are responsible for the acts and omissions of their employees and agents, when done within the scope of the employees' duties.

Tug tswv los-sis cov “nais” yuav tsum tsaug leeg lub txim, cov teeb-meem los-sis cov plaub-ntug kws cov tuab-neeeg nwg ndlav lug ua hauj-lwm rua nwg kws tau tsaug plaub los-sis puab ua tau txhum plaub yog has tas puab ua raws le puab lub luag hauj-lwm.

RESPONDENT - If you are the person that answers the original Petition, you are the respondent. Even if you later file an action of your own in that case, you are still the respondent for as long as the case is open.

Tog teb; tug teb (ib cov lug foob).

REST - When a party in a case has presented all the evidence it intends to offer.

Su; has taag lawm es su tog tog tod xib.

RESTITUTION - Giving something back to its owner. Or, giving the owner something with the same value, like paying to fix his or her property.

Them tug tswv vim has tas yug tau ua nwg tej khoom los-sis vaaj-tsev puag; rov muab tug tswv cov khoom rov qaab rua nwg.

RESTITUTION HEARING: A hearing that may be requested to dispute the amount of restitution ordered by the court.

Lub “hearing” lug nruag saib tug txhum yuav tsaug lug them tug tswv tej khoom nwg muab ua puag npaum le caag.

RESTRAINING ORDER - A court order that tells a person to stop doing something for a certain amount of time, usually until a court hearing is held.

Qhov “qhaas-xaaj” lug ntawm “xaam” lug kuam ib tug tuab-neeeg tso tseg txhob ua tej yaam le nwg tau ua lawm es tog has rooj plaub-ntug taag tsuav.

RETAINER - Act of the client employing the attorney or counsel. Also, the fee the client pays when he or she retains the attorney to act for him or her.

Txuj kev ib tug tuab-neeeg moog dlav ib tug kws-lij-choj lug paab nwg los-sis lug cev lug rua nwg. Feem-ntau, tug dlav yuav tsum tau muab nyaj mvj-ntsiv moog them tug kws-lij-choj ua-ntej.

RETALIATION – Infliction upon someone in response to an injury that he/she has caused another.

Tig rov ua rua lwm tug vim has tas luas tau ua rua yug los yog tsaug yug lawm.

RETURN - A report to a judge by police on the implementation of an arrest or search warrant. Also, a report to a judge in reply to a subpoena, civil or criminal.

Tsaab ntawv tub-ceed-xwm ua qha rua tug kws-tu-plaub-ntug has tas nwg lub luag hauj-lwm kws moog nteg ib tug tuab-neeeg nua moog le caag los-sis txug twg lawm.

REUNIFICATION SERVICES – Services that help parents get their children back after they are taken away.

Kev paab rua cov nam-txiv moog muab puab cov miv-nyuas kws “xaam” tau muab faib hab cais lawm rov lug.

REVERSE - An action of a higher court in setting aside or revoking a lower court decision.

Hloov txuj kev txav-txim lawm, zoo-le tas lub “xaam” luj tsi pum le lub “xaam” yau tau txav-txim es lub “xaam” luj muab lub “xaam” yau qhov txav-txim tshu tawm los-sis tua moog.

REVERSIBLE ERROR - A procedural error during a trial or hearing sufficiently harmful to justify reversing the judgment of a lower court. (See PREJUDICIAL ERROR.)

Tej yaam kws tshwm-sim nyob huv ib rooj plaub-ntug kws ua tau tshaaj txuj cai lawm los-sis tsi yog txuj cai lawm es yuav tsum tau muab tshu tawm los-sis hloov.

REVOCABLE TRUST - A trust that the grantor may change or revoke.

Ib lub “trust” kws tug tswv tseem muab hloov los tseem tau los-sis muab tua moog los tseem tau.

REVOKE - To change or take back.

Tshu rov lug; hloov sab lawm.

RIGHTS, CONSTITUTIONAL - The rights of a person guaranteed by the state or federal constitutions.

Cov cai kws laj-mej-pej-xeem muab nyob lug ntawm cov lij-choj xeev los-sis federal (“state and federal constitutions”) lug.

RIOT – A public disturbance involving acts of violence by persons where three or more persons are gathered.

Kev tsoo vaaj tsoo tsev lug ntawm ib paab ib paug tuab-neeg tshaaj le peb tug tuab-neeg hov sau.

ROBBERY - The act of taking money, personal property, or any other article of value that is in the possession of another by means of force or fear.

Kev tub saab kws nyag khoom siv nrag phom lug “khoo” hab hem.

ROUT - Two or more persons, assembled and acting together, making any attempt or advance toward the commission of an act which would be a riot if actually committed.

Txuj kev kws ob tug rua peb tug tuab-neeg lug sib caum ua ib paab-pawg yuav lug tsoo vaaj-tsev kuas tsi tau tsoo.

RULE - An established standard, guide, or regulation.

Kev cai, lij-choj.

RULE OF COURT - An order made by a court having competent jurisdiction. Rules of court are either general or special; the former are the regulations by which the practice of the court is governed, the latter are special orders made in particular cases.

Cov kev cai lug ntawm “xaam” lug qha rua cov tuab-neeg tuaj tu plaub-ntug huv “xaam” yuav ua le caag txhaj-le ua ib rooj plaub-ntug moog zoo.

RULES OF EVIDENCE - Standards governing whether information can be admitted and considered in a civil or criminal case.

Cov kev cai lij-choj siv lug ua kev ncaaj-nceeg huv “xaam” thaum kws ob tog muab cov lug, ntaub-ntawv, los-sis laav thaam lug qha rua “xaam” los-sis cov kev-txij-laug noog.

SANCTION - A financial punishment meant to make someone obey the law. For example, a judge can order someone to pay for not following court orders.

Kev nplua vim has tas tsi ua le “xaam” “xaaj”

SATISFACTION OF JUDGMENT - Payment of a judgment amount by the losing party.

Them taag cov nuj nqe raws le “xaam” tu.

SEALING - The closure of court records to inspection, except to the parties.

Txuj kev kaw cov ntaub-ntawv ntawd ib rooj plaub-ntug tsi pub lwm tug pum.

SEARCH AND SEIZURE - A person or place is searched and evidence useful in the investigation and prosecution of a crime is taken. The search is conducted after an order is issued by a judge.

Tshawb los-sis ntshav khoom nteg tuab-neeg.

SEARCH WARRANT - An order that tells the police to search a specific place to find specific people or things. A judge can order a search warrant if there is probable cause.

Tsaab ntawv qhaas-xaaj lug ntawm ib lub xaam lug kuam ib tug tub-ceed-xwm moog tshawb-ntshav pov-thawj ntawm ib qhov chaw has txug ib rooj plaub-ntug.

SECURED DEBT - In bankruptcy proceedings, a debt is secured if the debtor gave the creditor a right to repossess the property or goods used as collateral.

Cov nuj nqe kws muaj tej yaam khoom lug ntaus tug nqe los-sis cov nuj nqe ntawd.

SELECTION AND IMPLEMENTATION HEARING: The hearing conducted post-reunification failure according to Welfare and Institutions Code Section 366.26, to decide whether to terminate parental rights and free the child for adoption, order a legal guardianship, or order permanent planned living arrangement.

Lub “hearing” kws rov lug nruag saib puas pub cov miv-nyuas rov moog nrug nam-txiv nyob lawm vim has tas tuab yeej pub cov miv-nyuas rua nam-txiv lawm tuab-sis qhov ntawd tsi ua hauj-lwm raws le xaav los-sis has tseg.

SELF-DEFENSE - Claim that an act was legally justifiable because it was necessary to protect a person or property from the threat or action of another.

Kev tiv-thaiv yug tug “kheej” thaum lwm tug lug ua phem los-sis tsim-txom yug.

SELF-INCRIMINATION - Acts or declarations by which one implicates oneself in a crime.

Tej yaam kws ib tug tau ua los-sis tau has kws ua nwg tsaug txim los-sis yuav ua nwg tsaug txim.

SELF-PROVING WILL - A will that is signed under penalty of perjury by two people who will not get anything from the will. You do not have to get an affidavit from the witnesses.

