



**WASHINGTON
COURTS**
ADMINISTRATIVE OFFICE OF THE COURTS

State of Washington

1206 S. Quince Street SE
PO Box 41170
Olympia, WA 98504-1170
(360) 753-3365
Fax: (360) 586-8869

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Administrative Office of the Courts

GLOSSARY OF SELECTED LEGAL TERMS

English-Cantonese

STATE JUSTICE INSTITUTE

SJI

**1650 KING STREET SUITE 600, ALEXANDRIA, VIRGINIA 22314
(703) 684-6100**

INTRODUCTION

During the past decade, thousands of Asian immigrants have appeared in American state courts as civil and criminal litigants. Interpreters, who breach the language gap between judge and litigant, are required by law and fairness to interpret all English spoken in court into the immigrant's language. However, while interpreters are held to the standard of interpreting legal terms accurately and completely, few bilingual legal resources exist. To begin to address the need for accurate bilingual equivalents for English legal terms, a proposal was submitted to the State Justice Institute for the development of basic bilingual legal glossaries in Cantonese, Laotian, Khmer (Cambodian), Korean, and Cantonese. These languages are spoken by a large number of individuals living in a wide range of states.

This bilingual English-Cantonese glossary is designed to be used as a working document for English-Cantonese court interpreters. Since for the most part interpreters interpret English legal words into Cantonese, the English terms are listed first. The body of the glossary consists of approximately 450 words, which were selected as representatives of frequently used legal terms in state courts. This list is by no means exhaustive; court interpreters use many other legal terms as well.

Each word is translated into its equivalent in Cantonese. The equivalent word or words given are, in the authors' opinions, the best interpretation of the English legal word. These word or short phrase interpretations convey the English word's meaning, and are meant to be used by interpreters when serving in legal proceedings.

In addition, some English words are defined in English because they have more than one English meaning. The English definitions, statements describing one or more meanings of the word, appear in parenthesis beside the English words. Readers are cautioned that many legal terms have alternate meanings. Interpreters must use great care to use the appropriate Cantonese alternate equivalent for an alternate English meaning. Also, interpreters are cautioned that a handful of legal words used regionally in some states appear in the glossary. If a word sounds quite unfamiliar, interpreters should check with other interpreters or attorneys.

At the end of the glossary, a bibliography outlines resources used in creating the glossary, and also other resources which may be useful to interpreters. Every court interpreter should utilize several dictionaries. An essential part of the interpreter's job is to continuously look up word meanings in both languages.

This glossary is meant to serve as a foundation for the development of individual bilingual legal glossaries by Cantonese interpreters. The words are widely spaced to allow for the inclusion of usage notes and other comments. Interpreters are strongly encouraged to elaborate on the definition (as opposed to the equivalent, which is the translation of each term, a definition is a statement of the meaning(s) of the word or phrase), of each word in Cantonese and English, to make up a sentence using the term, and to include other pertinent information. Binder paper can

be added at the end of the glossary for the addition of other important legal terms. For an excellent discussion of the development of an interpreter's glossary, see Gonzalez, Vasquez, and Mikkelsen, *Fundamentals of Court Interpretation*, Carolina Academic Press 456 (1991).

This project was produced through the efforts of several people. The word list was compiled by Joanne Moore, J.D., manager of the Washington State Court Interpreters Certification Program, Office of the Administrator for the Courts, and by Gregg Miller, certified interpreter and interpreting educator in Los Angeles County, California. The Cantonese equivalents were written by Jackie Luk, California and Los Angeles County certified Cantonese interpreter, and John Wu, California and Los Angeles certified interpreter. The translations were reviewed by Chih-Chuan Marissa Hsu, Washington State certified Cantonese interpreter, and by Professor Ling Chi Wang, University of California at Berkeley.

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Every attempt has been made to ensure the accuracy of the translations and definitions contained herein. No express or implied guarantees or warranties are made.

