

Empowering Survivors of Intimate Partner Violence Through Education: Navigating the Legal System

Glossary of Terms

Assessment of lethality risk: measures the dangerousness of an abusive situation

Compensatory strategies: environment modifications or behavior strategies to help someone cope with brain injury symptoms

Contested divorce: when spouses can't agree on divorce issues such as the division of marital property and debts, child custody, child support, and spousal support

Convicted: formally found guilty of a crime by the court

Defendant: person accused of committing a crime

Deposition: the taking of sworn, out-of-court oral testimony of a witness that may be reduced to a written transcript for later use in court

Jurisdiction: the geographic area over which a court has the power to make legal decisions

Mediation: a negotiation with the assistance of a neutral third party. The parties do not reach a resolution unless all sides agree

Motion: a written request or proposal to the court to obtain an order or ruling

Orders to enforce: when a former spouse refuses to comply with court orders relating to property, debts, parent time, or support, the court can order things like a judgment for back amounts owed, or make-up parent time, and can hold a party in contempt for failure to follow the order

Plea agreement: an agreement where the person accused of a crime pleads guilty in exchange for a less serious charge or a lower sentence (less jail time or a lower fine)

Pretrial hearing: is a meeting of the defense, prosecution, and the judge to determine which issues are settled and which issue will go to trial

Prosecutor: the lawyer responsible for presenting evidence against an individual accused of breaking the law

Protective order: a court order instructing a person to stop abusing or harassing the victim

Retainer: A fee that the client pays upfront to an attorney before the attorney has begun work for the client. As the lawyer performs work, he or she withdraws money from that lump sum as payment for the work done

Subpoena: document requiring a witness to attend a trial to give evidence on a certain day and at a certain time

Ex Parte Protective Order: time limited protective order issued without notice to the abuser or without a court hearing. They are given only for a short period of time before a court can schedule a hearing at which the abuser may appear and contest the order.