Tsaab ntawv kws ob tug tuab-neeeg leeg lug “xee” has tas ob tug yeej tsi yuav ib yaam khoom dlaab-tsi kws tug tuag lawm tau tso tseg rua ob tug.

SENTENCE - A judge's formal pronouncement of the punishment to be given to a person convicted of a crime.

Lub txim

SENTENCE REPORT - A document containing background material on a convicted person. It is prepared to guide the judge in the imposition of a sentence. Sometimes called a PRE-SENTENCE REPORT.

Tsaab ntawv kws sau lug qha rua ib tug kws-tu-plaub-ntug paub has txug tug tsaug-txim qhov “background” es tug kws-tu-plaub-ntug txhaj-le paub txav lub txim rua tug tsaug-txim ntawd.

SENTENCE, CONCURRENT - Two or more sentences of jail time to be served simultaneously.

Tsaug kaw-nkuaj ib zag rua ob peb lub txim.

SENTENCE, CONSECUTIVE - Two or more sentences of jail time to be served in sequence.

Yuav tsum tsaug kaw-nkuaj rua ob peb lub txim tuab-si, maag kaw rua ib lug txim taag tes le maam rov maam rov maag kaws rua lub txim ob.

SENTENCE, SUSPENDED - A sentence postponed in which the defendant is not required to serve time unless he or she commits another crime or violates a court-imposed condition.

Lub txim tsaug kaw-nkuaj muab tshu tawm lawm, tsi pub kaw ntxiv lawm.

SENTENCING - The hearing where the court determines a person's punishment.

Kev rau txim.

SEPARATE MAINTENANCE - Allowance ordered to be paid by one spouse to the other for support while the spouses are living apart, but not divorced.

Nyaj-txhag muab moog yug ib tug nam-txiv vim has tas ob tug tsi nyob ua ke lawm, tuab-sis tsi tau sib-nrauj.

SEPARATION - An arrangement where a husband and wife live apart from each other while remaining married either by mutual consent or by a judicial order.

Txuj kev ib nkawm nam-txiv sib-faib nam nyob nam, txiv nyob txiv, tuab-sis tseem tsi tau sib-nrauj, tseem ua ntaub-ntawv sib yuav ua ib nkawm nam-txiv.

SEQUESTRATION OF WITNESSES - Keeping all witnesses (except plaintiff and defendant) out of the courtroom except for their time on the stand, and cautioning them not to discuss their testimony with other witnesses. Also called separation of witnesses. This prevents a witness from being influenced by the testimony of a prior witness.

Txuj kev kws muab cov tuab-neeg ua laav-thaam cais, tsi pub sib-ntsib los-sis sib-txua lug ua-ke.

SERVE A SENTENCE - The act of spending an allotted amount of time in a designated location such as a prison as punishment for the crime committed.

Yuav tsum tsaug kaw-nkuaj vim has tas tsaug txim lawm.

SERVICE - When someone over 18 and not involved with your case gives the other party a copy of the court papers in person or by mail.

Txuj kev kws ib tug tuab-neeg tshaaj 18 xyoo xaa ntaub-ntawv moog rua tog plaub-ntug tom.

SERVICE OF PROCESS - The delivery of legal papers to the opposing party. The papers must be delivered by an adult aged 18 or older that is not involved in the case and that swears to the date and method of delivery to the recipient.

Txuj kev kws ib tug tuab-neeg tshaaj 18 xyoo xaa ntaub-ntawvmoog rua tog plaub-ntug tom. Tug tuab-neeg kws xaa cov ntaub-ntawv nuav mas yuav tsum lug tsaas teg leeg has tas nwg yeej tau xaa cov ntaub-ntawv moog txug tug ntawd lawm, nyob rua lub sib-hawm twg, hab tau xaa raws le caag moog.

SETTLEMENT: When both sides reach an agreement that solves the case before the judge or jury makes a decision.

Ob tog muaj kev hum-xeeb has txug cov nqai lug foob los-sis cov lug cov-nyom ntawm ib rooj plaub-ntug lawm es rooj plaub-ntug tsi taag has moog ntiv lawm.

SETTLOR - The person who sets up a trust. Also called the GRANTOR.

Tug tuab-neeeg kws nwg tshwm-sim tau ib lub “trust”.

SEVERANCE DAMAGES – Compensation, which may be recovered in the courts by any person who has suffered loss or detriment as a consequence of being cut off from something (i.e. employment).

Nyaj txhag kws them rua ib tug tuab-neeeg vim has tas nwg lub luag hauj-lwm tsaug muab tshu tawm lawm.

SEXUAL ABUSE / ASSAULT - Unlawful sexual contact with another person.

Kov lwm tug qhov chaw xis kws txuj cai yeej tsi pub.

SEXUAL BATTERY – The forced penetration of or contact with another’s sexual organs or the sexual organs of the perpetrator.

Kov lwm tug qhov chaw xis kws txuj cai yeej tsi pub.

SEXUAL HARASSMENT – Sexual words, conduct, or action (usually repeated and persistent) that, being directed at a specific person, annoys, alarms, or causes substantial emotional distress in that person and serves not legitimate purpose.

Tej kev ua nkauj-nraug kws ib tug tuab-neeeg ua rua lwm tug vim has tas nwg ntxub tug ntawd, nyam tug ntawd, los-sis lwm yaam zoo le ntawd, kws ua txhum tug tuab-neeeg ntawd hab txhum txuj kev cai.

SEXUAL MOLESTATION – Illegal sex acts performed against a minor by a parent, guardian, relative or acquaintance.

Kev mos-ua miv-nyuas, kov chaw-xis, los-sis lwm yaam zoo le ntawd tsi has lug ntawm ib tug nam-txiv los-sis txheeb-ze.

SEXUALLY VIOLENT PREDATOR - a person who has been convicted of a sexually violent offense against two or more victims and has a diagnosed mental disorder that makes him or her a danger to the health and safety of others.

Tug tuab-neeeg kws yeej tau tsaug txim vim has tas nwg tau mos-ua, kov lwm tug qhov chaw-xis ob peb zag lug lawm hab nwg yog ib tug tuab-neeeg kws muaj mob-nkeeg paa-j-hlwb lawm.

SHERIFF – Elected officer of a county whose job is to conserve peace within his or her territorial jurisdiction as well as aid in the criminal and civil court processes.

Tub ceev-xwm (nyob huv nroog “County”).

SHOPLIFTING – The willful taking and concealing of merchandise from a store or business with the intention of using the goods for one’s personal use without paying the purchase price.

Nyag khoom tom “taj-laj”.

SHOW CAUSE – A court order telling a person to appear in court and present any evidence why the orders requested by the other side should not be granted or executed.

Qhaas-xaaj lug ntawm xaam lug kuam ib tog moog qha rua xaam vim le caag xaam txhaj-le yuav tsi txav txim le tog tod tau thov.

SIDEBAR – A conference between the judge and lawyers, usually in the courtroom, out of hearing of the jury and spectators.

Kev saab-laaj ntawm tug kws-tu-plaub-ntug nrug ob tug kws-lij-choj tsi pub cov kev-txij-laug (“jury”) nov.

SLANDER – Defamation of a person's character or reputation through false or malicious oral statements. See DEFAMATION.

Tshuav ib tug tuab-neeeg lub koob lub npe.

SMALL CLAIMS COURT – A court that handles civil claims for \$5,000 or less. People often represent themselves rather than hire an attorney.

Lub “xaam” kws has cov plaub-ntug kws tug nqe tsi tshaaj \$5,000. Cov tuab-neeeg nyag cev lug rua nyag tug kheej xib tsi taag ndlav kws-lij-choj le.

SODOMY – Oral or anal copulation between humans, or between humans or animals.

Aim los-sis yaim qho-quav ntawm tuab neeg los yog tsaj.

SOLICITATION – Getting someone else to commit a crime.

Txag los-sis has kuam lwm tug moog ua ib qhov “crime” los-sis ua tej yaam tsi raws kev-cai lij-choj.

SOVEREIGN IMMUNITY - The doctrine that the government, state or federal, is exempt to lawsuit unless it gives its consent.

