



CONSUMER LAW

Bankruptcy:

a federal system of statutes and courts which permits persons and businesses which are insolvent (debtors) or (in some cases) face potential insolvency, to place his/her/its financial affairs under the control of the bankruptcy court. The procedure is that when the debtor's debts exceed his/her/its assets or ability to pay, the debtor can file a petition with the bankruptcy court for voluntary bankruptcy or the debtor's unpaid creditors can file an "involuntary" petition to force the debtor into bankruptcy, although voluntary bankruptcy is far more common.

Garnishment:

the entire process of petitioning for and getting a court order directing a person or entity (garnishee) to hold funds they owe to someone who allegedly is in debt to another person, often after a judgment has been rendered. Usually the actual amounts owed have not been figured out or are to be paid by installments directly or through the sheriff.

Credit/Collection (Creditor's Rights):

the field of law dealing with the legal means and procedures to collect debts and judgments.

Insurance Disputes (Insurance):

a contract (insurance policy) in which the insurer (insurance company) agrees for a fee (insurance premiums) to pay the insured party all or a portion of any loss suffered by accident or death.

Business Disputes (Business):

any activity or enterprise entered into for profit. It does not mean it is a company, a corporation, partnership, or has any such formal organization, but it can range from a street peddler to General Motors.

Consumer Protection (Consumer Protection Laws):

almost all states and the federal government have enacted laws and set up agencies to protect the consumer (the retail purchasers of goods and services) from inferior, adulterated, hazardous or deceptively advertised products, and deceptive or fraudulent sales practices.

Attorney Grievance (Malpractice):

an act or continuing conduct of a professional which does not meet the standard of professional competence and results in provable damages to his/her client or patient. Such an error or omission may be through negligence, ignorance (when the professional should have known), or intentional wrongdoing. However, malpractice does not include the exercise of professional judgment even when the results are detrimental to the client or patient.

REAL ESTATE LAW

Landlord/Tenant (Landlord and Tenant):

the name for the area of law concerning renting and leasing property and the rights of both the owner and the renter or lessee.

Real Estate Dispute (Real Estate):

land, improvements and buildings thereon, including attached items and growing things. It is virtually the same as "real property," except real property includes interests which are not physical such as a right to acquire the property in the future.

Foreclosures (Foreclosure):

the system by which a party who has loaned money secured by a mortgage or deed of trust on real property (or has an unpaid judgment), requires sale of the real property to recover the money due, unpaid interest, plus the costs of foreclosure, when the debtor fails to make payment.

CRIMINAL LAW**Criminal Arrest/Appeal (Criminal Law):**

those statutes dealing with crimes against the public and members of the public, with penalties and all the procedures connected with charging, trying, sentencing and imprisoning defendants convicted of crimes.

Traffic Offenses (Traffic Laws)*:

Traffic laws are the laws which regulate vehicles and other traffic including pedestrians, animals and other conveyances. Traffic laws and regulations vary from place to place.

PPO (Parole):

the release of a convicted criminal defendant after he/she has completed part of his/her prison sentence, based on the concept that during the period of parole, the released criminal can prove he/she is rehabilitated and can "make good" in society. A parole generally has a specific period and terms such as reporting to a parole officer, not associating with other ex-convicts, and staying out of trouble. Violation of the terms may result in revocation of parole and a return to prison to complete his/her sentence.

Juvenile (Juvenile Delinquent):

a person who is under age (usually below 18), who is found to have committed a crime in states which have declared by law that a minor lacks responsibility and thus may not be sentenced as an adult. However, the legislatures of several states have reduced the age of criminal responsibility for serious crimes or for repeat offenders to as low as 14.

Expungement (Expungent*):

Expungement is the process of legally destroying, obliterating or striking out records or information in files, computers and other depositories relating to criminal charges.

TORT LAW**Personal Injury (Injury):**

any harm done to a person by the acts or omissions of another. Injury may include physical hurt as well as damage to reputation or dignity, loss of a legal right or breach of contract. If the party causing the injury was either willful (intentionally causing harm) or negligent then he/she is responsible (liable) for payment of damages for the harm caused.

General Civil Suits (Civil Law):

generic term for non-criminal law.

Medical Malpractice*:

Medical malpractice is the failure of a medical professional to follow the accepted standards of practice of his or her profession, resulting in harm to the patient.

FAMILY LAW**Divorce:**

the termination of a marriage by legal action, requiring a petition or complaint for divorce (or dissolution in some states, including California) by one party.

