

B1 专项词汇拓展

法律词汇专项提升

法律英文的文体特点

词汇使用特点

- **法律英语用词庄重、规范，书面语和术语很多。**为了维护法律的严肃性，法律、法规遣词造句力求准确，用词正式，语意严谨。但表达方式也相对稳定，专业性强。
- **古词和外来词出现频率高。**法律英语词汇在词源上大量收录采用了拉丁语、法语、德语和西班牙语中的法律词汇。英式法律英语中还大量沿用了中古英语，其主要原因是为了显示法律语言的神圣性、权威性和严密性，以区别于日常英语。然而，以美式英语为代表的法律英语中倾向于运用简单明了的常用词汇来表达法律意思，即简明的常用语言。
- **运用成对词和近义词。**在法律条文中，我们可以常见到以下的类似用法：rights and interests 权益, terms and conditions 条款, complete and final understanding 全部和最终的理解, losses and damages 损坏, null and void 无效, sign and issue 签发等。这些词表示固定的意义，使用和翻译时不能随意拆开。
- **大量使用命令词和情态动词。**由于法律法规表现司法主体对司法客体的行为制约和义务规定，它通常要求司法客体“必须”、“可以”、“应该”或“不许”、“不能”、“不得”做什么，用词通常带命令语气。may, not, must, should, ought to 等情态动词常会出现在相关文体当中。

法律英文的文体特点

词性使用特点

- **代词的使用非常谨慎。** 由于法律条文的严密性，为了规避不确定性，则要尽可能少地使用代词，尤其是指示代词，不定代词等。
- **抽象名词居多。** 名词在法律英语中所出现的频率比其它任何词性所出现的频率都高，甚至在有些法律条文中不用动词，只用名词短语来表述其法律条文或法律概念。
- **形容词和副词使用要客观。** 由于法律英语文体要求其语言多为**客观**描述性与解释性，所以很少使用表示程度强烈的形容词和副词，尤其是very, quite, rather等用得非常少。

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法律英文的文体特点

英美法系(Common Law System)亦称“普通法系”、“英国法系”、“判例法系”、“海洋法系”。以英国普通法为基础发展起来的法律的总称。

即反复参考判决先例(precedent)，最终产生类似道德观念一般的普遍的、约定俗成的法律(customary rules)。

大陆法系(Civil Law System)是指欧洲大陆上源于罗马法、以1804年《法国民法典》为代表的各国法律，所以大陆法系也称罗马法系或民法法系。

法律英文的文体特点

- **第一，法律渊源不同。**大陆法系是成文法系，其法律以成文法即制定法的方式存在，它的法律渊源包括立法机关制定的各种**规范性文件**、行政机关颁布的各种行政法规以及该国参加的国际条约，但不包括司法判例。英美法系的法律渊源既包括各种**制定法**，也包括**判例**，而且，判例所构成的判例法在整个法律体系中占有非常重要的地位。
- **第二，法律结构不同。**大陆法系承袭古代罗马法的传统，习惯于用法典的形式对某一法律部门所涉及的规范做统一的系统规定，法典构成了法律体系结构的主干。英美法系很少制定法典，习惯用单行法的形式对某一类问题做专门的规定，因而，其法律体系在结构上是以单行法和判例法为主干而发展起来的。
- **第三，法官的权限不同。**大陆法系强调法官只能援用成文法中的规定来审判案件，法官对成文法的解释也需受成文法本身的严格限制，故法官只能适用法律而不能创造法律。英美法系的法官既可以援用成文法也可以援用已有的判例来审判案件，而且，也可以在一定的条件下运用法律解释和法律推理的技术创造新的判例，从而，法官不仅适用法律，也在一定的范围内创造法律。
- **第四，诉讼程序不同。**大陆法系的诉讼程序以法官为重心，突出法官职能，具有纠问程序的特点，而且，多由法官和陪审员共同组成法庭来审判案件。英美法系的诉讼程序以原告、被告及其辩护人和代理人为重心，法官只是双方争论的“仲裁人”而不能参与争论，与这种对抗式（也称抗辩式）程序同时存在的是陪审团制度，陪审团主要负责做出事实上的结论和法律上的基本结论（如有罪或无罪），法官负责做出法律上的具体结论，即判决。

LAW-RELATED CAREERS

- **lawyer** 律师

Lawyers are employed in law firms or private practices and usually advise clients about their legal issues and how to move forward.