ABSTRACT (summary)

摘要

ACCESSORY (assistant in a crime)

幫兇；從犯

ACCOMPLICE

同謀；共犯

ACCUSATION (written charge)

指控書

ACCUSED (defendant)

被告

ACQUIT

宣告無罪

ACQUITTAL

無罪釋放

ADJUDICATE

裁定；判決

ADJUDICATION (n.) (deciding case through judicial or administrative hearing)

裁定；判決

ADMISSIBLE (acceptable, e.g., admissible evidence)

可接受的

ADMISSION (disclosure of adverse facts)

供認

ADOPTION (legal process of establishing parental relationship between adoptive parent and child born of other parents)

收養

ADVISEMENT OF RIGHTS

權利告誡

AFFIDAVIT

宣誓書

AFFIDAVIT OF PREJUDICE (sworn statement alleging a potential judge is biased)

宣稱法官有偏見的宣誓書

AGREEMENT (two or more persons' mutual promises)

協議

AID AND ABET

協助及教唆

ALIMONY

贍養費

ALLEGATION (party's statement of fact the party intends to prove)

聲稱

ALLEGED (asserted as a true fact)

被指稱的

AMEND (to revise a complaint or other legal document)

修定；修正

AMENDMENT (modification of document)

修定；修正

ANSWER (n.) (defendant's formal document setting out defense) (civil)

答辯狀

APPEAL (n.) (review of a case by a higher court)

上訴

APPEAL (v.) (to file a case in a higher court for review)

上訴

APPEARANCE (party's presence in court)

出庭

ARBITRATION	仲裁
ARGUMENT (debate before the court)	爭辯
ARRAIGN (to formally advise defendant of the charges at an initial court appearance)	將以提訊
ARRAIGNMENT	提訊；過堂
ARREST (law enforcement's taking of suspect into formal custody)	拘捕
ASSIGNEE	受托人
ATTEST (to affirm under oath)	作證
ATTORNEY	律師
ATTORNEY OF RECORD	記錄上的律師
AUTHENTICATE	鑑定；認證
BAIL (security given for the release of a defendant pending trial)	保釋金；保釋
BAIL BONDSMAN	保釋人
BAIL FORFEITURE	沒收保釋金

BAIL REVIEW	保釋金審議
BAILIFF	庭警
BANKRUPTCY	破產
BENCH (judge or court)	法官席
BIAS	偏見
BODY ATTACHMENT	人身扣留令
BOND (certificate of debt redeemable by court if defendant fails to appear in court)	保釋券；擔保券
BOOKING NUMBER	落案號碼
BREATHALYZER	呼吸分析器
BRIBE	賄賂
BRIEF (n.) (written synopsis of case)	訴訟綱要
BURDEN OF PROOF	證明之責任；舉證之責任
CALENDAR, COURT	法庭日程表

CAPITAL PUNISHMENT	死刑；首刑
CASE (criminal or civil lawsuit)	案件
CAUSATION	造因
CERTIFIED	經證明的；經檢定的
CHAIN OF CUSTODY	保管的承接
CHALLENGE (to object to the qualifications of a potential juror)	反對
CHALLENGE FOR CAUSE	有原因的反對
CHAMBERS (judge's office)	內庭
CHARGE	控罪
CHILD SUPPORT	撫育費
CIRCUMSTANCES, AGGRAVATING	增重性的環境
CIRCUMSTANCES, MITIGATING	減輕性的環境
CITATION (official notice to appear in court, especially traffic court)	告票

CITATION (notation of legal authority)	引據
CITY ATTORNEY	市府律師
CIVIL ACTION	民事訴訟
CLAIM (n.) (legal demand)	索賠
CLERK (court official)	法庭書記
COLLATERAL (property pledged to secure a debt, e.g., bail)	抵押品
COMMISSIONER	聽証官
COMMIT (v.) (to institutionalize, e.g., to a mental hospital)	判處禁閉
COMMIT (v.) (to perpetrate, e.g., a crime)	犯
COMMITMENT	判處禁閉
COMMUNITY PROPERTY	共有財產
COMPETENCY (legal capacity to stand trial)	能力；資格
COMPLAINT (written statement initiating a criminal or civil action)	告狀

