

§ 1.1 Vocabulary

Action	lawsuit, court case
Allegation	statement asserted to be true
Alternative Dispute Resolution (“ADR”)	dispute resolution process intended to expedite resolution and reduce costs, e.g., arbitration or mediation
Appear	to enter a lawsuit
Appearance fee	sum paid to the court by all parties (except public entities and parties obtaining a waiver)
Arbitration	Alternative dispute resolution process in which each party presents its case to a neutral third party called an "arbitrator," who issues an award as would a judge; may be binding or non-binding.
Attorney service	service which, among other things, files court documents, serves process and searches records
Body	that part of a pleading that contains “the meat”
By-line	type of signature line used when person signing is a member of a law firm or other entity
Caption	consists of the name, address, phone number, fax number and email address (if available), and state bar number of the attorney who prepares the document, designation and name of the party on whose behalf the document is prepared, name of the court and county where the action is pending, title of the action, case number, and title of the document
	<div data-bbox="435 1108 628 1241" style="border: 1px solid black; padding: 5px; width: fit-content;">Rule change effective 1/1/06</div>
Case number	the number assigned to a case by the court clerk, used on all subsequent documents filed in that case, sometimes referred to as “docket number”
Cause of action	legal theory on which an action is brought
Collections Case	an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorneys fees, arising from a transaction in which property, services, or money was acquired on credit, and does not seek tort or punitive damages, recovery of real or personal property or a prejudgment writ of attachment (new C.R.C., Rule 3.740, effective July 1, 2007)
	<div data-bbox="435 1549 628 1682" style="border: 1px solid black; padding: 5px; width: fit-content;">New rule effective 7/1/07</div>
Complaint	pleading filed by complaining party, stating allegations against another, and asking court for relief

Complex case	an action that requires exceptional judicial management to avoid placing unnecessary burdens on the court or litigants and to expedite the case, keep costs reasonable, and promote effective decision making by the court, the parties, and counsel (California Rules of Court, Rule 1800)
Conform	(1) to stamp with court clerk's filing stamp, evidencing date of filing; (2) to fill in filing data on file copies
Damage	injury to a person or entity
Damages	monetary compensation awarded to a person or entity for suffering damage
Declare	to make a statement setting forth facts under penalty of perjury
Defendant	party designation of person or entity being sued
DOE(S)	fictitiously named defendant(s) whose name(s) plaintiff does not know when preparing the complaint
Face page	first page of a document; contains the caption
File	(1) to enter documents on court records; (2) to place in an office file
Issue	approval by the court clerk of the use and service of a court form; here for a "summons"
Judgment	the court's final decision in a lawsuit
Jurisdiction	the power and authority of the court to render a legally binding decision in a lawsuit; requires subject matter jurisdiction (court's power to rule on the particular type of case and amount in controversy), and either personal jurisdiction (control over the defendant in the case) or <i>in rem</i> jurisdiction (control over the property at issue in the case)
Limited civil case	general civil case seeking monetary damages up to \$25,000; governed by C.C.P. §§ 90-100
Mediation	Alternative dispute resolution process in which a neutral person facilitates communication between the parties to assist them in reaching a mutually acceptable settlement
Perjury	to testify falsely and deliberately under oath
Plaintiff	party designation of person or entity commencing the legal action

Pleading	a document typed on pleading paper, alleging matters of fact and/or law, and requesting the court to grant relief
Pleading paper	paper used for most court documents; numbered 1 through 28 on the left hand margin; sometimes referred to as “ruled and numbered paper”
Prayer	the last part of a pleading, begins with the word “WHEREFORE,” and in it, a party asks that the court grant relief in its favor
Process server	a person who serves court summonses, subpoenas and writs
Service	the delivery, by mail, personally, or otherwise, of a document to an individual or entity
State bar number	the number assigned to each attorney upon admission to the state bar association
Title	the name of a pleading or other court document
Title of the action	part of a pleading or other court document naming the parties to the action and their party designations, (names of parties are always typed in all caps); that portion of a pleading surrounded by brackets
Unlimited civil case	tort cases with potential damages in excess of \$25,000; non-tort cases with claims in excess of \$25,000; cases requesting equitable relief
Venue	the proper location for a case to be heard, e.g., a personal injury case may be heard where the accident occurred or where the defendant resides