- **attorney** 律师（尤指代表当事人出庭者），代理人

Attorneys consult with clients like lawyers do but are much more likely to go beyond the initial consultation and represent the client in courtroom proceedings.

- **counsel** 法律顾问

Counsels are lawyers who are employed by a company or organization. Not being employed at a law firm, counsels act solely on behalf of that company or organization.

LAW-RELATED CAREERS

- paralegal 律师助理
- legal secretary 律师助理
- judge 法官
- jury consultant 陪审团顾问
- mediator 调解人
- court clerk 法院办事员
- criminal investigator 刑事侦查员
- detective 侦探
- arbitrator 仲裁人

FIELDS OF LAW

- Admiralty / Maritime Law 海商法
- Agriculture Law 农业法
- Anti-Monopoly Law 反垄断法
- Bankruptcy Law 破产法
- Business / Corporate Law 商业法
- Civil Code 民法典
- Civil Rights Law 民权法
- Constitution 宪法
- Criminal Law 刑法
- Environmental Law 环境法
- Family Law 家庭法
- Health Law 健康法

FIELDS OF LAW

- Immigration Law 移民法
- Intellectual Property Law 知识产权法
- International Law 国际法
- Labor / Employment Law 劳动法
- Legislation Law 立法法
- Marriage Law 婚姻法
- National Security Law 国家安全法
- Nuclear Safety Law 核安全法
- Prison Law 监狱法
- Real Estate Law 不动产法
- Tax Law 税法
- Wild Animal Conservation Law 野生动物保护法

PRINCIPLES

- fundamental principles of civil law 民法基本原则
- principle of equality 平等原则
- principle of free will 自愿原则
- principle of justice 公平原则
- principle of equal value exchange 等价有偿原则
- principle of good faith 诚实信用原则

50 MOST COMMON LEGAL TERMS

掌握这些法律高频词，相关主题的英美剧和听力阅读的能力都能有效提高！

ACCESSORY

- **accessory** /ək'sesəri/
- n. A person who in some manner is connected with a crime, either before or after its perpetration, but who is not present at the time the crime is committed.
- 从犯
- *For example, Joe gives Josh the blue-prints to a bank. Afterwards, Jane allows Josh to hide the money at her apartment. Both Jane and Joe are accessories to the robbery.*

ACCOMPLICE

- **accomplice** /ə'kɒmplɪs/
 - n. One who knowingly, voluntarily, and intentionally unites with the principal offender in the commission of a crime as a principal, accessory, or aider or abettor.
 - 共犯, 帮凶, 同谋
- *In a bank robbery for example, the person who helps break open the vault or the person watching the hostages would be considered an accomplice.*

ACCORD

- accord /ə'kɔ:rd/
- n. A settlement agreed upon between the parties in a lawsuit for something other than what is claimed to be due, and which bars subsequent actions on the claim.
- 协议, 条约
- *The two sides signed a peace accord last July.*

ACCORD AND SATISFACTION

- accord and satisfaction /,sætɪs'fækʃn/
- A method of discharging a claim upon agreement by the parties to give and accept something in settlement of the claim something different from or less than that which the creditor is claiming or entitle to. The accord is “the agreement” and the satisfaction is “the execution and a new contract.”
- 和解与清偿
- 是解除债务的一种方法。实践中的通常做法是，当事方经过协商后决定由债权人接受债务人所给付的款项（通常比原款项要少），从而解除债务人债务。
- *For example, a person going through a divorce is threatened with a lawsuit. Unable to deal with more legal issues; the divorcee (离婚的人) talks to the other party and offers to pay a small fine. After both parties sign the statement and the amount is paid, the accord and satisfaction is complete. If the other person threatens to sue, the divorcee would show the accord and satisfaction to a judge and the judge would not allow any more money to be collected.*

ACCUSED

accused /ə'kju:zd/

- A person charged with having committed a crime or misdemeanor. A defendant in a criminal proceeding.
- 被告
- *O. J. Simpson was charged with the murder of his wife and was therefore the accused. He was then put on trial for the murder and, as the defendant, was the accused in the trial.*

ACKNOWLEDGMENT

acknowledgment /ək'na:lɪdʒmənt/

1. A statement of acceptance of responsibility. 承认，确认

The Partners acknowledge that, the consummation of the Investment is subject to certain factors beyond the General Partner's control, such as the execution of all Transaction Agreements, and customary closing conditions; and there is uncertainty regarding the consummation of the Investment by the Partnership.

