

Glossary of Terms Related to the Practice and Study of Law

As you begin law school at VLS, you will encounter new terms on a regular basis. Language is the medium of law, so it is critical that you familiarize yourself with key vocabulary. The first part of this glossary defines legal terms that you will likely hear in the early days of your studies.

Law school—in addition to the practice of law—has a language all its own. To assist you in navigating the law school experience, the second part of this glossary defines law school specific terms that you may come across.

Part I: Legal Terms

ABA: American Bar Association. The national professional organization of lawyers.

Ad hoc: Latin phrase meaning “for this purpose only.” Common examples include an ad hoc committee or an ad hoc commission created for a specific, limited purpose.

Affirm: To confirm, or uphold, a judgment on appeal.

Appellant: A party who appeals a lower court’s decision, usually seeking to reverse that decision.

Appellee: A party against whom an appeal is taken. Their role is to respond to that appeal, and they usually want to affirm, or uphold, the lower court’s decision.

Appellate Court: A court that hears appeals. The cases you typically read in law school are issued by appellate courts.

Associate: The entry-level position for an attorney at a law firm.

Authority: A source of law that supports an assertion in a legal argument. Legal authority is divided into two basic categories: precedential and persuasive. Courts are required to follow precedential authority and are permitted, but not required, to consider persuasive authority.

Bar Exam: The bar exam, or sometimes just “the bar,” is the test that all lawyers must take to receive their law license. After graduation you will have earned a JD, but you must then pass your jurisdiction’s bar exam and be sworn in before you can practice.

Black’s Law Dictionary: A legal dictionary. When you encounter a new legal term, always look it up in a legal dictionary. Note that a standard English dictionary may not include legal definitions.

Black-Letter Law: The established, uncontroversial rules and doctrines in a particular area of law.

Bluebook: A uniform citation guide used in legal writing by students, law firms, judges, and law journals. As a verb, “bluebooking” generally means checking citations for both form and accuracy.

Bona Fide: A Latin phrase meaning “in good faith.” Used to refer to something made in good faith, without fraud, or deceit. Signifies honesty.

Brief, Motion or Appellate: A document submitted to either a trial or appellate court arguing a party’s position.

Caselaw: The law as derived from a collection of written judicial opinions.

Citation: A legal reference. In legal writing, you will want to cite your sources. You will almost always use the Bluebook to determine the correct citation format.

Civil: Civil cases involve disputes not arising out of violations of criminal law.

Civ Pro: Abbreviation for Civil Procedure, which is a discipline that focuses on the process, or rules, courts follow during civil litigation.

CLE: Continuing Legal Education. Educational courses intended to keep lawyers up to date on the law. Most states require lawyers to earn a minimum number of CLE hours each year to maintain their licenses.

Clerking: Upon graduating law school, you can apply to clerk for a judge. This typically involves a great deal of research and writing, though the experience differs from judge to judge and court to court. Clerkships are typically regarded as prestigious.

Common Law: The body of law derived from cases, rather than a statutes.

Conclusory: A conclusory statement asserts a conclusion but omits supporting analysis.

Con Law: Abbreviation for Constitutional Law.

Crim: Abbreviation for Criminal Law.

Crim Pro: Abbreviation used for Criminal Procedure, which is a discipline that focuses on the process, or rules, courts follow during criminal prosecutions.

Damages: The remedy sought by the plaintiff in a civil lawsuit.

De facto: Latin for “in fact.” For example, the phrase “de facto segregation” describes a circumstance in which segregation is illegal but happens in practice.

De jure: Latin for “in law.” For example, the phrase “de jure segregation” describes a circumstance in which segregation is legal, as was unfortunately the case in this country’s recent past.

Defendant: The person against whom a lawsuit or prosecution has been brought. In a civil suit this is the person from whom a plaintiff seeks relief. In a criminal action, it is the accused. Sometimes denoted by the delta symbol Δ.

De novo: Latin for “anew,” which means starting over. In certain circumstances, an appellate court will review a trial court’s decision de novo, affording the trial court no deference.