Txuj cai los-sis lub tswv-yim kws has tas laj-mej-pej-xeem foob tsi tau laa-thaa-npaa, “state” los-sis “federal”, yog nwg tsi tso cai los-sis pum-zoo.

SPECIAL CIRCUMSTANCE - Allegation that a case or charge warrants the death penalty.

Kev lam has tas yaam plaub-ntug nuav tseem-ceed los-sis phem heev kws lub txim mas yuav tsum yog muab tug txhum tua xib.

SPECIAL VERDICTS – A verdict that gives a written finding for each issue, leaving the application of the law to the judge.

Kev txav-txim lug ntawm cov kev-txij-laug muab sau lug qha ib nqais lug foob rua ib nqais lug foob moog zoo le caag tuab-sis tso tug kws-tu-plaub-ntug le maam lug txav-txim raws le txuj-cai tom kawg.

SPECIFIC INTENT CRIME - A crime which requires a specific mental state.

Cov “crime” kws tug ua yuav tsum muaj lub hom-phaj meej-meej lug ntawm nwg lub paaj hlwb lug.

SPECIFIC PERFORMANCE - A remedy requiring a person who has breached a contract to perform specifically what he or she has agreed to do. Ordered when damages would be inadequate compensation.

Ib txuj kev kws “xaam” lug yuam ib tug tuab-need ua le nwg tau cog lug tseg vim has tas yuam nwg them nyaj txhag los yeej tsi zoo, tsi ncaaj-nceeg le lawm.

SPEEDY TRIAL - The right of an accused to an immediate trial as guaranteed by the 6th Amendment of the United States Constitution.

Txuj cai kws ib tug tuab-need kws tsaug lam has tas nwg ua tau tej yaam txhum plaub los-sis tsi raws kev cai lij-choj lawm muaj nyob lug huv nqais lij-choj luj lug los-sis nyob huv “6th Amendment of the United States Constitution.”

SPENDTHRIFT TRUST - A trust that says that the beneficiary cannot give away or sell their part of the trust. This means that creditors cannot take money from the trust.

Ib lub “trust” kws tug “beneficiary” los-sis tug tau txais lub “trust” muab nwg qhov pov-tseg los-sis muag moog tsi tau. Qhov nuav yog ib qhov zoo vim has tas cov tuab-need kws tug “beneficiary” tiv nuj nqe rua tuaj muab los-sis yuam kuam nwg siv lub “trust” lug them nwg tej nuj nqe rua puab tsi tau.

SPOUSAL SUPPORT - Court-ordered support of a spouse or ex-spouse; also called "maintenance" or "alimony."

Nyaj txhag “xaam” “xaaj” moog kuam them moog yug ib tug nam-txiv tom qaab kws muaj kev sib nrauj ntawm ib nkawm nam-txiv.

SPOUSE/COHABITANT BEATING – See DOMESTIC VIOLENCE

Kev ntaus, tsim-txom yug tsev tuab-neeg.

STALKING – The act or an instance of following another by stealth; the offense of following or loitering near another, often surreptitiously, with the purpose of annoying or harassing that person or committing a further crime such as assault or battery.

Nyaag caum lwm tug moog hem los-sis ua kev phem rua tug ntawd.

STANDARD OF PROOF - There are essentially three standards of proof applicable in most court proceedings. In criminal cases, the offense must be proven BEYOND A REASONABLE DOUBT, the highest standard. In civil cases and neglect and dependency proceedings, the lowest standard applies by a mere PREPONDERANCE OF THE EVIDENCE, (more likely than not). In some civil cases, and in juvenile proceedings such as a permanent termination of parental rights, an intermediate standard applies, proof by CLEAR AND CONVINCING EVIDENCE.

Kev qha pov-thawj kws ib tog yuav tsum qha tau es nwg txhaj-le yuav muaj feem yeej nwg rooj plaub-ntug (muaj 3 yaam): 1) “BEYOND A REASONABLE DOUBT”: Tshaaj le kws tsi muaj lwm yaam kws lug ua yuav ntseeg tsi taug lawm. 2) “PREPONDERANCE OF THE EVIDENCE”: Tshaaj miv-nriv tog tod le los-sis yug cov pov-thawj yuav tsum muaj hab txaus ntseeg tshaaj le 51%. 3) “CLEAR AND CONVINCING”: Meej heev hab txaus ntseeg heev le lawm.

STANDING - The legal right to bring a lawsuit. Only a person with something at stake has the right to bring a lawsuit.

Txuj cai kws ibtug tuab-neeg muab es nwg txhaj-le koj tau ib rooj plaub-ntug tuaj rua ib lub “xaam” twg txav-txim. Rua yog tug tuab-neeg kws nwg muaj ib yaam kws yuav poob los-sis yuav tau (yuav yeej los-sis yuav swb) mas txhaj-le muaj txuj cai tuaj has ib rooj plaub-ntug.

STARE DECISIS - The doctrine that courts will follow principles of law established in previous cases. Similar to PRECEDENT.

Tug qauv; tej yaam cai kws tau taug yaav taag lug lawm kws yuav tsum tau siv lug ua ib tug qauv lug tu rooj plaub-ntug taam-sim nuav.

STATEMENT, CLOSING - The final statements by the attorneys to the jury or court summarizing the evidence that they have established and the evidence that the other side has failed to establish. Also known as CLOSING ARGUMENT.

Cov lug kawg ntawm ib rooj plaub-ntug kws ob tug yuav lug qha rua cov kev-txij-laug has tas tog twg txhaj-le yuav tsum yeej vim yog le ub le nuav los-sis tog tod yuav tsum swb vim has tas nwg cov pov-thawj tsi txaus los-sis tej yaam zoo le nuav.

STATEMENT, OPENING - Outline or summary of the nature of the case and of the anticipated proof presented by the attorney to the jury before any evidence is submitted. Also known as OPENING ARGUMENT.

Cov lug xub-xub thawj ntawm ib rooj plaub-ntug kws tug kws-lij-choj lug qha has tas rooj plaub-ntug yuav moog le caag los-sis yog vim le caag.

STATEMENT OF FACT - Any written or oral declaration of facts in a case.

Cov lug tseem-ceed kws siv lug tu ib rooj plaub-ntug.

STATUS OFFENDERS - Youths charged with being beyond the control of their legal guardian or who are habitually disobedient, truant from school, or have committed other acts that would not be a crime if committed by an adult. They are not delinquents, but are persons in need of supervision, minors in need of supervision, or children in need of supervision, depending on the state in which they live. Status offenders are placed under the supervision of the juvenile court. (See PERSON IN NEED OF SUPERVISION.)

Tub hluas txhais hluas kws tsi noog nam-txiv has le lawm, tsi moog kawm ntawv, tuab-sis tsi tau ua txhum plaub dlaab tsi. Cov tuab-neeg nuav tes yuav yog “xaam” lug saib-xyuas hab “khoo” lawm xib.

STATUTE - A law passed by Congress or a state legislature.

Lij-choj kws cov num-tswv xaiv tsaa tshwm-sim.

STATUTE OF LIMITATIONS - A law that says how much time you have to file a lawsuit after something happens.

Txuj cai kws qha has tas ib tug tuab-neeg muaj sib-hawm ntev npaum le caag lug foob lwm tug tuab-neeg.

STATUTORY - Relating to a statute; created, defined, or required by a statute.

Tej yaam kws kev cai lij-choj tshwm-sim los-sis qha muaj lug.

STATUTORY ACTIONS – Actions relating or conforming to, or created, defined, or required by a statute.

Tej yaam ua raws le txuj kev cai lij-choj tau qha kuam ua.

STATUTORY CONSTRUCTION - Process by which a court seeks to interpret the meaning and scope of legislation.

Txuj kev kws “xaam” lug nruag hab txav plaub-ntug raws le txuj kev cai lij-choj sau hab qha tseg.

STATUTORY LAW - Law enacted by the legislative branch of government, as distinguished from CASE LAW or COMMON LAW.

Lij-choj kws covnum-tswv xaiv tsa tshwm-sim.

STATUTORY RAPE - The unlawful sexual intercourse with a person under an age set by statute, regardless of whether they consent to the act.