合伙人承认，投资的完成可能受到普通合伙人无法控制的某些因素的限制，比如所有交易协议的签署以及惯例性的交割条件；并且合伙企业投资项目的完成存在不确定性。

2. The short declaration at the end of a writing showing that the instrument was duly executed and acknowledged. 告知收到

Notices given by personal delivery shall be deemed given on the date of personal delivery, provided that receipt shall be acknowledged in writing by the receiving party.

通过专人送达的通知应当在送达之日视为送达，但收件方应通过书面告知已收到通知。

ACQUIT

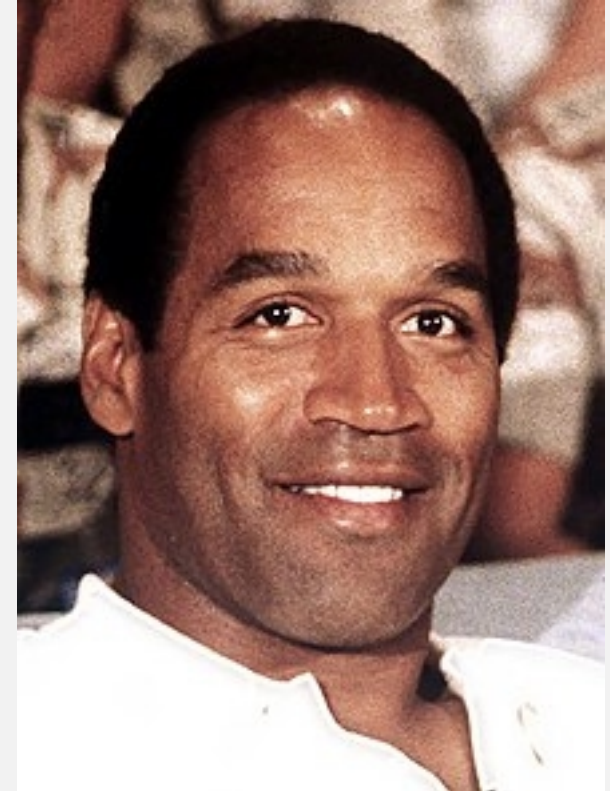
acquit /ə'kwɪt/

- v. To set free or discharge from an accusation of guilt of a crime or responsibility for a civil liability.
- 无罪释放
- *A jury may acquit a defendant charged with armed robbery by finding him or her not guilty of the charge.*

ACQUITTAL

- **acquittal** /ə'kwɪtl/
 - n. In criminal law, a verdict of not guilty. In contract law, a release, absolution, or discharge from an obligation, liability, or engagement. Acquittal is a noun which is distinguished from the verb “acquit.”
 - 赦免；无罪开释
- *The U.S. media found O.J. Simpson's acquittal astonishing.*

Orenthal James Simpson (born July 9, 1947), nicknamed “The Juice”, is an American former football running back, broadcaster, actor, advertising spokesman, and convicted **felon**(被定罪的重罪犯). Once a popular figure with the U.S. public, he is now best known for being tried for the murders of his former wife, Nicole Brown Simpson, and her friend, Ron Goldman. Simpson was **acquitted** of the murders in criminal court but was later found responsible for both deaths in a civil trial(民事审判).



