

Ignorantia juris non excusat

Ignorance of the law is no excuse. It signifies importance of legal awareness. This legal maxim holds that a person who is unaware of a law may not escape liability for violating that law merely by being unaware of its content. So, one must be aware of the law.

Indict

using legal means, to officially accuse someone of committing an offence.

Indictable offence

an offence which can be tried by jury in the Crown Court.

Indictment

a document setting out the details of the offence a defendant is accused of.

Intangible property

property which does not physically exist, such as a right or a patent.

Interest

a legal right to use property.

Interlocutory Judgement

a provisional judgement.(Since April 1999, this had been replaced with the phrase 'Judgment for an amount and costs to be decided by the court').

¹ Based on Plain English Campaign: The A to Z guide to legal phrases www.plainenglish.co.uk. Other sources wherever used is given due recognition.

Interlocutory Proceedings

the first things to be done before a civil case comes to trial. They include pleading (preparing the formal written statement) and discovery (stating the documents, under one party's control, which are relevant to the case and making them available to the other party) so that there are no surprises when the trial starts.

Interrogatories

in a civil case, formal questions from one side which the other side must answer under oath.

Intestacy/intestate

when someone dies without leaving a will. Their estate is divided up between their relatives following the rules set by law.

Intimidation

threatening or frightening someone into doing something.

Involuntary manslaughter

Death caused by a person who thought they might cause physical but not fatal harm and there was no lawful excuse.

Issue

the legal word for:

- children; or

- the matter to be decided by a court action.

Issued share capital

share capital which has been allocated to shareholders who have subscribed for (asked for) shares.

J

Joint and several liability

two or more people responsible for repaying a debt. They are each responsible individually to repay all the debt as well as being responsible as a group.

Joint lives policy

a life assurance policy on more than one person's life. The policy pays out on the first death.

Joint tenancy

two or more people having identical shares in land.

Joint will

a single will which two or more people make to cover all their estates. Probate has to be obtained on each death.

Joyriding

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taking a vehicle without permission and using or allowing it to be used without authority.

## **Judge**

a person whose job is to adjudicate in court cases. The Crown and the Prime Minister appoint judges. Most are barristers but some are solicitors.

## **Judge advocate**

a lawyer who advises a military court which is trying an offence.

## **Judge Advocate General**

a lawyer who is in charge of military justice in the British Army and the Royal Air Force.

## **Judge Advocate General's Department**

a government department which appoints barristers to advise army and air force courts.

## **Judge Advocate of the Fleet**

a lawyer who is in charge of military justice in the British Navy.

## **(Office of the) Judge Advocate of the Fleet**

a government department which appoints barristers to advise naval courts.

### **Judge in chambers**

describes a hearing in front of a judge which is not held in court.

### **Judgement**

a decision by a court.

### **Judgement creditor**

a person who is owed money and who has been to court and obtained a judgement for the money owed.

### **Judgement debtor**

a person who owes the money a court judgement says is owed.

### **Judgement in default**

getting a judgement against you because you failed to do something. If a civil case has gone to court but the defendant does not do something required by the court (such as turn up), judgement for the claimant ('plaintiff' before April 1999) may be given.

### **Judgement summons**

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a summons to appear in court to disclose (reveal) income and assets under oath because a judgement debtor has failed to pay the judgement debt.

Judicial discretion

a degree of flexibility about the way courts do things.

Judicial immunity

immunity that a judge normally has from being sued for damages when acting as a judge.

Judicial precedent

Lower courts have to follow the decisions of higher courts. This is called judicial precedent, binding precedent or precedent.

Judicial separation

a court order that two married people should live apart.

Junior barrister

a barrister who is not a Queen's Counsel.

Jurisdiction is:

- the territory in which a court can operate;

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- the power it has to deal with particular cases; or
- the power it has to issue orders.

## **Juror**

one of the people who are acting as a jury.

## **Jury**

a group of people (usually 12) who review all the evidence in a court case and then come to a verdict.

## **Jury service**

serving on a jury. Most people between the ages of 18 and 70 can be required to serve on a jury.

## **Just and equitable winding up**

a winding up ordered because fairness cannot be achieved for all the members of a company.

## **Justice of the Peace (JP)**

a person appointed by the Crown to act as a magistrate.