Txuj cai kws tsi pub ib tug tuab-neeg aim lwm tug tuab-neeg kws txuj cai tau txav lub noob-nyoog (pig-tsawg xyoo) txawm has tas tug tuab-neeg ntawd yeem los tsi yeem, tso cai los tsi tso.

STAY - The act of stopping a judicial proceeding by order of the court.

Txuj kev kws “xaam” muab tej yaam kws “xaam” tau “xaaj” los-sis txav-txim kuam lwm tug ua lug tuav tog ca tsi txhob pub ua moog.

STAY OF EXECUTION - An order that prevents the execution of an action, e.g. the serving of a sentence. The stay may be granted on a motion by the defendant, or it may be ordered in accordance with statutory law, e.g. Calif. Penal Code Section 654.

Txuj kev kws “xaam” muab tej yaam kws “xaam” tau “xaaj” los-sis txav-txim kuam lwm tug ua lug tuav tog ca tsi txhob pub ua moog.

STIPULATE - To agree to something.

Sib cog lug lug ua ib yaam dlaab-tsi ua-ke.

STRICT LIABILITY - A concept applied by courts in product liability cases in which a seller is responsible for any and all defective or hazardous products which unduly threaten a consumer's personal safety.

Lub tswv-yim kws “xaam” siv lug txav-txim nyob rua cov “cases” los-sis plaub-ntug has txug tej yaam khoom tug tswv tshwm-sim tej yaam khoom ntawd lug rua tuab-neeg yuav los-sis siv es ua tsaug mob rua tug yuav cov khoom ntawd es yog cov tuab-neeg kws yuav cov khoom ntawd tsaug mob tim yog cov khoom ntawd tes tug tswv los-sis tug muag cov khoom ntawd yuav tsum txhum plaub xib.

STRICKEN EVIDENCE – Evidence that has been removed from the record.

Cov pov-thawj kws muab tshu tawm es tsi nyob huv cov “record” lawm.

STRIKE - (1) to delete or remove. (2) To dismiss an allegation before sentencing. (3) A serious violent felony prior conviction that is charged as a prior allegation, e.g. a second strike, or third strike.

1) Muab tua los-sis rhu tawm. 2) Muab ib nqais lug foob tshu tawm. 3) Tsaug ib zag txim luj, ob zag txim luj, peb zag txim luj.

SUA SPONTE - Used to describe when a judge does something without being asked to by either party. Latin meaning "of one's own will."

Tug kws-tu-plaub-ntug ua raws le nwg pum raws le txuj cai pub tsi taag ob tog thov kuam nwg lug ua le.

SUB CURIA - Latin meaning "under the law;" the holding of a case by a court under consideration, sometimes to await the filing of a document, such as a presentence investigation report or memorandum of law, or to write an opinion.

Lug tuav coj ntaub-ntawv ntawm ib rooj plaub-ntug tog ob tog muab tej yaam pov-thawj los-sis ntaub-ntawv tuaj ntxiv, tuaj txug ua-ntej “xaam” le maam txav-txim.

SUBMIT - To yield to the will of another.

Lug nyoo lwm tug los-sis lug muab rooj plaub-ntug rua tug kws-tu-plaub-ntug txav-txim.

SUBPOENA - An official order to go to court at a certain time. Subpoenas are commonly used to tell witnesses to come to court to testify in a trial.

“Qhaas-xaaj” lug ntawm “xaam” lug kuam cov tuab-neeeg ua laav-thaam tuaj cuag “xaam” raws le lub sib-hawm tau has tseg.

SUBPOENA DUCES TECUM - A court order to bring papers or records to court at a certain time.

“Qhaas-xaaj” lug ntawm “xaam” lug kuam ib tog muab cov ntaub-ntawv pov-thawj los-sis lwm yaam khoom pov-thawj rua lwm tog los-sis rua “xaam” txug lub sib-hawm hab qhov chaw tau sau nyob rua huv dlaim “qhaas-xaaj” ntawd.

SUBROGATION - To substitute one person for another in a legal claim.

Txuj kev kws ib tug tuab-neeg lug hloov lwm tug ntawm ib rooj plaub-ntug vim has tas tug ntawd tso nwg txuj cai tseg lawm es tsi taug lawm.

SUBSTANTIAL PERFORMANCE – Where a party has honestly and faithfully performed the essential and material portions of the contract and the only non-performance consists of technical or unimportant provisions.

Ua taag feem ntau raws le tau cog lug nyob rua huv ib dlaim “contract”. Tshuav tej yaam tsi tseem-ceed ua lawm xib.

SUBSTANTIVE LAW - The law dealing with rights, duties, and liabilities, as contrasted with PROCEDURAL LAW, which governs the technical aspects of enforcing civil or criminal laws.

Cov kev-cai lij-choj kws qha has tas ib tug tuab-neeg nwg muaj cai zoo hab npaum le caag, nwg lub luag hauj-lwm yog dlaab-tsi, hab yog nwg ua txhum ne nwg kev txhum yog dlaab-tsi. Qhov nuav tsi zoo le cov “PROCEDURAL LAW” kws qha txug tej kev ua plaub-ntug yuav ua le caag los-sis cov kev kws yuav ua le caag yug txhaj-le moog kuam tog swb them yug cov nuj-nqe rua yug.

SUCCESSION - The acquisition of title to the property of one who dies without disposing of it by will.

Txuj kev kws txuj cai qha has tas yuav faib ib tug tuag cov khoom nwg tau tso tseg yog yuav faib moog zoo le caag tom qaab nwg tuag lawm es nwg tsi tseg ntaub-ntawv los-sis dlaim “will” lug qha meej-meej has tas yuav muab nwg cov khoom faib le caag.

SUE - To commence legal proceedings for recovery of a right.

Foob.

SUIT - Any proceeding by one person or persons against another in a court of law.

Ib rooj plaub-ntug.

SUMMARY JUDGMENT - When the judge decides a case without going to trial. The decision is based on the papers filed by both sides.

Yog thaum kws tug kws-tug-plaub-ntug txav-txim ua ntej muab rooj plaub-ntug nthuav has. Nwg rua yog saib ob tog cov lug (cov cai) lug txav-txim xib, yeej tsi tau nov cov pov-thawj taag le.

SUMMONS - (1) A notice to a defendant that he or she has been sued or charged with a crime and is required to appear in court. (2) A jury *summons* requires the person receiving it to report for possible jury duty.

1) *Ib tsaab ntawv qha rua tug tsaug foob has tas muaj ib tug tuab-neeg foob nwg lawm es nwg yuav tsum tau tuaj ntsib “xaam”.* 2) *Ib dlaim “qhaas-xaaj” kws qha rua ib tug pej-xeem has tas tej zag nwg yuav tau moog ua ib tug txij-laug lug noog hab tu ib rooj plaub-ntug.*

SUPERSEDEAS - A writ issued by an appellate court to preserve the status quo pending review of a judgment, or pending other exercise of its jurisdiction.

Ib qhov “qhaa xaaj” lug ntawm lub “xaam” sab lug kuam yuav le qhov qub es tog saib lub “xaam” sab ntawm lug nruag qhov txav-txim huv lub “xaam” yau yog los tsi yog los-sis saib lub “xaam” sab nuav yuav txav-txim moog le caag tsuav.

SUPPORT TRUST - A trust that instructs the trustee to spend only as much income and principal (the assets held in the trust) as needed for the beneficiary's support.

Lub “trust” kws qha kuam tug “trustee” muab cov nyaj txag huv lub “trust” faib moog yug los-sis paab rua tug “beneficiary”.

SUPPRESS - To stop or put an end to someone's activities. See also EXCLUSIONARY RULE.

Muab na tseg tsi pub tshwm, tsi pub ua ntxiv lawm.

SUPPRESSION HEARING - A hearing on a criminal defendant's motion to prohibit the prosecutor's use of evidence alleged to have been obtained in violation of the defendant's rights. This hearing is held outside of the presence of the jury, either prior to or at trial. The judge must rule as a matter of law on the motion.

Lub “hearing” lug nruag saib cov pov-thawj twg kws cov tub ceev-xwm muab tau lug txhaj-le yuav siv tau lug has ib rooj plaub-ntug vim has tas tej cov pov-thawj tej zag muab tau lug vim has tas cov tub-ceed-xeem ua txhum tug tsaug foob cov cai lawm. Lub “hearing” nuav tsi pub cov txij-laug nov los-sis pum le.

