

PLAIN ENGLISH FOR LATIN EXPRESSIONS

This Plain English lexicon is meant to serve as a guide to some common Latin expressions used in legal parlance.



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Ab Initio - from the inception
Actus Reus - guilty act
Ad Hoc - for this specific purpose
Ad Idem - of same mind/in agreement
Ad Infinitum - without limit/ without end
Ad Litem - for the suit
Amicus Curiae - a person assisting the court
Ante - before
Audi Alteram Partem - right to be heard
Bona Fide - in good faith
Caveat Emptor - buyer beware
Causa Causans - the immediate cause
Causa Sine Qua Non - a cause without which the thing or event cannot happen
Certiorari - a form of judicial review where a court considers a legal decision of an administrative tribunal, judicial office or organisation. The review court then decides whether the decision was regular
Compos Mentis - of sound mind
Contra Proferentem - an ambiguity in a document is resolved against the person who drafted the document
Coram - before/ in the presence of a person
C.A.V. (Cur. Adv. Vult.) - the court has taken time to consider its judgement
De Bene Esse - something that is done provisionally
De Facto - in fact / in reality
De Jure - by right / as a matter of law
De Minimis - something so insignificant that a court may disregard it when deciding a case
De Novo - for new

Ejusdem Generis - a word of general meaning following a list of specific examples is to be read not in its wildest meaning but is instead to be limited to matters of the same class or nature as the examples listed
Erratum - an error
Ex Ante - before the event
Ex Debito Justitiae - something that is due as a matter of right
Ex Gratia - as a matter of favour/ without obligation/ not legally necessary
Ex Officio - by virtue of the office
Ex Parte - by one party only
Ex Post Facto - after the event
Forum Conveniens - appropriate forum
Forum Non Conveniens - inappropriate forum
Functus Officio - office terminated (having discharged duty)
Habeas Corpus - produce the person/ for production of the person
Ibid - in the same place. The term is often used in footnotes to refer to a work cited in the previous footnote (s)
Ignorantia Juris Non Excusat - ignorance of the law is no excuse
In Camera - in private
In Curia - in open court
In Extenso - at full length
In Limine - something to be decided by the court before proceeding further
In Pari Delicto - equally at fault
In Pari Materia - on the same subject / relating to the same matter

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In Personam - against the person

In Re - in the matter of

In Rem - against / in respect of the thing

Infra - below

Inter Alia - among other things

Inter Alios - among other persons

Inter Partes - among parties

Inter Se - among / between themselves

In Situ - in its original situation

Intra - within

Intra Vires - within the power of

Ipsa Facto - by the fact

Jurat - certificate of person empowered to administer oath or affirmation

Lex - law / body of laws

Lex Causae - law applicable to a claim

Lex Domicilii - law of a country where a person has a permanent and fixed home

Lex Fori - law of the court hearing the claim

Lex Loci - law of the place where something has happened

Lex Loci Delicti - law of the place where the wrong is committed

Lex Situs - law of the place where the property is situated

Lex Loci Solutionis - law of the place where the contract is to be performed

Locus in quo - the place in which

Mala Fides - in bad faith

Mandamus - procedure by which a higher court orders a lower court or government official to perform its or his duties in the correct manner according to law

Mens Rea - guilty mind

Mutatis Mutandis - with the necessary modifications

Nemo Judex In Parte Sua - no man should judge a case in which he is party

Non Compos Mentis - of unsound mind

Non Est Factum - not his deed. A plea that an agreement (originally a deed) mentioned in the pleading was not the act of the defendant

Novus Actus Interveniens - an intervening cause that disturbs the natural cause of events between the wrongful act and the final injury

Obiter Dictum - observations made in a judgement other than on the point decided

Pari Delicto - of equal fault

Pari Passu - equally without preference

Per - as stated by / statement made by

Per Curiam - by the court

Per Incuriam - through inadvertence

Per Pro (pp) - through another

Post - after

Praecipe - a written order to the court registry for inspection or issue of a document

Prima Facie - on its face

Pro Rata - proportionate division according to interest

Pro Tanto - to the extent of

Pro Tempore (Pro Tem) - for the time being or temporarily

Qua - in the capacity of

Quantum Meruit - the reasonable value of services performed by one person for another, as assessed by the court, in absence of an agreement

Quantum Valebat - the reasonable value of goods and materials supplied by one person for another, as assessed by the court, in the absence of an agreement

Quaere - to raise as a question or issue

Ratio Decidendi - point decided

Res Integra - a new or undecided question of law

Res Judicata - an issue already adjudged upon

Res Ipsa Loquitur - the thing speaks for itself

Restitutio In Integrum - restoration to the previous condition

Semble - it appears

Sine Die - without any fixed date

Sub Judice - in the course of trial

Subpoena Ad Testificum - an order to testify

Subpoena Duces Tecum - an order to produce documents

Sui Generis - something of its own kind / peculiar

Sui Juris - of full age and capacity

Supra - above

Ultra Vires - beyond the power

Vide - see / refer to

Volenti Non Fit Injuria - a person who knowingly accepts a risk or dangerous situation cannot claim compensation for any resulting injury

Voir Dire - the hearing of evidence and argument in the course of a trial to decide whether a prior statement or other piece of evidence is admissible