

# 30 Legal Terms Every Paralegal Should Memorize

---

As a paralegal, having a strong grasp on key legal terms sets you apart and makes you faster, sharper, and indispensable to your firm. This comprehensive guide outlines 30 essential legal terms every paralegal should memorize, from core civil concepts to crucial procedural jargon.

Master these legal terms for paralegal professionals to navigate every legal document and conversation with confidence.

## Common Legal Terms for Paralegals

For [paralegals](#), understanding these common legal terms is key to supporting attorneys, drafting documents, and interpreting case materials accurately. The following paralegal terms cover the fundamental legal vocabulary you'll encounter daily to help you build confidence and precision in every aspect of your work.

### Antenuptial or prenuptial agreement

A contract between two people who are about to marry that outlines how property will be divided in the event of a divorce.

### Appellant or petitioner

A party not satisfied with the outcome of a case at the trial level who initiates an appeal to a higher court.

### Appellee or respondent

The party against whom an appeal is brought.

### Arbitration

The settlement of a dispute outside of court through arguments presented to an arbitrator. Depending on the jurisdiction, the arbitrator's decision may be binding on all parties.

### **Bad faith**

Entering into a contract or agreement with no intention of fulfilling the agreed-upon obligation.

### **Brief**

A written document summarizing the facts of a case and analyzing relevant legal arguments.

### **Civil law**

A general term used to characterize non-criminal law, which governs disputes regarding rights, remedies, and obligations between private citizens or entities; typical goals are compensation or resolution.

### **Contract**

An agreement between two or more parties to act in a stated manner or refrain from certain actions. Contracts generally involve a promise exchanged for something of value.

### **Due diligence**

The exercise of giving reasonable care and attention; representing the steps a responsible person would take under similar circumstances.

### **Malfeasance**

Actions that are illegal or unethical.

### **Mitigating circumstances**

Facts or conditions that may lessen the degree of responsibility or culpability for an act.

## **Negligence**

The failure to exercise the care that a reasonably prudent person would under similar circumstances, resulting in harm.

## **Of counsel**

An attorney who is not a member of a law firm but maintains a professional relationship with the firm for the representation of shared clients.

## **Tort**

A wrongful or illegal act, committed intentionally or negligently, that causes injury to another person. Examples include medical malpractice (negligent tort) and fraud or theft (intentional tort).

## **Understanding Legal Terms Related to Damages**

In civil law, “damages” refer to the monetary compensation a court awards to an injured party for loss or harm caused by another’s actions. Understanding the different types of damages is essential for paralegals. Each one serves a specific legal purpose, from reimbursing actual losses to deterring wrongful conduct.

The following legal terms for paralegals outline the most common categories of damages and how they apply in various cases.

### **Compensatory damages**

Damages recovered for economic loss. For instance, if a party causes physical harm to another in a [personal injury case](#), they may be required to pay compensatory damages related to medical costs, medicine, physical therapy, and lost wages.

### **Consequential damages**

Damages that the court may award when the injury experienced by a plaintiff was not directly caused by the wrongful conduct of a defendant but resulted as a consequence of the defendant’s action instead. For instance,

the loss of business profit that results when a provider fails to deliver goods on time is consequential damage for which the court may order reimbursement.

### **Liquidated damages**

Damages agreed upon by the parties to a contract. Liquidated damages are to be paid by a party who breaches the contract to a non-breaching party. A contract term that sets unreasonably high liquidated damages may be voided by the court.

### **Punitive damages**

Damages awarded in addition to compensatory damages as a punishment for the actions that led to the injury. Punitive damages are also used as a deterrent for others against acting in a similar manner.

Free Legal Billing Terms Cheat Sheet

Legal billing terms can be confusing. TimeSolv has prepared a list of the most commonly used legal billing terms that lawyers use in routine. It's a must to have it in your pinned files, sticky notes, or however you carry your essentials while practicing.

Download the cheat sheet and master every billing term!

