

MOSTLY LATIN, MOSTLY LEGAL

*What's pat in Latin
Or chic in Greek,
I always distinguish
More clearly in English*
a college student's lament

Lawyers frequently rely on legal phrases because they have been tested and interpreted in courts over many years and in many different circumstances. A court reporter should become acquainted with some of these foreign words and legal phrases so he or she can, if necessary, look them up for spelling or meaning.

An unabridged dictionary, such as *Webster's Third New International*, is invaluable because most of these expressions can be found among the English entries. Another excellent source for legal terms is *Black's Law Dictionary*.

Read Rule 102 and Rule 102 Note for using quotation marks around foreign expressions. If your computer software has the capability to italicize, use italics. Asterisks have been placed next to the expressions that *would not* be quoted or italicized by most writers because they have been assimilated into the language and are frequently used. Others may join the list over time. It is better to use the quotation marks or italics when in doubt.

The designated part of speech is given to show how most speakers incorporate the Latin expression into sentences in the court. In reality, most of the expressions are made of several parts of speech.

1. *absente reo* (adj.)
the defendant being absent
2. *a datu* (adj.)
from the date
3. *ad finem* (adj.)
to, toward, or at the end
- 4.* *ad hoc* (adj., adv.)
for this particular purpose at hand
5. *ad infinitum* (adv.)
to infinity, limitless
6. *ad litem* (adj., adv.)
for the particular action or proceeding
7. *ad nauseam* (adv.)
to the point of sickness
8. *ad quod damnum* (n.)
writ issued in proceedings to assess damages for land seized for public use
9. *ad valorem* (adj.)
according to the value
10. *a fortiori* (adj., adv.)
for a still stronger reason
11. *a mensa et thoro* (adj.)
from table and bed; relating to a separation in which the parties remain husband and wife without cohabitation
12. *amicus curiae* (n.)
friend of the court; one who introduces evidence in a suit to assist the court in its deliberations, although the *amicus curiae* is not a party to the suit

- 13.* antebellum (adj.)
existing before the war
14. a posteriori (adj., adv.)
presumed from observed facts; from effect to cause
- 15.* a priori (adj., adv.)
assumed or deduced intuitively; from cause to effect
16. arguendo (adj.)
in the course of arguing
17. Ars longa; vita brevis (n.)
Art is long; life is short
18. assumpsit (n.)
an action for a breach of contract
19. a vinculo matrimonii (adj.)
from the bond of marriage; of a divorce
- 20.* bona fide (adj.)
in or with good faith
- 21.* bona fides (n.)
good faith
22. carpe diem (adj., n.)
enjoy the present
23. casus belli (n.)
a cause justifying war
24. causa mortis (n.)
by reason of death
- 25.* caveat emptor (n.)
let the buyer beware
26. cestui que trust (n.)
the person for whom the trust is held
- 27.* circa (prep.)
about
28. corpus delicti (n.)
the body of the crime; the evidence of the crime
29. corpus juris (n.)
the body of the law; all the legal writings
- 30.* cum laude (adj., adv.)
with distinction
31. de bene esse (adj., adv.)
doing a thing in anticipation of the occasion when it may be needed; provisionally
32. de bono et malo (adj., adv.)
for good and ill
- 33.* de facto (adj.)
in fact; in reality
34. de gustibus non est disputandum (n.)
there's no arguing about tastes
- 35.* de jure (adj.)
by right; legally

36. de minimis (adj.)
trifling, insignificant
37. de minimis non curat lex (n.)
the law does not bother with insignificant things
38. de novo (adj., adv.)
from the beginning
- 39.* ergo (adv.)
therefore; hence
- 40.* et al. (n.)
and others
41. et ux. (n.)
and wife
42. et vir (n.)
and husband
43. ex cathedra (adj., adv.)
from the chair; officially; with authority
44. ex curia (adj., adv.)
out of court
45. exempli gratia, e.g. (adv.)
by way of example
- 46.* ex officio (adj., adv.)
by virtue of an office
47. ex parte (adj.)
one-sided, unilateral
48. ex post facto (adj.)
after the fact; retroactive
49. ex rel. (adj., adv.)
on behalf of
- 50.* fait accompli (n.) (French)
an accomplished fact
51. falsus in uno, falsus in omnibus (n.)
false in one thing, false in everything
- 52.* fiat (n.)
let it be done; official endorsement
53. flagrante delicto (adv.)
while the crime is blazing; while the crime is being committed
54. gravamen (n.)
the material part of a complaint
- 55.* habeas corpus (n.)
you have the body; a writ demanding the appearance of a prisoner before a court so the legality of the detention can be determined
56. id est, i.e. (adv.)
that is
57. ignorantia legis neminem excusat (n.)
ignorance of the law is no excuse
58. in absentia (adv.)
in absence