Dicta: A comment, suggestion, or observation made by a judge in an opinion that is not necessary to resolve the case, and as such, it is not legally binding on other courts but may be cited as persuasive authority in future litigation.

Dissent: A disagreement with a majority opinion asserted by a fellow judge hearing the same case.

FRAP: Abbreviation for Federal Rules of Appellate Procedure.

FRCP: Abbreviation for Federal Rules of Civil Procedure.

FRE: Abbreviation for Federal Rules of Evidence.

Holding: The court’s decision on a matter of law, sometimes called a judgment or a ruling.

Hornbook: A book explaining an overview of a particular area of law.

In re: Latin for “in the matter of.” The usual style for the name of a judicial proceeding having some item of property at the center of the dispute rather than adverse parties.

Inter alia: Latin for “among other things.” This phrase is often used to specify one example out of many possibilities.

K: Abbreviation for contract.

LexisNexis and Westlaw: These are the legal databases you will typically use to research the law.

Litigation: The process of taking a dispute to a court of law.

Litigator: Litigation attorney. Also known as trial lawyer.

MPRE: Abbreviation for the Multistate Professional Responsibility Exam, or ethics exam. Most states require that you pass the MPRE in addition to the bar exam to be licensed.

Oral Argument: An oral presentation of a client's position on a motion or appeal before a court or panel of judges.

Partner: A senior position in a law firm. Sometimes called a Shareholder.

Plaintiff: The party who initiates a lawsuit by filing a complaint. In a criminal action, the plaintiff is the government. Sometimes denoted by the symbol π.

Precedent: An existing opinion that serves to guide a court in the case before it. Our common law system is based upon precedent. Courts look to principles established in earlier cases that have similar facts and legal issues.

Prima facie: Latin for "at first look," or "on its face," referring to a lawsuit in which the initial pleading or evidence is sufficient to prove the case unless there is material contradictory evidence developed in discovery or at trial.

Pro bono: Legal work performed by lawyers (and sometimes law students) without pay.

Prosecutor: The lawyer that brings charges against the defendant in a criminal case.

Public Interest Law: An umbrella term describing legal work advancing social justice or public welfare. For example, public interest law may include working at a government agency or a non-profit organization.

Reasonable Person: A hypothetical person used as a legal standard to demonstrate the proper degree of attention, knowledge, and judgment for the law to require in a particular circumstance.

Restatement: The Restatements set forth concepts of common law in major areas such as contracts, torts, trusts, and property. The Restatements, which are authored by legal scholars and experts, are widely referred to in jurisprudence but are not binding.

Reverse: When an appellate court overturns a lower court's decision.

SCOTUS: Abbreviation for Supreme Court of the United States.

Statutory Law: Law passed by a legislative body, rather than developed through caselaw.

Stare decisis: Latin for "to stand by things decided." A doctrine that means a trial court

is bound by appellate court decisions (precedents) on a legal question.

Transactional Law: A broad term describing legal practice that does not involve litigation. Includes negotiating, structuring, drafting documents for, and otherwise handling business deals of all types.

Treatise: Scholarly secondary source that provides an analysis of the law in a particular area, including relevant background to the law's development.

Tort: A civil (not criminal) wrong, other than a breach of contract.

UCC: Abbreviation for Uniform Commercial Code, which is set of laws that governs subjects such as Sales, Commercial Paper, and Secured Transactions.

Writ of Certiorari: A written order issued by an appellate court, in its discretion, directing a lower court to deliver the record in a particular case for review.

Part II: Law School Terms

1L, 2L, 3L: 1L refers to first year law student, 2L to second year, and 3L to third year.

1L Rep: An officer or board position open exclusively to 1Ls. Most student organizations at VLS have 1L Rep positions and have different mechanisms for selecting students, all of which occur during the first few weeks of school.

Anchor Link: Vanderbilt's digital student engagement platform, used for managing and participating in student organizations and listing events for the law school and university community.

Barristers' Ball: The annual formal social event for the student body sponsored by the Vanderbilt Bar Association. Also called "law prom."

