



State of Connecticut Judicial Branch Superior Court Operations Division

Glossary of Legal Terminology - Most Frequently Used Terms

GLOSSARY OF LEGAL TERMINOLOGY

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A/K/A: Acronym that stands for "also known as" and introduces any alternative or assumed names or aliases of an individual. A term to indicate another name by which a person is known.

Arraignment: The bringing of a defendant before the court to answer the matters charged against him in an indictment or information. The defendant is read the charges and must respond with his plea.

Arrest: Deprivation of one's liberty by legal authority.

Bail: An amount of money set by the court to procure the release of a person from legal custody; this money is to be forfeited if the defendant fails to appear for trial.

Beyond a Reasonable Doubt: The standard of proof required for a finding of guilty in a criminal matter. Satisfied to a moral certainty. This is a higher standard of proof than that required in a civil matter (preponderance of the evidence).

Co-Defendant: Any additional defendant or respondent in the same case.

Confession: A voluntary statement made by a person charged with a crime wherein said person acknowledges his/her guilt of the offense charged and discloses participation in the act.

Controlled Dangerous Substance: That group of legally designated drugs, which, by statute, it is illegal to possess or distribute.

Criminal complaint: The initial written notice to a defendant that he/she is being charged with a public offense.

Due Process of Law: The exercise of the powers of the government with the safeguards for the protection of individual rights as set forth in the constitution, statutes, and common case law.

Felony: A crime of a more serious nature than a misdemeanor, the exact nature of which is defined by state statute and which is punishable by a term of imprisonment exceeding one year or by death.

Grand Jury: A jury of inquiry whose duty is to receive complaints and accusations in criminal cases, hear the evidence presented on the part of the state, and determine whether to indict (see "indictment" below).

Impeach: As used in the Law of Evidence, to call into question the truthfulness of a witness, by means of introducing evidence to discredit him or her.

Indictment: A written accusation presented by a grand jury after having been presented with evidence, charging that a person named therein has done some act, or has been guilty of some omission that by law is a public offense.

Miranda Warnings: The compulsory advisement of a person's rights prior to any custodial interrogation; these include: a) the right to remain silent; b) that any statement made may be used against him/her; c) the right to an attorney; d) the appointment of counsel if the accused cannot afford his or her own attorney.

Unless these rights are given, any evidence obtained in an interrogation cannot be used in the individual's trial against him/her.

Misdemeanor: Offense lower than felony and generally punishable by a fine or imprisonment other than in a penitentiary.

Motion to Quash: Application to the court to set aside the complaint, indictment or subpoena due to a lack of probable cause to arrest the defendant, or in matters heard by a grand jury, due to evidence not properly presented to the grand jury.

Motion to Sever: Application to the court made when there are two defendants charged with the same crimes or who acted jointly in the commission of a crime, when their attorneys feel it would be in their best interest if they had separate trials.

Motion to Suppress Evidence: Application to the court to prevent evidence from being presented at trial when said evidence has been obtained by illegal means. It applies to physical evidence, statements made by defendant when not advised by counsel or through wiretapping, prior convictions, etc..

Parole: A conditional release from custody at the discretion of the paroling authority prior to his or her completing the prison sentence imposed. During said release the offender is required to observe conditions of this status under the supervision of a parole agency.

Plea: A defendant's formal answer in court to the charges contained in a charging document.

Guilty: A plea by the defendant in which he acknowledges guilt either of the offense charged or of a less serious offense pursuant to an agreement with the prosecuting attorney. It should be understood, however, that the court may not be obliged to recognize this.

Nolo Contendere: A plea that is admissible in some jurisdictions, in which the defendant states that he does not contest the charges against him. Also called "no contest", this plea has the same effect as a guilty plea, except that it cannot be used against the defendant in civil actions arising out of the same incident which gave rise to the criminal charges.

Not Guilty: A plea of innocence by the defendant.

Not Guilty by Reason of Insanity: A plea that is sometimes entered in conjunction with the "not guilty" plea.

Double Jeopardy: A plea entered by a defendant who has been tried for an offense wherein he asserts that he cannot be tried a second time for said offense, unless he successfully secured a new trial after an appeal, or after a motion for a new trial was granted by the trial court.

Police Report: The official report made by any police officer involved with the incident or appearing after the incident, setting forth the officer's observations and statements of parties and witnesses. It can be used as evidence in a trial.

Pre-Trial Intervention: Utilized in some states when a defendant is accused of a first offense, to divert the defendant from the criminal justice system.

Probation: To allow a person convicted of a minor offense to go at large, under a suspension of sentence, during good behavior, and generally under the supervision of a probation officer.

Prosecutor: The attorney who prosecutes defendants for crimes, in the name of the government.

Search Warrant: A written order, issued by the court, directing the police to search a specified location for particular personal property (stolen or illegally possessed).

Speedy Trial: Mandate by the government that all criminal trials must take place within a specified time after arrest.

Writ of Habeas Corpus: A mandate issued from a court requiring that an individual be brought before the court.