59. in camera (adv.)
in the judge's chamber
60. in curia (adj., adv.)
in court
- 61.* in extremis (adj., adv.)
at the point of death
62. in limine (adj., adv.)
at the threshold of the door, at the beginning
63. in loco parentis (adj., adv.)
in place of the parent
64. in pari delicto (adv.)
in a like offense; equally at fault
65. in personam (adj., adv.)
referring to an action directed against a specific person
- 66.* in re (adv.)
in the matter of
67. in rem (adj., adv.)
referring to an action directed against an inanimate object
68. in situ (adj., adv.)
in its original place
69. in specie (adj., adv.)
in the same form
70. in statu quo (adj., adv.) -
in the state in which it was before
71. inter vivos (adj., adv.)
between or among the living; taking effect during the lifetime of the parties involved
- 72.* in toto (adv.)
totally; entirely
- 73.* ipse dixit (n.)
an assertion made on authority but not proved
74. ipso facto (adv.)
by the act or fact itself
75. ipso jure (adv.)
by the law itself
76. jurat (n.)
clause at the end of an affidavit with the date, location, and person before whom the statement was sworn
77. jure divino (adv.)
by divine law
78. jus canonicum (n.)
canon law
79. jus civile (n.)
civil law
- 80.* laches (n.)
negligence to do a thing at the proper time
81. lex loci (n.)
the law of the place

82. *lex scripta* (n.)
the written law
83. *lex terrae* (n.)
the law of the land
84. *loco citato* (adv.)
in the place cited
85. *locus sigilli, L.S.* (n.)
in the place of the seal
- 86.* *magnum cum laude* (adj., adv.)
with high distinction
87. *mala fides* (n.)
bad faith
88. *mala in se* (n.)
morally wrong acts
89. *mala praxis* (n.)
malpractice
- 90.* *mandamus* (n.)
a writ to command a performance of a duty
- 91.* *mea culpa* (n.)
through my fault; formal acknowledgment of a wrong
92. *mens rea* (n.)
evil intent; guilty mind
- 93.* *modus operandi, m.o.* (n.)
a mode of operating
94. *modus vivendi* (n.)
a mode of living
95. *nisi* (adj.)
unless, conditional
- 96.* *nolle prosequi* (n.) related forms: *nol-pros*, *nol-prossing*, *nol-prossed* an entry on the record that no further claim will be taken by the prosecution against the defendant
97. *nolo contendere* (n.)
a plea of "I do not wish to contest"
- 98.* *non compos mentis* (adj.)
of unsound mind; insane
- 99.* *non sequitur* (n.)
an inference that does not follow the premise
100. *nunc pro tunc* (n.)
now for then; a decree or judgment done now as if to have the same effect as if it were done earlier
101. *onus probandi* (n.)
the burden of proof
102. *opere citato, o.p.* (adv.)
in the volume cited
103. *pari passu* (adv.)
at an equal rate or pace
104. *particeps criminis* (n.)
an accomplice to a crime

105. *pendente lite* (adv.)
while the lawsuit continues
- 106.* *per annum* (adv.)
by the year
- 107.* *per capita* (adv.)
by the head
108. *per curiam* (adv.)
by the court
- 109.* *per diem* (adv.)
by the day
110. *per quod* (adv.)
whereby
- 111.* *per se* (adv.)
by itself
112. *persona non grata* (n.)
an unacceptable person
113. *per stirpes* (adv.)
by the root; sharing of estates by descendants according to generations
- 114.* *postmortem* (n.)
examination after death
- 115.* *prima facie* (adj.)
at first view or appearance
- 116.* *pro forma* (adv.)
as a matter of form
- 117.* *pro rata* (adv.)
in proportion
118. *pro se* (adj.)
in one's own behalf; defending oneself
119. *pro tanto* (adj.)
to that extent
- 120.* *pro tempore* (adj.)
for the time being
121. *quantum meruit* (n.)
a promise to pay the plaintiff according to what plaintiff deserves
- 122.* *quasi* (adj., adv.)
seemingly; almost
- 123.* *quid pro quo* (n.)
something for something
124. *quod erat demonstrandum, Q.E.D.* (n.)
which was to be proved
125. *reductio ad absurdum* (n.)
disproving an argument by showing it leads to a ridiculous conclusion
126. *res gestae* (n.)
transactions, exploits, things that are admissible in evidence
127. *res ipsa loquitur* (n.)
the thing speaks for itself

128. *res judicata* (n.)
a matter decided by a court that cannot be litigated again by the same parties
129. *secundum bono mores* (adv.)
according to established custom
130. *semper paratus* (adj., n.)
always ready
131. *sic* (adv.)
thus
132. *sic transit gloria mundi* (n.)
so passes away the glory of this world
133. *sine die* (adv.)
without a day being set; indefinitely
135. *sine qua non* (n.)
an essential condition
136. *stare decisis* (adj., n.)
to abide by decided cases
- 137.* *status quo* (n.)
the state in which; the existing state of affairs
138. *sub judice* (adv.)
under judicial consideration
139. *subpoena ad testificandum* (n.)
a writ commanding a person to testify
140. *subpoena duces tecum* (n.)
a writ commanding a person to produce in court certain documents or evidence
- 141.* *sub rosa* (adj., adv.)
in strict confidence
142. *sui generis* (adj.)
in a class by itself; unique
- 143.* *summa cum laude* (adv.)
with highest distinction
144. *supra* (prep., adv.)
above; in the earlier part of this writing
145. *tabula rasa* (n.)
a blank slate
146. *ultra vires* (adj., adv.)
outside the powers; describing acts by corporations not authorized by their charters
147. *verbatim et literatim* (adv.)
word for word and letter for letter
148. *vis-à-vis* (adv., prep.) French
face to face; compared with
149. *voir dire* (n., adj.)
a preliminary examination given a prospective witness or juror to determine competence
150. *vox populi* (n.)
the voice of the people, popular opinion
151. writ of *certiorari* (n.)
a writ from a superior court ordering the records of an inferior court in order to provide sure and speedy justice or to correct errors