Blackacre: At VLS, Blackacre is both a place (the courtyard in the center of the law school) and an event (a large weekly social gathering of students, staff, and faculty that generally occurs every Friday at 4PM in and around the courtyard). You may also hear the term Blackacre in your property class, where it is often used as the name of a hypothetical piece of real property.

Brightspace: A platform through which professors and VLS administration communicate with students. You will need to enroll in Brightspace pages for each class or relevant department.

Book: A student who "booked" a class received the highest grade.

Book-briefing: A technique used by law students who choose not to prepare case briefs. Book-briefing involves using the margins of the casebook and various colored highlighters to brief the case in the book rather than creating a separate case brief. Not recommended unless very crunched on time.

Callback Interview: An interview for a job at a law firm that takes place after an initial screening process. Callbacks are generally in-depth and lengthy, which is a good sign that the firm is serious about the candidate.

Case Book: A compilation of cases, chosen and edited to teach a subject. Note that a case book is not a textbook in that it will not typically include significant contextual material. Rather, selected cases serve as examples of the subject principles.

Case Brief: A case brief is a summary of a case that you will prepare before class for use both in class and when studying to help you remember things like important facts, issues, and the holding.

Clinic: For-credit course that allows students to function as the lawyers responsible for a case while under the supervision of a practicing attorney or law professor. Find additional information on VLS Clinics [here](#).

Cold Call: When a professor calls on a student in class without warning.

Externship: Legal job placement outside the law school for which you receive academic credit. You will not be able to enroll in any externships during your first year but find additional information about VLS externships [here](#).

Hypo: Abbreviation for hypothetical, law professors' favorite teaching tool. Hypos consist of a short set of facts described by a professor in class that requires students to apply the rules they are learning to solve legal problems.

Law Journal or Law Review: A student-run publication that publishes scholarly legal articles written by law professors, judges, practitioners, and law students. Find a list of VLS academic publications [here](#).

Main Street: The common area on the ground floor of the law school, often used for student displays or meetings.

Moot Court: A simulated appellate court proceeding in which law students write briefs and make oral arguments in hypothetical cases.

Mock Trial: A simulated trial court proceeding in which law students take part in a hypothetical trial.

OCI: Abbreviation for on-campus interviews. A process by which recruiters from various law firms and agencies interview students for prospective summer or permanent associate positions.

Outline: A common way to organize and synthesize the information for a particular class, generally in preparation for an exam. Please attend the ASP outlining workshop for additional direction.

Outline Bank: A collection of various outlines for different courses, which are provided by students. While you may use outlines from an outline bank or a commercial source for guidance or organizational ideas, remember that valuable studying involves *making* your outline, not simply *having* one.

Socratic Method: Style of teaching, often used in conjunction with cold calling, where students learn from one another as the professor facilitates discussion by asking questions rather than lecturing.

Summer Associates: Law students hired to work at law firms over the summer. Sometimes called "summers."

Supplement: A supplement, or study aid, is a publication designed to help you understand the law. They are not case books, but you may want to consult supplements for additional assistance or examples. Find information about the supplements available through the VLS law library [here](#).

TWEN: A platform that some professors use to post course information or collect assignments. TWEN is associated with Westlaw. Your professor will tell you if you need to use it.

UBE: Abbreviation for Uniform Bar Exam. This bar exam has been adopted by more than forty jurisdictions, including Tennessee, and is portable, meaning you can transfer your bar exam score to other states.

VBA: Abbreviation for Vanderbilt Bar Association. The official student government organization for VLS. VBA organizes social and community service events and facilitates communication between the student body and the administration. VBA is only one of VLS' many student organizations. Find additional information for all VLS student organizations [here](#).

Writing Sample: A sample of a student's legal writing that is often required as part of a legal job application.

* This document, of course, cannot define all terms relevant to the law or the law school experience. That said, if you have ideas about helpful terms to include, please email Meg Phillips, Director of Academic Success, at meghan.phillips@vanderbilt.edu.