



# Quick Legal Reference: Court Terminology

## Latin Court Terms

Term	What does it mean?	Legal Reference
Ad Litem: For the suit	An individual appointed by the court in a specific case. For example, an attorney may be appointed as guardian ad litem in a case to protect the interests of the child.	65.061, Family Code
Capias: That you take	A writ ordering an officer to take a person into custody.	23.01, Code of Criminal Procedure 43.015(1), Code of Criminal Procedure
Capias Pro Fine: That you take for the fine	A writ ordering an officer to take a person into custody and bring that person before the court after judgment and sentence for unpaid fines and costs.	45.045, Code of Criminal Procedure 43.015(2), Code of Criminal Procedure
De Novo: From the new	When a court hears a case de novo, it is deciding the issues without reference to any legal conclusion, assumption, or finding of fact made by the previous court to hear the case.	44.17, Code of Criminal Procedure
Nunc Pro Tunc: Now for then	A method to correct a clerical discrepancy between what was ordered or entered and what appears in the record. For example, an order nunc pro tunc to correct the omission of the defendant's name from the judgment.	Rule 23, Texas Rules of Appellate Procedure <i>See Shaw v. State, 539 S.W.2d 887 (Tex. Crim. App. 1976)</i>
Scire Facias: You are to make known	The term used to describe a separate civil docket for bond forfeiture proceedings. A case will be set on this docket when a forfeiture has been declared and a judgment nisi entered. Cases set on the scire facias are docketed as State of Texas (plaintiff) v Defendant and/or Surety (defendant).	22.10, Code of Criminal Procedure Rule 26, Texas Rules of Civil Procedure



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## Number Phrases

Term	What does the reference typically mean?	Legal Reference
12.45	On agreement with the prosecutor, a defendant may admit to other offenses during a plea to another case. Prosecution is then barred on the other offenses without adjudication.	Penal Code
27.14	Specifically 27.14(b). A request for the court to notify defendant of the amount of appeal bond that the court will approve. Often precedes a “leap frog” appeal in non-record courts.	Code of Criminal Procedure
15.17	Specifically the warnings in 15.17(a). Requirement that a magistrate inform an arrested person of the accusation and specific rights, referred to as warnings. Must be reported on the monthly OCA report.	Code of Criminal Procedure
32.02	Authority for the prosecutor, by permission of the court, to move for dismissal	Code of Criminal Procedure
404(b)	A required notice that a prosecutor must provide defendant prior to trial. Only applicable when the prosecutor intends to introduce evidence of other crimes at trial and defendant requests the notice.	Texas Rules of Evidence



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## Multiple Meanings

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Citation (criminal)	Written notice to appear issued only by a peace officer in a criminal case.	543.003, TC 14.06(b), CCP 27.14(d), CCP
Citation (civil)	Formal notification to appear and show cause why a judgment of forfeiture should not be made final. Attachments include a copy of the judgment of forfeiture, copy of the bond, and copy of any power of attorney.	22.04, CCP
Complaint (Class C)	Sworn allegation charging a Class C or fine-only misdemeanor. Required to substantially satisfy seven requisites.	45.018, CCP 45.019, CCP
Complaint (Class C Non-traffic School Offense)	Sworn allegation charging the commission of a school offense. Required to substantially conform to 45.019 plus be sworn to by a person with personal knowledge, include a statement whether accused is eligible for special services, and whether graduated sanctions were imposed (if required).	37.141, EC 37.146, EC
Complaint (Class A or B)	Sworn allegation that a Class A or Class B misdemeanor has been committed. Signed and sworn to by the complainant. Forms the basis for an information to be filed.	2.04, PC 2.05, PC 15.04, CCP 15.05, CCP
Petition (criminal)	Method by which a person who is entitled to expunction under Chapter 55, CCP may file for this expunction in municipal court.	55.02, CCP
Petition (civil)	Initiates an action by the state against a child who has allegedly engaged in truant conduct. Based on information and belief.	65.054, FC