COMPLY (to act as directed or ordered)	遵守；順從
COMPOSITE DRAWING	綜合素描
CONFESSION	自白
CONFISCATE (governmental seizure of property)	充公
CONFLICT OF INTEREST	利益衝突
CONSTITUTIONAL RIGHT	憲法權利
CONTEMPT OF COURT	藐視法庭
CONTINUANCE (rescheduling a legal proceeding for a later date)	押後期；延續期
CONTROLLED SUBSTANCE	受管制物
CONVICT (n.) (individual who has been found guilty and incarcerated)	罪犯
CONVICT (v.) (to find defendant guilty of a crime)	判為有罪
CONVICTION (finding of guilt in a criminal case)	定罪

CORONER	驗屍官
CORROBORATE	確證
COUNSEL (v.) (to advise); (n.) (lawyer)	律師
COUNSEL TABLE	律師席
COUNT (n.) (numbered charge)	項
COUNTERCLAIM	反訴
COUNTY JAIL	縣監獄
COURT	法院；法庭
COURT INTERPRETER	法庭翻譯員
COURT ORDER	法令
COURT REPORTER	法庭記錄員
COURT, DEPENDENCY	兒童監護法院
COURT, DISTRICT	區域法院

COURT, JUVENILE	兒童法院
COURT, MUNICIPAL	地方法院
COURT, NIGHT	夜庭
COURT, SUPERIOR	高等法院
COURT, SUPREME	最高法院
COURT, TRAFFIC	交通法院
COURT-APPOINTED COUNSEL	法庭指派的律師
COURTROOM	法庭
CREDIBILITY	可信性
CRIME	罪行
CRIMINAL RECORD	犯罪記錄
CUSTODY (care and control of children);	監護兒童
CUSTODY (incarceration)	扣留

DAMAGES (repayment for loss or injury)	賠償損失
DEATH PENALTY	死刑
DEATH ROW	等待死期
DECREE (n.) (order, judgment)	頒令
DEFAULT JUDGMENT	缺席裁判
DEFENDANT	被告人
DEFENSE (evidence offered by an accused to defeat a criminal charge)	辯護
DEFENSE (the defendant and defense attorney)	被告方
DEFENSE ATTORNEY	辯護律師
DELIBERATION (careful consideration, e.g., of jury)	磋商；審議
DEPORTATION	遞解出境
DEPOSITION (oral statement given under oath)	宣誓口供
DEPUTY D.A.	副檢察官

DETENTION (being retained in custody)	拘留
DISCOVERY (pretrial process to obtain facts from other side)	證據透露
DISMISS	撤消
DISMISSAL (WITH PREJUDICE)	撤消 (不可從新起訴)
DISMISSAL (WITHOUT PREJUDICE)	撤消 (可從新起訴)
DISPOSITION (final outcome of a criminal case)	刑事處分
DISSOLUTION (termination of a marriage, partnership, etc.)	解約
DISTRICT ATTORNEY (D.A.)	檢控官；檢察官 (主控)
DIVERSION (order for criminal defendant to participation in alternative program)	改道計劃
DIVORCE	離婚
DOCKET (n.)	每日案件列表
DOMESTIC VIOLENCE	家庭暴力事件
DOUBLE JEOPARDY	雙重判案；一罪重審

DUE PROCESS	正當程序；應有程序
ENHANCEMENT (factor that increases criminal penalty)	增加刑期
ENTER A PLEA	作出答辯
ENTRAPMENT	設陷阱；使人圈套
EQUAL PROTECTION	同等保護
EVICITION	驅逐；迫遷
EVIDENCE	證據
EVIDENCE, CIRCUMSTANTIAL	間接的證據
EVIDENCE, DIRECT	直接的證據
EVIDENCE, PRIMA FACIE	表面的證據
EXAMINATION, CROSS	對方盤問
EXAMINATION, DIRECT	我方發問
EXAMINATION, RE-CROSS	對方再盤問

