

TERMINOLOGY

Answer	The defendant's response to the plaintiff's "statement of claim" (civil suit).
Applicant	This is the individual who filed the complaint for the bond.
Arrest Warrant	A writ ordering someone arrested and taken to jail.
Consent Agreement	Voluntarily yielding the will to the proposition of another.
Counter-Claim	A claim for damages filed by a defendant against a plaintiff. It is usually filed as a part of the defendant's answer.
Cross Examination	The questioning of a witness that was called by the opposing party.
Default Judgment	A judgment entered against a defendant who has failed to file an answer or defensive pleadings in a civil action.
Defendant	The person being sued. This party does not have to prove anything.
Electronic Transmission	Texting, emailing, or computer use through Facebook, My Space, or any other social networking site.
Evidence	Anything (including testimony, documents, photographs, tape recordings, emails, text messages, damaged items, etc) that tends to prove or disprove the position of either party. A written estimate, statement, affidavit, etc written by someone who is not in Court is most often hearsay and may or may not be allowed.
Good Behavior Bond	A bond given by a person to insure their behavior will be safely appropriate to protect citizens of the community. There may be conditions restricting contact with specific person(s). It is very similar to a restraining order.

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Hearsay	Is when a witness is testifying to a document or event(s) of which he/she has no personal knowledge. In such case, the witness is merely telling what someone else saw or did. This is testimony based upon the observations or knowledge of someone other than the witness.
Judgment	The Court's final determination of the rights and obligations of the parties in a case.
Plaintiff	The person brings the cause of action. This party must prove his/her case by a preponderance of the evidence.
Probable Cause	Having more evidence for than against that there is a reasonable ground for belief that a crime was committed.
Preponderance of the Evidence	The standard of proof in a civil trial. The party has the stronger evidence on the whole however slight has proved their case by the "preponderance of the evidence".
Respondent	This is the individual against whom the applicant is seeking a bond.
Statement of Claim	A form used in the Magistrate Court to file a civil action.
Subpoena	Is a summons issued by the Court mandating a person or other evidence to appear in court on a specific date and time. If a witness has not been properly subpoenaed they cannot be compelled to appear in court.
Terroristic Threats	Threats to commit any crime of violence.
Witness	This is an individual with pertinent knowledge of the incident.