ACTION

action /'ækʃn/

- Case, cause, suit or controversy disputed or contested before a court of justice. Action is used more often for civil lawsuits than for criminal cases.
- 诉讼; 起诉
- *A criminal action is a proceeding initiated by the government to punish a person or entity(实体) for a crime.*
- *He is considering taking legal action against the hospital.*

AD DAMNUM

ad damnum /æd' dæmnəm/

- Latin for “to the damage.” A formal claim for damages in a pleading: typically a clause of a pleading alleging amount of loss or injury from the defendant.
- 赔偿金，损害赔偿
- 指令状或起诉状中陈述原告的金钱损失或其请求的损害赔偿金的条款。此种条款告知对方当事人在未对实际损害或责任予以证明的情况下所要求的最高索赔金额。
- *In a civil claim for car damage, the plaintiff's ad damnum may request the court award the plaintiff twenty-five thousand dollars for the damage sustained due to the defendant's actions.*

AD LITEM

- **ad litem** /æd' laitem/
- Latin for “for the purposes of the legal action.” It refers to the appointment by the court of one party to act in a legal action on behalf of another party.
- 为诉讼之目的；限于诉讼；诉讼（监护人）
- A *grant ad litem* is the appointment by a court of a person to act on behalf of an estate in court proceedings, when the estate's proper representatives are unable or unwilling to act.
- A *guardian ad litem* is the former name for a litigation friend responsible for the conduct of legal proceedings on behalf of someone else.
- *She is Anna's guardian ad litem for the trial.*
- 她是安娜法律程序期间的监护人。

ADVERSARY

adversary /'ædvərsəri/

- The opposite party in an action.
- 敌手, 对手
- *The defendant is the plaintiff's adversary.*

AFFIDAVIT

affidavit /,æfə'deɪvɪt /

- A written statement of facts confirmed by the oath of the party making it, before a notary or officer having authority to administer oaths.
- 宣誓书
- *In criminal cases, affidavits are often used by police officers seeking to convince courts to grant a warrant to make an arrest or a search. In civil cases, affidavits of witnesses are often used to support motions for summary judgment.*

词源解析: fida←拉丁语fidare(信任)←拉丁语fides(忠诚)

背景知识: 中世纪欧洲法律制度中, 宣誓书是一种具有重要效力的文件。宣誓人在有权主持并见证宣誓的宣誓官面前宣誓, 然后提供证词并记录下来。宣誓人和宣誓官在书面证词中签名, 这种经过宣誓的书面证词就是宣誓书。宣誓书的第一行就是拉丁语affidavit, 它是affidare的第三人称完成式, 意思就是“他/她宣誓后陈词如下”。因此, 这种宣誓书就被称为affidavit。

同源词: faith信仰, affiancé婚约, fiancée未婚妻, fidelity忠诚, confident确信的, confidence信心…

ARREST

arrest /ə'rest/

- If the police arrest sb, the person is taken to a police station and kept there because the police believe they may be guilty of a crime
- 逮捕; 拘留
- *A man has been arrested in connection with the robbery.*
- *She was arrested for drug-related offences.*

ATTORNEY-AT-LAW

attorney-at-law

- An advocate, counsel, or official agent employed in preparing, managing and trying cases in court. Attorney-at-law is the official name for a lawyer in the United States; in England they are called solicitors.
- 具有律师资格，且注册登记而从事法律事务代理者
- *An attorney-at-law was consulted for the initial drafting of the legal document.*

BAIL

bail /beɪl/

- The amount of cash required to obtain the release of an accused from law enforcement custody while his or her case progresses.
- 保释；保释金
- *The defendant was released after his sister sold her car and posted the three-thousand-dollar bail.*

BANKRUPTCY

- bankruptcy /'bæŋkrʌptsi/
- Judicial proceedings by which most debts owed by a person found to be insolvent is relived of liability for his or her debts by making court-approved arrangements for partial repayment.
- Debts may be extinguished, reduced or the payment of which may be delayed.
- Bankruptcy judges preside over these proceedings; the person with the debts is called the debtor; and the people or companies to whom the debtor owes money to are called creditors.
- 破产
- *Despite the lawyers' advice, his client filed for bankruptcy, which later ruined his credit report.*

BATTERY

- **battery** /'bætəri/
- A crime (and the basis for a tort 侵权行为) involving intentional and nonconsensual contact with another person's body or something attached or considered to be apart of them, including clothing or an umbrella.
- 殴打罪
- *The subway rider was sued for battery after the fight.*
- *Lawrence punched a man in a Los Angeles nightclub and was charged with battery.*