EXAMINATION, RE-DIRECT	我方再發問
EXHIBIT (object submitted as evidence)	呈示物
EXHIBIT, PEOPLE'S	人民方呈示物
EXHIBIT, DEFENSE'S	辯方呈示物
EXTRADITION	引渡
EYEWITNESS	目擊證人
FAILURE TO COMPLY	違背命令；沒有遵守
FAIR HEARING	公平的聆聽
FALSE IMPRISONMENT	非法禁錮；非法拘禁
FELONY	重罪
FIELD SOBRIETY TEST	現場清醒測驗
FILE (n.)	檔案
FILE (v.)	呈遞

FINANCIAL RESPONSIBILITY	財務上之責任
FIND (v.) GUILTY	裁定有罪
FINDING	判決
FINE (court-imposed monetary assessment)	罰款
FINGERPRINTS	指紋
FIREARM	槍械
FORECLOSURE	取消押贖權
FORFEIT	沒收
FOSTER CARE	寄養
FRAUD	行騙
GARNISH (to issue process for purpose of attaching wages or money)	命令扣押錢財
GOOD CAUSE	足夠的理由
GRAND JURY	大陪審團

GROUNDS (reasons)

理由

GUARDIANSHIP

監護權

GUILTY

有罪

HABEAS CORPUS

人身保護令

HANDCUFFS

手銬

HARASSMENT

騷擾

HEARING (formal proceeding held before judge or administrative law judge)

聆訊

HEARING, CONTESTED

有爭議的聆訊

HEARING, PRELIMINARY

初步聆訊

HEARSAY

聽說

HOLDING CELL

拘留間

ILLEGAL

非法

IMMUNITY (exemption from a charge or penalty)

豁免

IMPEACHMENT OF WITNESS

彈劾證人

INADMISSIBLE

不可接納

INCRIMINATE

加罪

INDICTMENT

正式控訴書

INDIGENT

貧窮的

INFORMANT

告密人

INFORMATION (formal charge)

正式起訴

INFRACTION

違例

INJUNCTION

禁制令；強制令

INMATE

同囚；囚犯

INNOCENT UNTIL PROVEN GUILTY

未證實有罪前為清白

INTENT (state of mind when performing an act)

意圖；意向

INVESTIGATION

調查

JAIL	監牢
JOIN (concur)	聯同
JUDGE (n.)	法官
JUDGMENT	判決
JURISDICTION	管轄權
JUROR, ALTERNATE	後備陪審員
JURY	陪審團
JURY BOX	陪審員席
JURY FOREMAN	陪審團長
JURY TRIAL	陪審團審訊
JURY, HUNG	不能議決的陪審團； 懸而不決的陪審團
JUVENILE HALL	兒童拘留所
KIDNAP	綁架

LARCENY	偷竊
LAWSUIT	訟案
LEADING QUESTION	引導性之問題
LEASE	租約；租契
LIABILITY	賠償責任；負責
LIBEL	誹謗
LIE DETECTOR	測謊器
LIFE IMPRISONMENT	終身監禁；無期徒刑
LINE-UP	行列式認人
LITIGATION	訴訟；官司
MALICE (purposely committing a crime which will harm another)	惡意
MALPRACTICE	瀆職
MENTAL HEALTH	精神健康

MIRANDA WARNING

MIRANDA 之 告 誡

MISDEMEANOR

輕 罪

MISTRIAL

誤 審

MODIFICATION

修 改

MOTION (a petition for a ruling)

申 請 動 議

MOTION DENIED

動 議 被 拒

MOTION GRANTED

動 議 獲 准

MUG SHOT

落 案 照 片 ； 嫌 犯 照 片 ；
通 緝 犯 照

NEGLIGENCE

疏 忽

NOT GUILTY

不 認 罪 ； 無 罪

NULL AND VOID

無 效

OATH

誓 約 ； 宣 誓

OBJECT (v.)