## **Justification**

## IJKL

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claiming that a defamatory statement is true. In a defamation case a defendant may admit that the claimant ('plaintiff' before April 1999)'s allegations are true but plead that the statement which defamed was true.

Justifying bail

proving to the court that the person giving the surety has the assets to pay the bail.

Juvenile offender

a person aged between 10 and 17 who has committed a criminal offence.

K

Kerb crawling

the offence committed in a street or public place by a man in a motor vehicle (or near a vehicle he has just got out of) who approaches a woman for sexual services in return for money.

Kidnap

to take someone away by force against their will.

Knock for knock

an agreement between insurance companies that they will pay for their own policyholders' losses regardless of who was to blame.

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## Know-how

the expertise in an organisation which may be protected by a patent.

## L

**Land** includes:

- the buildings built on the land;
- the subsoil;
- the airspace above the land necessary for ordinary use of the land; and
- property fixed to the land.

## Lasting powers of attorney

(in England and Wales) There are two types of lasting powers of attorney (LPA):

- health and welfare; and
- property and financial affairs.

If a person is capable of dealing with their own affairs at present they can make either or both types of LPA. A finance LPA can be used as soon as the Office for the Public Guardian has registered it. But, a health and welfare LPA can only be used when the person can no longer look after their own affairs. A lasting power of attorney gives another person authority to act on your behalf.

## Lawsuit

a claim made in a court of law.

## Leading question

a question which:

- suggests the answer to be given; or
- assumes things to be true which in fact are disputed.

## Lease

a contract between the owner of a property and a tenant, giving the tenant sole use of the property for an agreed time.

## Leasehold

property held by a tenant with a lease.

## Legacy

a gift left to someone in a will, but not including land.

## Legal aid scheme

a scheme for paying legal costs out of public funds for people who cannot afford to pay for them.

## Legatee

the person who receives a legacy.

## Legal maxims

Legal maxims are sayings of law. These crispy Latin sayings are established principles of law derived through ages by jurists and recognised by the courts of law. Principles, here, imply those universal facts *guiding* human behaviour, it is different from rules or rulings because a rule has a *binding* effect.

## Lessee

the person a property has been leased to.

## Lessor

the person who lets a property by lease.

## Letter of credit

a letter one bank sends to a second bank asking them to pay money to a named person.

## Letters of administration

an authority the courts give to a person to deal with a dead person's estate. It is given when someone dies intestate.

## *Lex non cogit ad impossibilia*

The law does not compel the impossible. However, there is a general principle that party prevented from doing an act for

reasons beyond his control can do so at the first subsequent opportunity.<sup>2</sup>

## Liabilities

the debts that a person or organisation owes.

## Liability

a debt or obligation.

## Libel

a false statement made in writing or in some other permanent record (such as a film).

## Licence

an authority to do something.

## Licensed conveyancer

a person authorised to do conveyancing (but not including solicitors).

## Licensee

the holder of a licence to do something.

## Lien

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<sup>2</sup> Mohd. Ayub v State of U.P. (2009) 17 SCC 70

the right to keep possession of something owned by someone who owes a debt, until the debt has been settled.

### **Life assurance policy(or life insurance policy)**

a contract between the policyholder and the insurance company.  
The insurance company pays out if the policyholder dies.

### **Life assured**

the person whose life is assured by a life assurance policy.

### **Life imprisonment**

a sentence given to a criminal to be imprisoned for the rest of their life (though the Home Secretary may release them early on parole).

### **Life interest**

an interest which will pass to someone else when the present owner dies.

### **Life tenant**

someone entitled to use property for the rest of their life.

### **Limited company**

a company which limits how much its members will have to pay if the company is wound up. The members of most limited companies will only have to pay any money unpaid on their shares. If a company limited by guarantee is wound up, the money its members have to pay is limited to the amount shown in the memorandum of association.

### Liquidated damages

damages agreed beforehand by the parties to a contract in case one of them should later break the terms of the contract.

### Liquidation

the process of winding up a company by disposing of its assets, paying its creditors in a strict order of priority and distributing any money left among the members.

### Liquidator

the person appointed to wind up a company.

### Litigant

a person involved in a lawsuit.

### Litigation

taking legal action through the courts.

## Loan capital

money borrowed by an organisation.

## Loan creditor

a person or organisation which has lent money to an organisation.