CAPITAL CRIME

capital crime /'kæpɪtl/ /kraɪm/

- A crime punishable by a life sentence in prison or death.
- 死罪
- *Charles Manson was tried and convicted of capital crimes after he and his followers murdered a number of people.*

CAPITAL PUNISHMENT

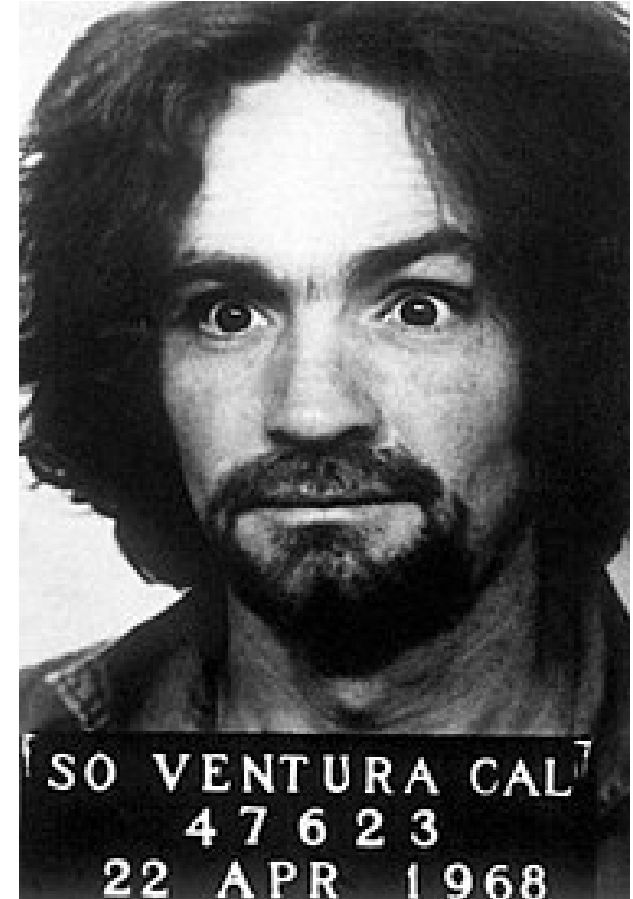
capital punishment /'pʌnɪʃmənt/

- The legal imposition of a sentence of execution for a criminal offense. Also known as DEATH PENALTY.
- 死刑
- *The jury found the defendant guilty and imposed capital punishment.*

FIRST-DEGREE MURDER

- first-degree murder
- First-degree murder is the most serious of all homicide offenses. It involves any intentional murder that is **willful**(故意的) and **premeditated**(预谋的) with malice aforethought.
- 一级谋杀罪
- An Illinois man has been charged with first-degree murder in yesterday's church shooting.

Charles Milles Manson (November 12, 1934 - November 19, 2017) was an American criminal and cult leader. In mid-1967, he formed what became known as the “Manson Family” in California. His followers committed a series of nine murders at four locations in July and August 1969. Although the motive for the murders was disputed by Manson, the Los Angeles County District Attorney believed that Manson intended to start a race war. In 1971, he was convicted of first-degree murder and conspiracy to commit murder for the deaths of seven people, including the film actress Sharon Tate. The prosecution contended that, while Manson never directly ordered the murders, his ideology constituted an overt act of conspiracy.



CAVEAT

caveat /'kæviæt/ n.

- 1. A warning or caution.
 - 警告
 - *The judge issued a caveat to the defense attorney to keep his questions simple.*
- 2. A formal notice to a judge, public officer or court to postpone a proceeding until the merits of the notice is determined or the notifier has an opportunity to be heard. The party who files the caveat is known as the caveator.
 - 中止诉讼手续的申请
 - *In bankruptcy court, a creditor may file a caveat to be notified if anything is filed in their debtor's case.*

CHARGE

charge /tʃɑ:rdʒ/

- 1. n. an official claim made by the police that sb has committed a crime
- 指控; 控告
- *He will be sent back to England to face a charge of (= to be on trial for) armed robbery.*
- 2. v. to accuse sb formally of a crime so that there can be a trial in court
- 控告; 起诉
- *He was charged with murder.*

DAMAGES

damages /'dæmɪdʒɪz/ n.

