

DICT

# **Simplifying Legal Words**

**The definitions of commonly used words in  
the Probate and Family Court**

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## **READ THIS:**

Information provided in this packet IS NOT LEGAL ADVICE, It is information. This information is not a substitute for a competent lawyer.

When you sign a legal document or file any papers in court, it can seriously affect you in the future. You should always try to get legal advice before filing documents.

Bar Association lawyer referral services are listed in our brochure "Legal Resources in and around Suffolk County." Also listed are free legal service providers. You may be eligible for help.

## Common Family Law Words:

**Affidavit**- a sworn statement.

**Alimony**- support paid to a former spouse.

**Answer**- the defendant's response to the complaint.

**Complaint**- the paper used to start a lawsuit.

**Complaint for Contempt**- a paper filed which asks the Court to enforce an existing order.

**Defendant**- the person the case is brought against.

**Hearing**- an opportunity for the parties to present their sides of a dispute.

**Legal Custody**- the right to make decisions about a child.

**Modification**- A request to change a Court order.

**Motion**- a written or oral request to the court.

**Motion to Impound Address**- A request to allow one of the people in the case not to have to write his or her address on court forms.

**Plaintiff**- one who initially brings a lawsuit.

**Physical Custody**- the right to have a child live with a person.

**Pro-se**- a person represents him or herself in a lawsuit.

**Service or Service of process**- delivering a legal paper to the person against whom you are bringing the case.

**Wedlock**- marriage.

## Common Probate Words:

**Administrator** (male), **Administratrix** (female)- one appointed by the court to handle the affairs of a person who has died without a will.

**Bond**- a written instrument guarantee.

**Citation**- notice given to a person with an interest in a matter before the court.

**Decree**- the court's decision.

**Devisee**- the person to whom land or other real property is given in a will.

**Domicile**- the place where a person has his/her permanent home.

**Estate**- property owned by a person.

**Executor** (male), **Executrix** (female)- a person appointed in a will to carry out the deceased person's will.

**Fiduciary**- a person having a duty to act for the benefit of another.

**Heir or Heir at law**- a person who inherits from an estate other than in a will.

**Intestacy**- dying without having made a will.

**Legatee**- the person to whom personal property is given in a will.

**Petition**- a written request to the court. A petition usually starts a case.

**Petitioner**- person who makes a written request to the court.

**Respondent**- the party who answers a paper filed with the court by another party.

**Testator** (male), **Testatrix** (female)- one who makes and executes a will.

**Testacy**- leaving a will at one's death.

**Ward**- a person over whom or over whose property a guardian is appointed.