反 對

OBJECTION

反對

OBJECTION OVERRULED

反對無效；反對不批准

OBJECTION SUSTAINED

**反對批准；反對成立；
反對受支持**

OFFENDER

違法者

OFFENSE (violation of law)

犯法

OFFER OF PROOF

提出為証據

ORDINANCE

條例

OVERRULE

駁回

OVERT ACT

公開行動

PARALEGAL

法律助理

PAROLE

假釋

**PARTY (plaintiff [People, State, etc.] or
defendant)**

一方

PATERNITY

父職

PENALTY	懲罰；罰徵
PENALTY ASSESSMENT	額外罰款
PENDING (not yet decided)	待決的
PENITENTIARY	州或聯邦監獄
PEOPLE (PROSECUTION)	人民（主控）
PEREMPTORY CHALLENGE	無需具理之反對
PERMANENT RESIDENT	永久居民
PERSONAL (OWN) RECOGNIZANCE	自身招保；自身擔保
PETITION (n.) (formal written request for an order)	申訴書
PETITION (v.) (ask, request)	請願
PLAINTIFF	原告
PLEA (defendant's "guilty" or "not guilty" answer to a criminal charge)	答辯
PLEA BARGAIN	答辯協議

PLEADINGS (documents filed in a case)

狀詞

POINTS AND AUTHORITIES

法律與引據

POLYGRAPH

測謊器描圖

POSTPONEMENT

押後

PRE-SENTENCE REPORT

判罪前的報告

PREJUDICE (bias or preconceived opinion)

偏見

PREPONDERANCE OF THE EVIDENCE

證據的有力優勢

PRESUMPTION OF INNOCENCE

清白之假設

PRETRIAL CONFERENCE

審前會議

PRETRIAL RELEASE

審前釋放

PRIORABLE OFFENSE

可留前科之罪

PRIORS

前科

PRISON

監獄

PRIVILEGE	特權
PRO PER	自辯
PROBABLE CAUSE	合理的原由；可成立的理由
PROBATION (suspension of defendant's sentence under supervision of probation officer)	緩刑監視
PROBATION DEPARTMENT	緩刑監視處
PROBATION OFFICER	緩刑監視官
PROBATION, FORMAL	正式緩刑監視
PROBATION, SUMMARY	簡易緩刑監視
PROOF (evidence convincing to the judge or jury)	證據；物證
PROSECUTION	檢控方
PROSECUTOR	檢控官
PUBLIC DEFENDER (P.D.)	公設辯護律師（公辯律師）

QUASH

取消

RAP SHEET

犯罪記錄單

REASONABLE DOUBT, BEYOND A

無合理的懷疑

REBUTTAL

反駁

RECKLESS DRIVING

魯莽駕駛

REGULATION

規則

RELEASE OF INFORMATION

准許透露資料

RELINQUISHMENT (giving up a right)

棄權

REMAND (to send a case back to a lower court or administrative hearing office)

發回案件

REMAND (to send a person back into custody)

還押

REMEDY (n.) (legal compensation for a wrong)

維護權利方法

REPORT (v.) (to state)

報告

REPORT (n.) (a formal account of facts or information)

告發

RESPONDENT	答辯方
RESTITUTION	賠償
RESTRAINING ORDER	禁令
REVOKE	撤回；取消
RIGHTS, CONSTITUTIONAL	憲法的權利
RULE (v.) (to decide)	裁決
SEARCH AND SEIZURE	搜查與扣押
SELF DEFENSE	自衛
SELF-INCRIMINATION	自我加罪
SENTENCE (n.) (court's punishment)	判刑
SENTENCE, CONCURRENT	同時判刑
SENTENCE, CONSECUTIVE	接續判刑
SENTENCE, SUSPENDED	緩期判刑

SENTENCING	判刑
SEPARATION	分居
SERVE A SENTENCE	服刑
SETTLEMENT	庭外和解
SHERIFF	縣警
STATEMENT, CLOSING	律師終結辯論
STATEMENT, OPENING	律師開場白
STATUTE	法規
STATUTE OF LIMITATIONS	時限規定
STATUTORY RAPE	法定強姦罪
STAY (n.) (a delay or cessation)	暫緩程序
STAY (v.) (to put off or block)	延期
STIPULATE	訂定；約定

TRAIL	逐日展延
TRANSCRIPT	轉錄本；謄本；抄本
TRIAL	審訊；審判
TRIAL, COURT/BENCH	法庭／法官審判
TRIAL, JURY	陪審團審判
TRIAL, SPEEDY	迅速審判
UNCONSTITUTIONAL	違憲
UNDERCOVER	暗中進行
UNEMPLOYMENT	失業
UNLAWFUL DETAINER	非法留置者
VACATE (v.) (to cancel)	取消；撤消
VENUE	審判地點
VERDICT	陪審團的裁決