SURETY BOND An insurance policy taken out by a defendant with a national insurance company in which the insurer agrees to pay the court the amount of bail required for the defendant's release if the defendant fails to come to court when he or she is supposed to. Often called a *fidelity bond*.

Cov “insurance” kws ib tug tsaug foob yuav lug caa rua “xaam” kuam “xaam” xob muab nwg kaw-nkuaj es nwg yeej yuav rov tuaj ntsib “xaam” xib es yog nwg tsi rov tuaj tes lub “insurance” ntawd yuav tsum tau muab cov nyaj nuav them rua “xaam”.

SURVIVORSHIP - Another name for JOINT TENANCY.

Lub tswv-yim kws has tas yog ntawm ib khub tuab-neeg los-sis ib nkawm nam-txiv es muaj ib tug tuag lawm tes tug caj tau taag nrho thooj aav ob leeg tau yuav ua-ke los-sis tso ua ob lub npe tuab-sis thaum ob tug ob leeg tseem muaj neej nyob ua-ke.

SUSPEND - To postpone, stay, or withhold certain conditions of a judicial sentence for a temporary period of time.

Muab hloov moog lwm lub sib-hawm, muab tso tseg, muab tshu tawm rua lwm lub sib-hawm.

SUSTAIN- To maintain, to affirm, to approve.

Lug leeg has tas yog lawm, lug ceeb toom has tas muaj le, lug leeg has tas yeem le has lawm.

SWEAR - To put to oath and declare as truth.

Tsaa teg taw ntuj lug leeg has tas nwg cov lug yeej yog cov tseeb cov yog xib.

TANGIBLE - Capable of being perceived, especially by the sense of touch.

Tej yaam kws ib tug tuab-neeg pum hab kov tau.

TANGIBLE PERSONAL PROPERTY MEMORANDUM (TPPM) - A legal document referred to in a will and used to guide the distribution of personal property that you can move or touch. For example, furniture, computers, jewelry, and artwork.

Tsaab ntawv faib cov khoom kws pum hab kov tau, pev-txiv le, rooj-nyob, computers hab nyaj hab kub.

TAXATION OF COSTS - The process of ascertaining and charging up the amount of costs in an action to which a party is legally entitled, or which are legally chargeable. Adjustment; fixing the amount.

Txuj kev kws ob tug lug “laj” cov nuj-nqe siv lug has ib rooj plaub-ntug kws tog tod yuav tsum tau them.

TEMPORARY RELIEF - Any form of action by a court granting one of the parties an order to protect its interest pending further action by the court.

Kev paab taam-sim nuav xib es yuav tsum tog rooj plaub-ntug has meej ruav.

TEMPORARY RESTRAINING ORDER (TRO)- A court order that says a person must not do certain things that are likely to cause harm that can't be fixed.

Qhov qhaas-xaaj kuam ib tug tuab-neeeg xob ua tej yaam kws yuav ua rua lwm tug tsaug mov kws yuav lug khu los-sis cawm tsi tau lawm.

TENANCY - An interest in real estate which passes to the tenant.

Vaaj-tsev, chaw nyob

TESTAMENT - A will disposing of personal property. (See WILL.)

Tsaab ntawv kws ib tug tuab-neeeg sau tseg ca lug faib nwg tej khoom (tsi yog laj-aav) thaum nwg tuag lawm.

TESTAMENTARY CAPACITY - The legal ability to make a will. To write a will, a person has to be at least 18 years old; know what property he or she owns; and know who he wants to give the property to.

Txuj cai kws has tas ib tug tuab-neeeg kws yuav sau ib dlaim “will” mas yuav tsum puv 18 xyoo lawm, paub cov khoom los-sis laj-aav kws nwg yog tug tswv, hab paub tug tuab-neeeg kws nwg yuav muab cov khoom, laj-aav rua.

TESTAMENTARY DISPOSITION - A disposition of property by way of gift, which is not to take effect unless the grantor dies or until that event.

Kev faib khoom-plig raws le ib tug tau sau tseg tom qaab nwg tuag dlau lawm.

TESTAMENTARY GUARDIAN - A guardian appointed by the last will of a father for the person and real and personal estate of his child until the child reaches full age.

Tug tuab-neeeg kws ib leej txiv, ua-ntej nwg tuag lawm, tau xaiv lug saib-xyuas los-sis yug nwg cov miv-nyuas kuam puab muaj noob-nyoog tsuav es le maam tso puab moog ua puab lub neej.

TESTAMENTARY TRUST - A trust created in a will. The trust does not exist until the person dies.

Lub “trust” kws ib dlaim “will” ua. Lub “trust” nuav tsi tau tshwm-sim ua-ntej tug sau dlaim will ntawd tuag.

TESTAMENTARY TRUSTEE - A person appointed to carry out a trust created by a will.

Tug tuab-neeeg kws lug tuav lub “trust” kws dlaim “will” ua tau.

TESTATE - One who has died leaving a will or one who has made a will.

Tug tuab-neeeg kws muaj ib dlaim “will”.

TESTATOR - Male person who makes a will (female: *testatrix*).

Tug txiv-neej kws ua ib dlaim “will”.

TESTATRIX - Female person who makes a will (male: *testator*).

Tug qhuas-puj kws ua ib dlaim “will”.

TESTIFY - To give evidence under oath as a witness in a court proceeding.

Tsaa teg lug has lug ua ib tug laav thaam nyob rua huv ib rooj plaub-ntug.

TESTIMONY - Oral evidence at a trial or deposition.

Yaam kws ib tug tuab-neej lug has lug los-sis muab pov-thawj nyob huv ib rooj plaub-ntug.

THEFT - The act of stealing or the taking of property without the owner's consent.

Nyag khoom.

THIRD-PARTY - A person, business, or government agency not actively involved in a legal proceeding, agreement, or transaction.

Lwm tug tuab-neej tsi nyob rooj plaub-ntug; tog peb.

THIRD-PARTY CLAIM - An action by the defendant that brings a third party into a lawsuit.

Tug tsaug foob txuj kev foob kws nwg moog coj lwm tug tuab-neej lug rua huv ib rooj plaub-ntug.

THREE STRIKES LAW – Law that subjects person convicted of felony who has two or more prior serious or violent felonies to a life term in prison.

Txuj kev-cai lij-choj kws has tas yog ib tug tuab-neej twg kws tsaug tsau-txim peb zaag rua cov txim luj tes nwg lub txim yuav tsum yog tsaug kaw nkuaj moog taag ib sim-neej.

TIME SERVED - A sentence given by the court to a convicted criminal equal to the amount of time that the criminal was incarcerated during the trial.

Lub txim kws npaum le nwg lub sib-hawm nwg nyob nkuaj tog lug tu nwg rooj plaub. Yog muaj le nuav lawm nuav tes nwg tsi tsaug kaw-kuaj ntxiv lawm.

TIME WAIVER - When you give up the right to have a certain phase of the legal process take place within the normally specified amount of time.

Thaum kws yug muab yug txuj cai tso tseg los-sis yug kaam lug has ib rooj plaub-ntug tom qaab lub sib-hawm lug has yug rooj plaub dlau lawm.

TITLE - Ownership or evidence of ownership of land or other property.

Dlaim ntawv kws qha has tas yug yog tug tswv ntawm dlaim aav ntawd.

TORT - When a person is hurt because someone did not do what he or she was supposed to do. . The most common tort action is a suit for damages as a result of an automobile accident. See EX DELICTO.

Txuj kev kws ib tug tuab-neeg tsaug mob vim has tas lwm tug ua tsi raws txuj cai.

TORTURE – To inflict intense pain to body or mind for purposes of punishment, or to extract a confession or information, or for sadistic pleasure.

Tsim-txom.

TRANSACTIONAL MALPRACTICE – Professional misconduct, unreasonable lack of skill in professional duties, or illegal or immoral conduct in regards to an act of transacting or conducting any business.

Ua laag-luam tsi raws le txuj cai.

TRANSCRIPT -A record of everything that is said in a hearing or trial.

