

LEGAL DICTIONARY



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Introduction

Each year, thousands of high school students and post-graduate students enter into one of New Zealand's universities to study law. There they will undertake a rigorous and gruelling three, four or five-year law degree or double degree. The standards are high, the competition is stiff, the lecturers are tough and the readings are almost never-ending.

This transition to law school can be a momentous challenge even for the most astute and well-rounded high school and undergraduate student.

The New Zealand legal landscape is now presenting even greater challenges to the next generation of would-be solicitors, barristers, judges and policy makers. This means that law students need all the help they can get to navigate these difficult waters, despite their competitive and over-achieving edge.

As such the Lawskool Legal Dictionary is here to help. It is a light-hearted, easy to use, yet informative explanation of the many new legal concepts that every law student will have to learn during the course of their studies. From Actus Reus to the six universities offering law each new page of the Legal Dictionary gives a concise explanation of legal concepts, principles and ideas.

The Legal Dictionary is a useful tool for New Zealand law student as a quick and easy to understand reference for tricky legal concepts, or as a fun reminder of the meaning of Latin terms.

Whether you're a bright eyed first-year law student or a seasoned post-graduate student practitioner, this Dictionary is for you.

Lawskool has tried to ensure that this Dictionary has all the core information needed to help students in their study of the law. But a key aim was to also make the Dictionary entertaining, straight-forward and easy to use.

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Sample

A

Acquittal

This is a judgment that a defendant is not guilty of a crime or charges as charged.

Actus Reus

Actus Reus is a Latin term that you will encounter when studying criminal law. The term 'Actus reus' is Latin for 'guilty act', and forms the physical, objective component of a crime.

Most serious crimes require both mens rea, or guilty intent, and actus reus, which is the physical act constituting the crime.

For example:

John Doe shoots Johnson Adams, with the intention of killing him. John's guilty intent establishes mens rea, whereas the physical act of firing the gun constitutes the relevant actus reus.

Statute law in each jurisdiction defines the actus reus elements for a particular crime, and vary from one crime to another.

Some crimes can be established by the actus reus alone without mens rea. These are known as offences of strict liability (for example parking fines, fishing without a permit, or not wearing a bicycle helmet).

Read the chapter on strict liability offences to find out more about these types of offences.

Ad hoc

Ad hoc means for a particular purpose.

Adjourn

To postpone a court sitting, or any meeting, to another date and/or location.

Adjudication

In a judicial proceeding, the act of resolving a dispute or deciding a case.

A judicial ruling or decision.

Administrative Law

Administrative law is the branch of law dealing with regulations by, and hearings before, government agencies that make and enforce regulations in specialised fields.

Admissible

Evidence is admissible if it is of such a character that the court is bound to accept it during the trial so that it may be evaluated by the judge or jury.

Affidavit

An affidavit is a written document in which the signer (Affiant) swears under oath before someone authorised to take oaths, that the statements in the document are true.

Affirm

A solemn and formal declaration of the truth of a statement, such as an Affidavit.

Affirmation

A solemn and formal declaration of the truth of a statement. The same as an oath, but without the religious implications.



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