

## **First Year Law School Glossary**

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*This is meant to be a short, not exhaustive, glossary of terms, or abbreviations, you might encounter during your first year. This is meant to give you a very basic understanding of the word. I also recommend asking your professors (you are not the only one wondering what the word means) or invest in Black's Law Dictionary. Black's Law Dictionary can also be found online at <https://thelawdictionary.org/>. But always remember, I created this glossary because you are definitely not the only one that doesn't know the word!*

**1L, 2L, 3L:** In undergrad, your year in school is usually referred to as freshman, sophomore, etc. In law school, we use 1L to refer to first year, 2L to second year, 3L to third year. Your law school might have a part time division, and in that case, some students might be referred to as 4Ls as well.

**Affirm:** To confirm a judgement on appeal, or uphold it. Meaning, the appellate court confirms that the lower court ruled "correctly."

**Appellant:** A party who appeals a lower court's decision, usually seeking to reverse that decision. A party would do this if they lose at court.

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

**Appellate Court:** This is the type of court that hears appeals. This means the party that lost at the lower court level appealed to a higher court. The cases you typically read in law school are at the appellate court level.

**Bar Exam:** The Bar Exam, or sometimes just "bar", is what most (there are some state exceptions, but not many) lawyers must take in order to be licensed. When you graduate law school, you have a juris doctorate, but you are not a lawyer. You don't become a lawyer until you pass your jurisdiction's bar exam, and are sworn in. The Bar Exam is a two day test in either July or Feb. Your Academic Support person on campus will tell you more, but you do not need to worry about it your first year.

**Black's Law Dictionary:** A legal dictionary. You should always look up legal terms using a legal dictionary versus a normal dictionary, as sometimes the terms will have different meanings. Any trustworthy legal dictionary will suffice for this, it just so happens that "Black's" is the most famous.

**BlueBook:** This is the book most legal writing courses, law firms, judges, and law journals and law reviews use for uniform citation. You might hear people talk about "bluebooking", which generally means checking citations.

**CALI**: The Center for Computer-Assisted Legal Instruction, also known as CALI, is a non-profit consortium of mostly US law schools that conducts applied research and development in the area of computer-mediated legal education. The organization is best known in law schools for CALI Lessons and online interactive tutorials in legal subjects. They also have things like podcasts on various subjects. Your library will be able to tell you how to create a CALI account. At some schools, there are “CALI Awards”, which are given to the student that gets the top grade in the particular class. You might hear students say they “CALI’d” a class, and that might be because they did CALI lessons!

**Case Book**: Your textbook. A compilation of cases, chosen and edited to teach a subject.

**Case Brief**: As you read cases for class, you will want to “brief” them. You will receive instruction on how to do this, likely during orientation. Essentially, it is a summary of the case, so that you can remember things like important facts, issues, and the holding, when you are called on in class, and when you need to study and review.

**Case Law**: The law derived from a collection of cases. Essentially, judges will write opinions, and that creates case law, or precedent. Case law can be common law, or, it can be used to explain and supplement statutory law.

**Citation**: A legal reference. In legal writing (aside from most exams) you will want to “cite” your sources. You will learn more about this in your legal writing courses. You typically use the bluebook to determine the correct citation format.

**“Civ Pro”**: This is the abbreviation typically used for the subject of Civil Procedure. Civil Procedure is the process, or rules, of a case. So, how to file a claim, and which court has jurisdiction. Essentially the rules of court. Typically, Civil Procedure courses will use FRCP, or the Federal Rules of Civil Procedure.

**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 experiences may differ slightly from judge to judge and court to court. Typically, it’s a fairly prestigious honor.

**Clinic**: Law school training in which students participate in actual cases under the supervision of a practicing attorney or law professor.

**Cold Call**: Some of your professors might use “cold calling” in class. This has long been a staple of law school classes, but not every professor is the same. Essentially, it means calling on students without warning, or without looking for volunteers. So, the professor might say “Mr. Jones, what was the holding in Smith v Smith” even though you haven’t raised your hand or volunteered. Every professor runs their class in their own way, so after 1-2 classes, you’ll start to get a feeling for how your professor “cold calls”, if they do so at all.