Dlaim ntawv kws kaw txhua-txhua yaam los-sis taag nrho cov lug kws tau has nyob huv ib rooj plaub-ntug.

TRANSFERRED INTENT – Doctrine under which original malice is transferred from one against whom it was entertained to person who actually suffers consequence of unlawful act. When one attempts to kill a certain person, but by mistake or inadvertence kills a different person, the crime, if any, so committed is the same as though the person originally intended to be killed, had been killed.

Txuj kev cai kws has tas yog ib tug tuab-neeg txhob-txim ua lim-ham rua lwm tug tuab-neeg kuas tsi tsaug tug tuab-neeg ntawd es moog tsaug lwm tug lawm mas txawm has tas nwg yeej tsi ua rua tug tuab-neeg thib peb ntawd los nwg yuav tsum maag lub txim vim has tas nwg yeej txhob-txim lug ua phem.

TRANSITORY - Actions that might have taken place anywhere.

Plaub-ntug kws yuav tshwm-sim qhov chaw twg los tau.

TRAVERSE – In common law pleading, a denial. Where a defendant denies any material allegation of fact in the plaintiff's declaration.

Txuj kev tsi leeg cov lug foob.

TRESPASSING - Unlawful interference with one's person, property and rights.

Hlaa moog los-sis kaag moog tsuj lwm tug tej vaaj-tsev tsev txuj cai tsi pub los-sis tug tswv tsi tau tso cai.

TRIAL - A court process in which the issues of fact and law are heard and decided according to legal procedures so a judicial officer or jury can make a decision.

Lub rooj plaub-ntug.

TRIAL DE NOVO - A new trial or retrial held in an appellate court in which the whole case is heard as if no trial had been heard in the lower court or administrative agency.

Rooj plaub-ntug tshab los-sis rov lug pib has rooj plaub-ntug tom hauv paug tuaj le.

TRIAL COURT - The first court to consider a case, generally the superior court. Compare APPELLATE COURT).

Lub xaam kws xub-xub pib lug has rooj plaub-ntug.

TRIAL, COURT (BENCH) - A trial where the jury is waived and the case is seen before the judge alone.

Rooj plaub-ntug kws tug kws-tu-plaub-ntug lug txav txim xib es tsi muaj cov kev-txij-laug (“jury”).

TRIAL, SPEEDY - The Sixth Amendment of the Constitution guarantees the accused to an immediate trial in accordance with prevailing rules, regulations and proceedings of law.

Txuj kev-cai lij-choj luj hu ua “Sixth Amendment” huv dlaim “Constitution” kws has tas ib rooj plaub-ntug mas yuav tsum muab lug has sai le sai tau raws le txuj cai.

TRIAL STATUS/SETTING CONFERENCE - See PRETRIAL SENTENCE.

Lub sib-hawm ob tog lug nrug xaam saab-laaj saib cov kev cov-nyom los-sis rooj plaub-ntug yuav moog le caag.

TRIER OF FACT – Term includes the jury or the judge in a jury-waived trial, who have the obligation to make finding of fact rather than rulings of law.

Cov kev-txij-laug los-sis tug kws-tu-plaub-ntug kws lug nruag saib cov lug twg txhaj yog cov tag-tag los-sis cov txaus ntseeg tag-tag.

TRO – See TEMPORARY RESTRAINING ORDER.

Saib lu “Temporary Restraining Order”.

TROMBETTA MOTION - A motion to suppress evidence for failure to preserve the same.

Txuj kev lug thov xaam lug muab cov pov-thawj khaws zoo-zoo ca vim has tas cov pov-thawj yeej tsi tau muab khaws ca le.

TRUE BILL – The endorsement made by a grand jury on a bill of indictment when it finds sufficient evidence for trial on the charge alleged.

Thaum kws cov kev-txij-laug lug has tas yeej muaj pov-thawj txaus lug muab tug tuab-neeg ntawd nteg moog kaw kuaj coj lug has plaub.

TRUE FINDING – The juvenile court equivalent of a guilty verdict.

Lu-lug kws has tas ib tug miv-nyuas yau yeej txhum los-sis tsaug lub txim ntawd tag-tag lawm. Lu-lug nuav siv rua huv lub xaam has plaub-ntug miv-nyuas yau xib.

TRUE TEST COPY – A copy of a court document given under the clerk’s seal, but not certified.

Dlaim “copy” kws tug “clerk” muab luam lug.

TRUST – A legal device used to manage real or personal property, established by one person (the *GRANTOR* or *SETTLOR*) for the benefit of another (the *BENEFICIARY*). A third person (the *TRUSTEE*) or the grantor manages the trust. In Traffic – Trust is an account into which bail is posted to insure appearance or compliance until the case is settled.

Ib txuj kev txuj cai pub tshwm-sim lug tuav ib tug tuab-neeg cov laj-aav los-sis khoom kws yuav muab faib los-sis siv lug rua lwm tug tuab-neeg.

TRUST AGREEMENT OR DECLARATION – The legal document that sets up a trust.

Tsaab ntawv kws tshwm-sim tau lub “trust”.

TRUSTEE – The person or institution that manages the property put in trust.

Tug tuab-neeeg los-sis lub koos-hum kws lug tuav lub “trust”.

TURNCOAT WITNESS – A witness whose testimony was expected to be favorable, but who later becomes an adverse witness.

Tug tuab-neeeg kws ua laav thaam paab rua ib tog tuab-sis nwg hloov sab lawm es nwg lug has tau cov lug zoo rua tog tod lawm.

UNCONSCIONABILITY – An absence of meaningful choice on the part of one of the parties to a contract, and contract terms which are unreasonably favorable to the other party.

Kev sib cog-lug kws tsi ncaaj-nceeg vim ib tog muj zug dlua lwm tog es tog tsi muaj zug yeej tsi tau qhov contract zoo cuag le tog muaj zug.

UNCONSTITUTIONAL - That which is contrary to or in conflict with the federal or state constitutions.

Ua tsi raws le dlaim lij-choj luj “Constitution” tau has tseg.

UNDERCOVER - A person participating in a secret investigation in order to acquire information about the crime without the other party realizing their identity.

Ib tug tuab-neeeg kws “poos” moog tshawb-ntshav cov pov-thawj txug tej yaam “crime” los-sis plaub-ntug tsi pub tuab-neeeg paub tas nwg yog leej twg los-sis ua dlaab-tsi tag-tag.

UNDERTAKING - A promise given during legal proceedings by a party or his attorney, usually as a condition of getting some concession from the court or third party.

Ib cov lug-cog ntawm ob tog has tas yog tog nuav ua ib yaam twg rua tog tod tes tog tod yuav tsum ua ib yaam dlaab-tsi lug pauv.

UNDUE INFLUENCE - When someone pressures the person making a will (called testator) to include or leave out people or things from his or her will. This can be a reason to challenge a will.

Txuj kev lug yuam ib tug tuab-neeeg lug ua ib yaam dlaab-tsi rua yug los-sis lwm tug.

UNDER THE INFLUENCE – Any abnormal mental or physical condition which is the result of indulging in any degree in intoxicating liquors, and which tends to deprive one of that clearness of intellect and control of himself which he would otherwise possess.

Tsi meej-pem lawm vim has tas tau hau yeeb, hau dlej haus cawv, los-sis noj tshuaj ntau dlau lawm.

UNEMPLOYMENT - State or condition of not being employed.

Kev poob hawj-lwm lawm.

UNILATERAL - One-sided, or having a relation to only one of two or more persons or things.

Ib tog xib.

UNJUST ENRICHMENT, DOCTRINE OF - The principle that one person should not be permitted to unjustly enrich himself at the expense of another, but should be required to make restitution for the property or benefit received.

Lub tswv-yim kws has tas txawm yog ib tug tuab-neeeg tau ua yoom-kev es tau ua ib yaam kws zoo rua lwm tug los-sis ua tau tej yaam kws muaj nqe rua lwm tug lawm tes tug kws tau txais qhov zoo ntawd yuav tsum tau them los-sis ua tej yaam dlaab-tsi zoo rov lug pub rua tug ntawd kuam nwg xob poob nwg lub dlaag-zug dlawb-dlawb xib.