- The money awarded by a court to a claimant as compensation or imposed as a punishment for a financial loss or injury to person, property or rights.
- Damages are distinguishable from costs, which are the expenses incurred as a result of bringing a lawsuit and which the court may order the losing party to pay.
- 损害赔偿
- *Mary hired Tom to fix her toilet. The work Tom did cause flooding and ruined Mary's carpet. The judge awarded Mary damages to cover the cost of fixing the toilet and replacing the carpet.*

DEPOSITION

deposition /,depə'zɪʃn/ n.

- 1. In litigation, a pretrial discovery proceeding outside the courtroom in which a party or witness gives sworn testimony under oath before a court reporter in response to written interrogatories and where there is an opportunity for cross-examination(盘问).
- 2. The written document created by the court reporter as a result of this pretrial discovery proceeding.
- 证词
- *A deposition usually takes place in the office of one of the lawyers, in the presence of a court reporter, who transcribes what is said. Questions are asked and answered orally as if in court, with opportunity given to the adversary to cross-examine.*

DOMESTIC VIOLENCE

domestic violence /dəu 'mestik/ /'vaɪələns/

- An assault committed by an individual against a household member, or someone with whom they have a familial or intimate relationship.
- 家庭暴力
- *Yoshi's son was charged with domestic violence after punching Yoshi in the chest.*

DOUBLE JEOPARDY

double jeopardy /'dʒepərdi/

- The constitutional prohibition under the Fifth (5th) Amendment against a person being put on trial more than once for the same offense after acquittal or conviction or multiple punishments for the same offense.
- 一案不二审；基本含义是一个人不能因同一行为或同一罪名受到两次或多次审判或处罚。
- 比如说一个人被起诉某项罪名，接受了法庭的审讯之后，也许被判有罪也许获判无罪，无论如何一旦判决确认了，那么检方就不能再次起诉他，使他“二次面临危险”，因此叫 the “Double Jeopardy” principle.
- *A defendant took a car without permission and later returns it to the victim. The defendant in court pleads guilty to joyriding. Next, the prosecutor seeks to charge the defendant with auto theft. For double jeopardy purposes, joyriding and car theft are charges for the same offense of illegal use of a vehicle. Since a defendant cannot receive multiple punishments for the same offense, these new charges would be prohibited by double jeopardy.*

FOURTH AMENDMENT

- fourth amendment /ə'mendmənt/
- The 4th Amendment of the U.S. Constitution protects United States citizens from searches and seizures which are not based on probable cause.
- 第四修正案
- 了解美国宪法第四修正案，非常有助于看懂警匪片
- *The Fourth Amendment reads, “The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”*

HARBOR

harbor /'hɑ:rbər/

- v. to protect someone or something bad, especially by hiding that person or thing when the police are looking for him, her, or it
- 庇护；窝藏
- crime of harboring a mafia(社会黑帮)-style syndicate(组织)
- 包庇、纵容黑社会性质组织罪

HOMICIDE

homicide /'hɒmɪsaɪd/

- n. The killing of one human being by another. Homicide is broader in scope than murder.
- 故意杀人；（蓄意）杀人罪
- *The police arrived at the scene of the homicide.*

INNOCENT UNTIL PROVEN GUILTY

innocent until proven guilty

- The presumption of innocence principle which states that all people accused of a crime are considered to be free of culpability until a court or jury finds that the accused did commit the crime.
- This principle requires the government to prove the guilt of a criminal defendant and relieves the defendant of any burden to prove their innocence.
- 无罪假定；无罪推定
- 当某人遭受有罪指控时，在控方给出足够的证据证明嫌疑人犯有它所声称的罪行之前，他是无罪的。罪名未成立前被指控人都是无罪的。
- *The inmate was still considered to be innocent until proven guilty because the jury had not yet returned a verdict.*

JAIL

jail /dʒeɪl/

- n. A place of confinement(监禁, 关押), which is smaller than a prison and usually holds persons convicted of misdemeanors(轻罪) or persons awaiting trial.
- 监狱
- *The teenager was arrested and taken to jail to await his arraignment(传讯) on theft charges.*

