

## § 1.1 Vocabulary

<b>Action</b>	lawsuit, court case
<b>Allegation</b>	statement asserted to be true
<b>Alternative Dispute Resolution (“ADR”)</b>	dispute resolution process intended to expedite resolution and reduce costs, e.g., arbitration or mediation
<b>Appear</b>	to enter a lawsuit
<b>Appearance fee</b>	sum paid to the court by all parties (except public entities and parties obtaining a waiver)
<b>Arbitration</b>	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.
<b>Attorney service</b>	service which, among other things, files court documents, serves process and searches records
<b>Body</b>	that part of a pleading that contains “the meat”
<b>By-line</b>	type of signature line used when person signing is a member of a law firm or other entity
<b>Caption</b>	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
<b>Case number</b>	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”
<b>Cause of action</b>	legal theory on which an action is brought
<b>Collections Case</b>	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
<b>Complaint</b>	pleading filed by complaining party, stating allegations against another, and asking court for relief

YOU ARE VIEWING EXCERPTS FROM LBTN WHICH ARE LIKELY OUT-OF- DATE.  
USE THEM TO SEE WHAT IT CONTAINS AND HOW THE MATERIAL IS PRESENTED.

<b>Complex case</b>	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 (C.R.C., Rule 3.400)
<b>Conform</b>	(1) to stamp with court clerk's filing stamp, evidencing date of filing; (2) to fill in filing data on file copies
<b>Damage</b>	injury to a person or entity
<b>Damages</b>	monetary compensation awarded to a person or entity for suffering damage
<b>Declare</b>	to make a statement setting forth facts under penalty of perjury
<b>Defendant</b>	party designation of person or entity being sued
<b>DOE(S)</b>	fictitiously named defendant(s) whose name(s) plaintiff does not know when preparing the complaint
<b>Face page</b>	first page of a document; contains the caption
<b>File</b>	(1) to enter documents on court records; (2) to place in an office file
<b>Issue</b>	approval by the court clerk of the use and service of a court form; here for a "summons"
<b>Judgment</b>	decision of the trial court concerning the rights and claims of the parties
<b>Jurisdiction</b>	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)
<b>Limited civil case</b>	general civil case seeking monetary damages up to \$25,000; governed by C.C.P. §§ 90-100
<b>Mediation</b>	Alternative dispute resolution process in which a neutral person facilitates communication between the parties to assist them in reaching a mutually acceptable settlement
<b>Perjury</b>	to testify falsely and deliberately under oath
<b>Plaintiff</b>	party designation of person or entity commencing the legal action

<b>Pleading</b>	a document typed on pleading paper, alleging matters of fact and/or law, and requesting the court to grant relief
<b>Pleading paper</b>	paper used for most court documents; numbered 1 through 28 on the left hand margin; sometimes referred to as “ruled and numbered paper”
<b>Prayer</b>	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
<b>Process server</b>	a person who serves court summonses, subpoenas and writs
<b>Service</b>	the delivery, by mail, personally, or otherwise, of a document to an individual or entity
<b>State bar number</b>	the number assigned to each attorney upon admission to the state bar association
<b>Title</b>	the name of a pleading or other court document
<b>Title of the action</b>	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
<b>Unlimited civil case</b>	tort cases with potential damages in excess of \$25,000; non-tort cases with claims in excess of \$25,000; cases requesting equitable relief
<b>Venue</b>	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