[Get Your Free Cheat Sheet](#)

### **Essential Procedural Legal Terms for Paralegals**

Understanding procedural legal terms is vital for roles like [court clerks](#) and paralegals who support preparation, filing, and managing cases. These legal terms define many of the steps and documents involved in litigation, from the filing of a complaint to the presentation of evidence in court.

### **Adverse judgment**

A judgment against the interests of the represented party.

## **Affiant**

A person making a representation or statement, in writing under oath. An affiant is also one who signs an affidavit.

## **Affidavit**

A written statement made under oath that testifies to certain facts.

## **Affidavit of service (return of service, proof of service)**

A written statement swearing that a party or witness in a case has been properly provided with [legal documents](#). It is crucial to a case due to a party's constitutional right to be notified about charges and claims brought against them.

## **Best evidence rule**

Legal theory that the original or best available evidence should be presented in court hearings.

## **Cause of action**

A plaintiff's reason for filing a complaint or action against someone. Causes of action can involve various types of allegations, including negligence, breaches of contract, [malpractice](#), or defamation. Every cause of action involves elements, and the plaintiff must prove each element to be successful in the case.

## **Complaint**

The written pleading that initiates legal action against a party. The complaint should set forth the allegations and it must be properly served on the defendant.

## **Deposition**

A process for securing sworn evidence from a party or witness in a case. Depositions generally occur prior to trial in a private setting.

## **Discovery**

A fact-finding process that allows attorneys to learn what information and evidence the opposing side has in relation to a matter. The most used discovery tools are interrogatories, depositions, and the request for the production of documents.

## **Hearsay rule**

In-court testimony of an out-of-court statement made by someone other than the in-court witness, given for the purpose of establishing the truth of matters asserted.

## **Pretrial hearing**

A court appearance typically held for the purpose of clarifying pressing issues and determining procedural aspects of an upcoming trial.

## **Subpoena**

A document issued under the authority of the court to compel the appearance of a witness.

## **Expand Your Legal Vocabulary Beyond the Basics**

Building your legal vocabulary is an ongoing process for every paralegal. Learning the lingo is key to communicating clearly, drafting precisely, and supporting your firm efficiently. Keep learning, stay curious, and remember that precision in language leads to confidence in practice.

### **9 Fundamental Time and Billing Features**

Accurate time tracking leads to precise invoices, better project management, and fairer pricing for legal services. Download this checklist to discover the 9 key features you need.

[Get the guide](#)

## **Frequently Asked Questions for Paralegals**

### **Why is it important for paralegals to memorize legal terms?**

Memorizing legal terms helps paralegals work faster and more confidently. A solid grasp of terminology ensures accuracy when drafting documents, communicating with attorneys and clients, and managing cases efficiently. It's an essential part of delivering organized, error-free legal work.

### **What are the most common types of legal terms a paralegal encounters?**

Paralegals frequently use terms from multiple areas of law—civil, criminal, procedural, and administrative. You'll see words related to damages (like compensatory and punitive), court processes (like discovery and subpoena), and billing and compliance. These foundational legal terms for paralegal professionals appear in nearly every case.

### **Where can paralegals find resources to learn more legal terms?**

Paralegals can strengthen their legal vocabulary through online courses, continuing education, legal glossaries, and daily exposure to casework. TimeSolv provides [more resources](#) with articles, guides, eBooks, and infographics to help legal professionals streamline their work and grow their knowledge base.

### **How does understanding legal terms improve efficiency?**

When paralegals understand legal jargon, they spend less time double-checking meanings and more time focusing on substantive tasks. Knowing the right terminology makes drafting, billing, and client communication smoother to boost accuracy and productivity across the firm.

### **Do paralegals need to know billing and accounting terminology, too?**

Yes. Paralegals often assist with time tracking, expenses, and billing. Familiarity with billing vocabulary ensures accuracy in client invoices and helps maintain compliance with firm policies.

### **What's the best way to keep legal vocabulary sharp over time?**

A commitment to continuous learning is key. Review new terms regularly, stay current with legal trends, and make a habit of reading case summaries

or court filings.