JEOPARDY

jeopardy /'dʒepərdi/

- n. The condition of a person charged with a crime and thus in danger of conviction and punishment.
- （被告处于被判罪或受处罚的）危险境地
- *The defendant was in jeopardy after he was charged with fifteen counts of larceny.*

JUDGE

judge /dʒʌdʒ/

- n. An elected or an appointed public official with the authority to hear and decide cases in a court of law.
- 法官；审判员
- *A judge controls the proceedings in the courtroom and decides the questions of law.*

JUROR

juror /'dʒʊrər/

- n. Any person who actually serves as a member of the jury.
- 陪审团成员；陪审员
- *The juror was treated to a free breakfast and free lunch as well as paid the minimum hourly wage for their civil service in determining if the defendant was guilty or not guilty.*

MIRANDA RIGHTS

- **Miranda rights**
- Requirement that police inform a suspect in their custody of his or her 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. Also known as MIRANDA WARNING.
- 米兰达权利，又称米兰达警告
- 是美国刑事诉讼中的犯罪嫌疑人保持沉默的权利，起源于1966年美国最高法院“米兰达诉亚利桑那州案”中由美国首席大法官Earl Warren所撰写的判决书。
- 即犯罪嫌疑人、被告人在被讯问时，有保持沉默和拒绝回答的权利。
- *Prior to the time of arrest and any interrogation, the suspect was*

MIRANDA WARNING

1. YOU HAVE THE RIGHT TO REMAIN SILENT.
2. ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW.
3. YOU HAVE THE RIGHT TO TALK TO A LAWYER AND HAVE HIM PRESENT WITH YOU WHILE YOU ARE BEING QUESTIONED.
4. IF YOU CANNOT AFFORD TO HIRE A LAWYER, ONE WILL BE APPOINTED TO REPRESENT YOU BEFORE ANY QUESTIONING IF YOU WISH.
5. YOU CAN DECIDE AT ANY TIME TO EXERCISE THESE RIGHTS AND NOT ANSWER ANY QUESTIONS OR MAKE ANY STATEMENTS.

WAIVER

DO YOU UNDERSTAND EACH OF THESE RIGHTS I HAVE EXPLAINED TO YOU?
HAVING THESE RIGHTS IN MIND, DO YOU WISH TO TALK TO US NOW?

- 1. 你有权保持沉默。
- 2. 你对任何一个警察所说的一切都将可能被作为法庭对你不利的证据。
- 3. 你有权在接受警察询问之前委托律师，他（她）可以陪伴你受讯问的全过程。
- 4. 如果你付不起律师费，只要你愿意，在所有询问之前将免费为你提供一名律师。
- 5. 如果决定在没有律师在场的情况下回答问题，你仍然有权利在任何时候停止回答，直到你和律师谈话。
- 弃权：了解和理解了向你解释的权利后，你愿意在没有律师在场的情况下回答我的问题吗？

NOT GUILTY

not guilty /'gɪlti/

- 1. The form of verdict in criminal cases where the judge or jury finds that the prosecution has not proven the defendant to be guilty of a crime beyond a reasonable doubt or that the accused was insane at the time the crime was committed.
- 无罪
- *Because the prosecution failed to prove that the defendant was present during the crime, the jury found her not guilty.*
- 2. A plea entered by a defendant in a criminal or civil case denying blame for the charges brought against them.
- 无罪（辩护）；无罪（抗辩）
- *The defendant pled not guilty to all 10 charges of petty theft.*

OATH

oath /oʊθ/

- 1. n. Any type of attestation by which an individual signifies that he or she is bound in conscience to perform a particular act, either truthfully or faithfully.
 - (在法庭上的) 宣誓
- 2. n. A solemn declaration of truth or obligation.
 - 誓言, 宣誓
- *Before giving evidence, witnesses in court have to take the oath*
- *The witness took an oath before the court to tell the truth, the whole truth and nothing but the truth.*

PETTY OFFENSE

petty offense /'peti/ /ə'fens/

- n. An offense for which the authorized penalty does not exceed imprisonment for three months or a fine of five hundred dollars.
- 轻罪；轻微犯罪
- serious offense 严重犯罪
- *Tom's parking tickets were considered to be a petty offense.*

PLAINTIFF

plaintiff /'pleɪntɪf/

- n. A person who initiates a lawsuit against another.
- 原告
- *The lead plaintiff(第一原告) of the lawsuit is the University of California.*