UNLAWFUL ASSEMBLY – At common law, the meeting together of three or more persons, to the disturbance of the public peace, and with the intention of forcible and violent execution of some unlawful private enterprise.

Kev saab-laaj kws muaj tshaaj le peb tug tuab-neeeg kws yuav lug tawm tswv-yim los-sis ua kev phem tsi raws txuj kev-cai lij-choij rua lwm tug los-sis lwm paab.

UNLAWFUL DETAINER - The eviction papers (Summons and Complaint) that a landlord gives a tenant.

Txuj kev ua ntaub-ntawv lug muab cov tuab-neeeg “xob” tsev tshu los-sis ncaws ntawm vim has tas puab tsi them nqe tsev los-sis puab ua kev phem rua tug tswv lub tsev.

UNRUH CIVIL RIGHTS ACT – This law provides protection from discrimination by all business establishments in California, including housing and public accommodations, because of age, ancestry, color, disability, national origin, race, religion, sex, or sexual orientation.

Txuj kev-cai lij-choj kws lug tiv-thaiv txuj kev cov laag-luam “housing” nyob huv xeev California kws ua kev phem, kev tsi ncaaj-nceeg, sib-cais (discriminate) vim yug lub noob-nyoog, yug caaj-cheg, yug dlaim tawv, yug kev “siam-oos-qhab”, yug kev ntseeg, txuj kev ua quas puj los-sis quas yawg, los-sis yug txuj kev nyam nrug tuab-neeeg pw (“sexual orientation”).

UNSECURED - In bankruptcy proceedings, for the purposes of filing a claim, a claim is unsecured if there is no collateral, or to the extent the value of collateral is less than the amount of the debt.

Cov nuj-nqe kws tsi muaj dlaab-tsi lug ua peev le.

USURY- Charging a higher interest rate or higher fees than the law allows.

Lug “charge” cov “interest” los-sis cov “duaj-npiab” sab tshaaj dlua le txuj cai pub.

UTTER -- To use or to attempt to use a check, draft, or order to either (1) assert that it is genuine, or (2) represent to another person that it is genuine.

Lug has los-sis qha rua lwm tug has tas dlaim “check” yog dlaim tag-tag.

VACATE – To render an act void; to set aside.

Tshu tawm.

VAGRANCY – The state or manner of living by wandering from place to place without a home, job, or means of support.

Txuj kev kws tsi muaj vaaj-tsev nyob es moog nyob qhov ub qhov nua, pev-txiv le moog nyob ntsaag qaab choj, nyob hab pw tom “park”, los-sis tej yaam le ntawd.

VANDALISM – Willful or malicious acts that are intended to damage or destroy public or private property.

Txuj kev txhob-txim tsoo lwm tug tuab-nee lub vaam-tsev, tsheb los-sis lwm yaam khoom rua kuam puag, pluj moog.

VEHICULAR HOMICIDE – Caused by the illegal operation of a motor vehicle. Both intentional conduct and negligence maybe the basis for such charge though statutes vary from state to state as to the elements of the crime.

Tuab-nee tuag lug ntawm lwm tug txuj kev tsaav tsheb tsi zoo los-sis tsi raws le txuj cai pub.

VENIRE - Describes the whole group of people called for jury duty from which the jurors are selected. Latin meaning "to come."

Taag nrho cov txij-laug hu tuaj es xam le maam xaiv 12 tug lug ua ib paab kev-txij-laug (“jury”) lug tu ib rooj plaub-ntug.

VENUE – The court where you can file your action.

Qhov chaw los-sis lub xaam kws ua rooj plaub-ntug.

VERDICT – A jury's or a judge's final decision.

Cov kev-txij-laug los-sis tug kws-tu-plaub-ntug qhov txav-txim tom kawg.

VERIFICATION: An oral or written statement, usually made under oath, saying that something is true.

Lug has los-sis sau has tas yeej muaj le tau has los-sis tau sau ntawd.

VEXATIOUS LITIGANT: A person shown to repeatedly file legal actions that have little or no merit.

Tug tuab-neeeg kws nyam ua plaub-ntug heev, rua yog yos kev foob tug ub tug nua xib.

VICARIOUS RESPONSIBILITY – Acting or serving in place of someone or something else.

Ua lwm tug lub luag hauj-lwm.

VICTIM – A person who is the object of a crime or civil wrongdoing.

Tug tuab-neeeg kws tau txais kev mob kev nkeeg, tau tsaug lwm tug ua kev phem rua, los-sis tau txais kev tsim-txom.

VICTIM IMPACT STATEMENT – A statement during sentencing which informs the judge of the impact of the crime on the victim or the victim's family.

Tug “victim” tog cov lug lug has qha rua tug kws-tu-plaub-ntug has tas txij thaum qhov plaub-ntug nuav lug tug “victim” hab nwg tsev tuab-neeeg lub neej txawv-txaav moog npaum le caag lawm; cov lug txhob-txim has moog kuam xaam muab lub txim luj tshaaj plawg le txuj cai pub rua tug txhum ntawd.

VIOLATION – A breach of a right, duty, or law.

Ua txhum txuj cai, txuj lij-choj, los-sis yug lub luag hauj-lwm.

VIOLATION OF PROBATION - A new allegation against a defendant for non-compliance with a previous probation condition related to a criminal sentence.

Ua txhum los-sis tsi moog le yug qhov “probation” los-sis yug lub txim.

VISITATION – Times when the parent who does not have custody is with the children and is responsible for them.

Sib-hawm pub moog saib los-sis ntsib yug tug miv-nyuas.

VOIR DIRE - The process of questioning potential jurors to choose the people who will decide a case. Latin meaning "to speak the truth."

Txuj kev lug “xaam-phaj” los-sis lug nug cov txij-laug (“jurors”) es yug txhaj-le paub xaiv nwg lug nyob huv paab kev-txij-laug kws lug tu rooj plaub-ntug ntawd.

VOLUNTARY ARRAIGNMENT LETTER – A notice sent by the District Attorney to a defendant indicating date, time and department for appearance in court on newly filed charges for which there is no signed promise to appear.

Tsaab ntawv ceeb-toom tuaj tom tug “District Attorney” tuaj qha txug nub twg, lub sib-hawm twg hab chaav twg rua tug tsaug-txim rov tuaj ntsib xaam vim has tas muaj lug foob ntxiv lawm.

VOLUNTARY MANSLAUGHTER – Committed voluntarily during a heated moment; for example, during a sudden quarrel, two persons fight, and one of them kills the other.

Tua tuab-neej tuag vim has tas lub sab kub hab npau heev le.

VOLUNTARY UNDERTAKINGS – An act unconstrained by interference; spontaneous; or of oneself.

Yug yeej yeem ua, tsi muaj leej twg yuam kuam yug ua.

WAIVE (RIGHTS) – To give up a legal right voluntarily, intentionally, and with full knowledge of the consequences.

Muab yug txuj cai tso tseg; tsi taug txuj cai kws yug yeej paub meej has tas yug muaj.

WAIVER AND ESTOPPEL – Voluntary surrender of some known right, benefit, or advantage.

(Waiver) has muab yug txuj cai tso tseg; tsi taug txuj cai kws yug yeej paub meej has tas yug muaj. (Estoppel) has tas yog yug tuab “waive” los-sis tsi taug yug txuj cai lawm tes lwm zag tsi pub yug rov lug siv txuj cai ntawm lawm.

WAIVER OF IMMUNITY – A means authorized by statute by which a witness, before testifying or producing evidence, may relinquish the right to refuse to testify against

himself or herself, making it possible for his or her testimony to be used against him or her in future proceedings.

Txuj kev kws lij-choj pub rua ib tug tuab-neeg kws nwg lug tso tau nwg txuj kev tsi pub tsaug foob tseg es yog nwg tseem lug has lug ntxiv los-sis lug cev lug ua ib tug laav-thaam tes laa-thaa-npaa yeej muaj txuj cai lug muab nwg rau-txim thaum twg nwg tau ua tej yaam tsi raws kev cai lij-choj.

WARD - A minor who is under the care and control of the court instead of the parents.