Custody (Child Custody):

a court's determination of which parent, relative or other adult should have physical and/or legal control and responsibility for a minor (child) under 18. Child custody can be decided by a local court in a divorce or if a child, relative, close friend or state agency questions whether one or both parents is unfit, absent, dead, in prison or dangerous to the child's well-being.

Support (Child Support):

court-ordered funds to be paid by one parent to the custodial parent of a minor child after divorce (dissolution) or separation. Usually the dollar amounts are based on the income of both parents, the number of children, the expenses of the custodial parent, and any special needs of the child. In many states or locales the amount is determined by a chart which factors in all these figures.

Parenting Time (Joint Custody):

in divorce actions, a decision by the court (often upon agreement of the parents) that the parents will share custody of a child. There are two types of custody, physical and legal.

Termination of Parental Rights*:

Termination of parental rights is the severing of the parent-child relationship by the state. It is governed by state laws, which vary by state. Such a decision may be made based upon, among other factors, abandonment by a parent, child abuse, unfitness of a parent, and other injuries to a child.

Change of Domicile (Change of Circumstances):

the principal reason for a court modifying (amending) an existing order for the payment of alimony and/or child support.

PROBATE LAW**Guardianship (Guardian):**

a person who has been appointed by a judge to take care of a minor child or incompetent adult (both called "ward") personally and/or manage that person's affairs. To become a guardian of a child either the party intending to be the guardian or another family member, a close friend or a local official responsible for a minor's welfare will petition the court to appoint the guardian. In the case of a minor, the guardianship remains under court supervision until the child reaches majority at 18.

Conservator:

a guardian and protector appointed by a judge to protect and manage the financial affairs and/or the person's daily life due to physical or mental limitations or old age. The conservator may be only of the "estate" (meaning financial affairs), but may be also of the "person," when he/she takes charge of overseeing the daily activities, such as health care or living arrangements of the conservatee.

Estate Planning (Trust):

an entity created to hold assets for the benefit of certain persons or entities, with a trustee managing the trust (and often holding title on behalf of the trust). Most trusts are founded by the persons (called trustors, settlors and/or donors) who execute a written declaration of trust which establishes the trust and spells out the terms and conditions upon which it will be conducted.

Probating Estate (Probate):

the process of proving a will is valid and thereafter administering the estate of a dead person according to the terms of the will.

Adoption:

the taking of a child into one's family, creating a parent to child relationship, and giving him or her all the rights and privileges of one's own child, including the right to inherit as if the child were the adopter's natural child.

Name Change:

The proper methods to change a person legal name through the courts depend on different jurisdictions. (No Citation).

LABOR LAW**Wrongful Discharge*:**

Wrongful discharge is a discharge for reasons that are illegal or that violate public policy.

Discrimination:

unequal treatment of persons, for a reason which has nothing to do with legal rights or ability.

Federal and state laws prohibit discrimination in employment, availability of housing, rates of pay, right to promotion, educational opportunity, civil rights, and use of facilities based on race, nationality, creed, color, age, sex or sexual orientation.

Unemployment*:

Unemployment is the state or condition of being unemployed. It is a status in which individuals are without job and are seeking a job. It is one of the most critical problems of any economy especially the underdeveloped ones. The rate of unemployment is an indicator of the health of an economy.

Labor Issues (Employment Law*):

Employment law is a broad area encompassing all areas of the employer/employee relationship except the negotiation process covered by labor law and collective bargaining.

Union Issues (Labor Unions*):

A labor union, which is generally an unincorporated association, created to equalize the bargaining power between employers and employees as regards wages, hours, and terms of employment.

Workman Comp (Disability Insurance*)

Disability insurance is a monetary compensation plan provided by the government and/or an employer to support employees who are disabled due to illness or injury.

OTHER LAW**Small Claims (Small Claims Court):**

a division of most municipal, city or other lowest local courts which hear cases involving relatively small amounts of money and without a request for court orders like eviction.

Social Security/SSI (Social Security*):

Social security is designed as safety net national insurance system to protect individuals from financial distress caused by unforeseen catastrophes.

Immigration*:

Federal immigration law determines whether a person is an alien, and associated legal rights, duties, and obligations of aliens in the United States. It also provides means by which certain aliens can become naturalized citizens with full rights of citizenship. Immigration law determines who may enter, how long they may stay and when they must leave.

Unless indicated by * and cited, most terms were defined by using the legal dictionary at www.law.com. Since some of the exact terms' definitions on the survey could not be found, similar terms that are in paraphrasing next to the terms in the survey are the actual terms that are define by the source used. Items indicated by * were defined by using uslegal.com.