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

**Conclusory**: This is often used in legal writing, and means you have left out a proper analysis. You don't want your writing to be conclusory, you want a conclusion supported by analysis. Your legal writing professors, and your academic support professors, will help you with this.

**"Con Law"**: This is an abbreviation typically used for constitutional law.

**"Crim"**: This is an abbreviation typically used for criminal law.

**Defendant**: in a civil case, the defendant is the one being sued. In a criminal action, the defendant is the one who is being put on trial for a crime.

**Dissent**: A disagreement with a majority opinion, especially among judges.

**FRCP**: Federal Rules of Civil Procedure. See "Civ Pro"

**Holding**: The court's decision on a matter of law, sometimes called a judgement or a ruling.

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

**Hypo**: Short of hypothetical. Your professors will often give 'hypos', which are fictional scenarios, to help explain the law. In addition, your exams will consist of "hypos" you should answer. You might also hear others refer to "practice hypos", which is one way of preparing for exams.

**IRAC**: Issue, Rule, Analysis, Conclusion. This is the structure that we use for legal writing. Sometimes, it will be referred to as CRAC or CREAC. CRAC is Conclusion, Rule, Analysis, Conclusion, and CREAC is Conclusion, Rule, Explanation, Analysis, Conclusion. They are all the same basic structure with very few modifications.

**"K"**: An abbreviation for Contracts.

**Law Review/Law Journal**: These are student run publications. You may have an opportunity to join one your second year, which means you will be editing the articles that the publications put out. The articles are typically written by law professors around the country.

**Lexis/Westlaw**: These are the legal databases you will typically use to research the law. Your school will have representatives from each to help you navigate the database. In addition, you will learn more about them in your legal research course.

**Moot Court**: A fictitious court, usually held in a law school setting, to argue "moot", or hypothetical, cases. These cases are usually at the appellate level.

**MPRE**: the Multistate Professional Responsibility Exam, or ethics exam. This is usually taken before you sit for the bar exam, and is offered in August, October, and March. It is probably best to sit for it the August before your 3<sup>rd</sup> year, or the October of your 3<sup>rd</sup> year.

**Outline**: You will hear the term "outline" during your first semester. The 2<sup>nd</sup> and 3<sup>rd</sup> years may offer you their outline, or you may hear talk of a "commercial outline". An outline is simply a

way or organizing the information for a particular subject or class. There is no “right” way to outline; it can be a traditional outline, a flow chart, graphs, charts, mind maps, flashcards. The important part is that you are organizing, and synthesizing, the information being given to you in class.

While you can use commercial outlines, or outlines of fellow students, as a resource, do not use them in place of doing your own, as it’s the process of creating your outline, however it looks, that helps you master the material.

**Petitioner:** One who appeals from a judgment.

**Plaintiff:** the plaintiff is the party that is bringing the lawsuit, or initiating the claim.

**Prosecutor:** In a criminal case, the prosecutor is the lawyer that brings charges against the defendant.

**Respondent:** The party against whom an appeal is taken; appellee.

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

**SCOTUS:** Supreme Court of the United States

**Statutory Law:** Law passed by a legislative body. This is different from common law. Examples of this are the FRCP, UCC. And more.

**Study Aid/Supplement:** A supplement is a collection of books designed to help you understand the law. They are not case books. Your library will have more information on the various types of supplements, and what they are used for. Some, like commercial outlines, help you

**Tort:** A civil wrong. This subject typically involves things like car accidents, and so forth.

**TWEN:** This is a web platform that some professors use in class, and it’s associated with Westlaw. They use it to collect assignments, provide course handouts, etc. Your professor will tell you if you need to use it.

**UBE:** The Uniform Bar Exam. This is the bar exam administered in roughly 35 states. The reason this is significant is that the UBE score is “portable”, meaning you can transfer your bar exam score to other states. Your Academic Support person on campus will tell you more, and it’s not something you need to worry about your first year.

**UCC:** Uniform Commercial Code. This includes subjects like Sales, Commercial Paper, and Secured Transactions.

**Writ of Certiorari:** Used by the U.S. Supreme Court to review the cases the Court decides to hear.