Ib tug miv-nyuas tsi tau puv 18 xyoo kws tsaug xaam lug saib-xyuas los-sis “khoo”.

WARD OF THE COURT – A person under the age of 18 when he/she violates a criminal law or ordinance. The minor is under the care and supervision of the court.

Ib tug miv-nyuas tsi tau puv 18 xyoo kws tsaug xaam lug saib-xyuas los-sis “khoo”.

WARRANT – A court order telling an officer to do something.

Tsaab ntawv qhaas-xaaj lug ntawm ib lub xaam lug kuam ib tug tub-ceev-xwm moog ua ib yaam dlaab-tsi, pev-txiv le tas moog nteg ib tug tuab-neeg ua txhum txuj kev cai lij-choj.

WARRANT, ARREST – Commands a peace officer to arrest and bring before the court the person accused of an offense for purpose of commencing legal action.

Tsaab ntawv qhaas-xaaj lug ntawm ib lub xaam lug kuam ib tug tub-ceev-xwm moog nteg ib tug tuab-neeg ua txhum txuj kev cai lij-choj.

WARRANT, SEARCH – A written order directing a law enforcement officer to conduct a search of a specified place and to seize any evidence directly related to the criminal offense.

Tsaab ntawv qhaas-xaaj lug ntawm ib lub xaam lug kuam ib tug tub-ceev-xwm moog tshawb-ntshav pov-thawj ntawm ib qhov chaw has txug ib rooj plaub-ntug.

WEAPON – An instrument used or designed to be used to threaten, injure or kill someone.

Tej yaam khoom siv ua rag-phom lug hem, ua-kev mob kev nkeeg los-sis lug tua ib tug tuab-neeg.

WEAPON, CONCEALED – A weapon that is carried by a person, but that is not visible by ordinary observation.

Tej yaam rag-phom kws muab zais lawm.

WEAPON, DEADLY – A weapon, device, instrument, material or substance, whether animate or inanimate, which if used as it is used or intended to be used is known to be capable of producing death or serious bodily injury.

Tej yaam rag-phom kws yog siv tes yuav ua tau tuab-neeg tuag.

WEIGHT OF THE EVIDENCE – The persuasiveness of certain evidence when compared with other evidence that is presented.

Kev txaus ntseeg ntawm ib cov pov-thawj.

WHEELER MOTION - A motion to dismiss a jury panel due to the prosecution's exclusion of a particular class of people (i.e. black jurors, women, etc.).

Ib txuj kev thov kuam xaam muab ib cov kev-txij-laug (jury panel) tshu tawm vim has laa-thaa-npaa tog tau cais ib haiv tuab-neeg lug ua ib tug txij-laug lug noog hab tu rooj plaub-ntug ntawd.

WILL – A legal paper that says what a person wants to happen to his or her personal property after the person dies. A will can be changed or cancelled at any time before a person dies. (See TESTAMENT.)

Tsaab ntawv kws lug qha has tas ib tug tuab-neeg cov khoom, laj-aav, yuav muab rua leej twg thaum nwg puv 120 xyoo (tuag) lawm.

WILLFUL – A “willful” act is one done intentionally, as distinguished from an act done carelessly or inadvertently.

Txhob-txim ua.

WITH PREJUDICE – Applied to orders of judgment dismissing a case, meaning that the plaintiff is forever barred from bringing a lawsuit on the same claim or cause.

Tsi pub rooj plaub-ntug los-sis cov lug foob ntawd tshwm-sim lug ua plaub-ntug ntxiv le lawm vim has xaam yeej tsi nruug has le lawm.

WITHOUT PREJUDICE – When rights or privileges are not waived or lost. If your case is dismissed without prejudice it means that there can be a new case about the same thing.

Tseem pub ib tog plaub-ntug los-sis cov lug-foob koj rov lug has tau rua huv xaam txawm has tas xaam tuab muab rooj plaub-ntug tshu tawm ib zag lawm.

WITNESS – 1. A person called testify about what he or she saw, heard, or knows. 2. To sign your name to a document for the purpose of authenticity.

*1) Tug tuab-neeg ua laav thaam has txug tej yaam nwg pum, nov, los-sis paub.
2) Lug xee (“sign”) koj lub npe rua ib tsaab ntawv lug qha has tas tsaab ntawv ntawd yog le has, muaj le sau tag-tag.*

WITNESS STAND – The space in the courtroom occupied by a witness while testifying.

Qhov chaw kws ib tug tuab-neeg lug cev lug ua laav thaam nyob huv chaav has plaub-ntug (court room).

WITNESS, DEFENSE – A non-hostile witness that is called by the defense counsel to assist in proving the defense’s case.

Tug laav thaam rua tog tuaj tiv-thaiv cov lug-foob.

WITNESS, EXPERT – Qualified by knowledge, skill, experience, training or education to provide a scientific, technical or specialized opinion of the subject about which he or she is to testify. That knowledge must not be generally possessed by the average person.

Tug laav thaam kws nwg muaj kev kawm has txug tej yaam kws laj-mej-pej-xeem feem-coob tsi paub los-sis tsi tau kawm txug; (“tug expert”).

WITNESS, HOSTILE – An uncooperative witness.

Tub laav thaam kws tsi noog le has, teb le nug.

WITNESS, MATERIAL – A witness who can give testimony relating to a particular matter that very few others, if any, can give.

Tug laav thaam kws tseem-ceeb heev kws pum hab paub txug qhov teeb-meem ntawm rooj plaub-ntug ntawd es lwm tug yeej tsi paub txug le.

WITNESS, PROSECUTION – The person whose complaint begins a criminal prosecution and whose testimony is mainly relied on to secure a conviction at the trial.

Tug laav thaam kws tuaj laa-thaa-npaa tog.

WOBLER - A felony which provides either a county jail sentence or a state prison commitment and which can be held to answer as a felony or a misdemeanor.

Tej yaam plaub-ntug kws hloov tau lug ua “felony” los-sis “misdemeanor” tuab-sis.

WORK FURLOUGH – A correctional program which allows inmates, primarily one’s being readied for discharge, to leave the institution for the purpose of continuing regular employment during the daytime but reporting back on nights and weekends.

Qhov “program” kws pub ib tug tuab neeg tsaug-txim tawm nkuaj moog ua nwg lub luag hauj-lwm tuab-sis lub sib-hawm kws nwg tsi ua hauj-lwm nwg yuav tsum rov tuaj nyob nkuaj kuam nwg lub txim taag.

WORK PROJECT – Program allowing sentenced person the option of performing labor instead of jail time.

Qhov “program” kws pub ib tug tsaug-txim lub xaiv saib nwg xum lug ua hauj-lwm pub dlawb rua laa-thaa-npaa los-sis moog nyob nkuaj.

WRAP AROUND SERVICES – Specialized and intensive social and health services for families with children concurrently residing in a group home or at risk of entering a group home, designed to reduce the level of foster care or facilitate the placement of a child with his/her parent instead of foster care.

Kev paab kuam ib leej nam-txiv cov miv-nyuas kws yuav poob moog rua lwm tug tuab-neeg yuav, yug, los-sis saib-xyuas, tsi pub poob moog le ntawd.

WRIT - A court order that says certain action must be taken.

“Qhaas-xaaj” lug ntawm “xaam” lug kuam tej tug tuab-neeg los-sis tej lub “agency” ua tej yaam los-sis tsi pub tug tuab-neeg ntawd ua yaam ntawd ntxiv moog lawm.

WRIT OF EXECUTION - A court order that tells the sheriff to enforce a judgment.

“Qhaas-xaaj” lug ntawm “xaam” lug kuam ib tug “sheriff” los-sis tub-ceed-xwm moog paab muab tej yaam khoom lug rua tug tswv raws le “xaam” tau tu tseg.

WRIT OF MANDATE - A petition used to compel the court, officer, or agency to perform a duty required by law or to compel a court to assume jurisdiction and exercise its discretion after its refusal to act.

Qhov kev thov kuam tau ib tsaab “qhaas-xaaj” lug kuam ib lub “xaam”, ib tug tub-ceed-xwm los-sis ib lub “agency” moog ua nwg lub luag hauj-lwm le txuj-cai tau has tseg los-sis sau ca.