PLEA BARGAIN

PLEA BARGAIN /pli:/ /'bɑ:rgən/

- A negotiation whereby the accused and the prosecutor in a criminal case work out a mutually satisfactory disposition of the case subject to court approval. Usually involves the defendant's pleading guilty to a lesser offense or to a lesser number of offenses.
- 诉讼交易，又称辩诉协议；认罪协议
- 指被告和检控官或公诉人之间达成的一项协议。一般来说，被告以承认有罪或对犯罪指控不予抗辩，来换取检控官取消或减轻对他的某些指控，或者请求法官提出令检控官和被告双方都能接受的特定判刑。在美国，90%多的刑事案件是通过诉讼交易或辩诉协议解决的，这意味着只有10%的刑事案件是通过庭审解决的。
- *During the plea bargain, the defendant agreed to plead guilty in exchange for a reduced sentence.*
- *As part of his plea bargain, the defendant also agreed to stay away from the store he attempted to rob.*

RECORD

record /'rekərd/

- n. The fact of having committed crimes in the past
- 前科, 犯罪记录
- *Does he have a record?*

RETAINER

retainer /rɪ'teɪnər/

- 1. n. A contract between attorney and client specifying the nature of the services to be rendered and the cost of the services.
- 委托律师（合同）
- *The attorney required the new client to sign a retainer before any more work would be done on the case.*
- 2. n. The fee the client pays when he or she retains the attorney to act for him or her.
- 律师费
- *The lawyer set the retainer at five thousand dollars .*

SENTENCE

sentence /'sentəns/

- n. the punishment given by a court
- 判决; 宣判; 判刑
- a jail/prison sentence 判处监禁
- a light/heavy sentence 轻判; 重判
- to be under sentence of death 被判处死刑

- v. to say officially in court that sb is to receive a particular punishment
- 判决; 宣判; 判刑
- to be sentenced to death/life imprisonment/three years in prison
- 被判死刑/终身监禁/三年徒刑

SPEEDY TRIAL

speedy trial /'spi:di/ /'traɪəl/

- For criminal prosecutions, the defendant has a right to demand a trial within a reasonably short period of time.
- 快速审判
- 指根据法定规则和程序在法定期限内或在无不合理拖延的情况下进行的审判。
- *The right of an accused to a speedy trial as guaranteed by the 6th Amendment of the United States Constitution.*

TESTIMONY

testimony /'testɪməni/

- n. Oral evidence offered by a witness under oath, which is used to establish some fact or set of facts. Testimony is distinguishable from evidence that is acquired through the use of written sources, such as documents.
- 证词; 证言; 口供
- *The witness' s testimony was used to convict the criminal of the charges brought against them.*
- *Can I refuse to give testimony?*

UNCONSTITUTIONAL

unconstitutional /,ʌn,kɑːnstɪ'tuːʃənəl/

- adj. That which is contrary to or in conflict with the federal or state constitutions.
- 违背宪法的
- *For example, laws that gave tax breaks only to African Americans were deemed unconstitutional.*

VERDICT

verdict /'vɜːrdɪkt/

- n. The opinion of a jury, or a judge where there is no jury, on the factual issues of a case.
- （陪审团的）裁定，裁决，裁断
- *The jury returned a verdict of not guilty.*
- *Has the jury reached a verdict?*

VIOLATION

violation /ˌvaɪəˈleɪʃn/

- n. an action that breaks or acts against something, especially a law, agreement, principle, or something that should be treated with respect
- 违反，违背，违犯（协议、法律或承诺）
- *The action is an open violation of the Vienna Convention.*
- 该行为公然违背了《维也纳公约》。

WARRANT

warrant /'wɔːrənt/

- n. Most commonly, a court order authorizing law enforcement officers to make an arrest or conduct a search. An affidavit seeking a warrant must establish probable cause by detailing the facts upon which the request is based.
- 搜查令；拘捕令；执行令；授权令
- *For example, the judge issued a warrant for the respondent's arrest after he failed to appear for the civil protection order hearing.*
- *Demandant 原告*
- *Police confirmed that they had issued a warrant for his arrest.*