STIPULATION	協定
STRAIGHT TIME	一次過服刑時間
SUBMIT (present, e.g., present evidence to the court)	提交；付交
SUBPOENA	傳票
SUE	控告；控訴
SUIT	訟案
SUSTAIN	批准
SWEAR (to declare under oath)	宣誓
TESTIFY	作證
TESTIMONY	證言；證辭
TIME SERVED	已服刑之期
TORT	民事侵犯
TRAFFIC CITATION	交通告票

VICTIM

受害者

VIOLATION

違犯

VISITATION

探視權利

VOIR DIRE

查詢資格

WAIVE RIGHTS

棄權

WAIVE TIME

放棄時限權利

WAIVER OF RIGHTS

棄權書

WARRANT (order, permit)

法令

WARRANT, ARREST

逮捕令

WARRANT, BENCH

法庭逮捕令

WARRANT, SEARCH

搜查令

WEAPON

兇器；武器

WEAPON, CONCEALED

隱藏武器

WEAPON, DEADLY

致命武器

WEIGHT OF THE EVIDENCE

證據之偏重

WITNESS (n.)

證人

WITNESS, DEFENSE

辯方證人

WITNESS, EXPERT

專家證人

WITNESS, HOSTILE

有敵意的證人

WITNESS, MATERIAL

重要證人

WITNESS, PROSECUTION

控方證人

WITNESS STAND

證人席

WORK FURLOUGH

準暫獄外工作

WORK RELEASE

指定工作代監禁

WRIT

法院判令

CRIMES

ARSON

縱火

ASSAULT

攻擊

ASSAULT, AGGRAVATED

嚴重攻擊

ASSAULT WITH A DEADLY WEAPON

以致命武器攻擊

AUTO TAMPERING

肆弄車輛

BATTERY

毆打

BATTERY, SPOUSAL

毆打配偶

BOOKMAKING

外圍下注

BRANDISHING A WEAPON

揮示武器

BREAKING AND ENTERING

強行闖入

BURGLARY

盜竊

CHILD MOLESTATION

狎褻兒童；狎弄兒童

CONSPIRACY

串謀；共謀

CONTEMPT OF COURT

藐視法庭

COUNTERFEITING

偽造

DISORDERLY CONDUCT

不規矩行為

DISTURBING THE PEACE

擾亂治安

DRIVING WHILE INTOXICATED

在酒精影響下駕駛

DRUNK DRIVING

醉酒駕駛

EMBEZZLEMENT

盜用公款

EXTORTION

勒索

FAILURE TO APPEAR (FTA)

不出庭；不到庭

FORGERY

假冒

GAMBLING

賭博

GLUE SNIFFING	嗅膠；聞膠
GRAND THEFT	重偷竊罪
HIT AND RUN	撞車後逃跑
HOMICIDE	殺人
INCEST	亂倫
INDECENT EXPOSURE	猥褻露體
JOYRIDING	偷車作樂
KIDNAPPING	綁架
LARCENY	盜竊
LEWD CONDUCT	淫褻行為；污穢行為
LIBEL	誹謗
LOITERING	游蕩
LYNCHING	私刑

MALICIOUS MISCHIEF

惡意損害

MANSLAUGHTER

誤殺

MANSLAUGHTER, INVOLUNTARY

非自願誤殺

MANSLAUGHTER, VOLUNTARY

自願誤殺

MAYHEM

殘害人身

MURDER

謀殺

ORAL COPULATION, FORCED

強迫口交；強行口交

PANDERING

淫媒；龜鴿

PERJURY

偽證

PETTY THEFT

輕偷竊罪

PIMPING

拉皮條

POSSESSION OF DRUGS (COCAINE,
HEROIN)

私藏毒品（古可因，
海洛英）

PROSTITUTION

賣淫；從娼

RAPE	強姦
RAPE, STATUTORY	法定強姦
RAPE IN CONCERT	協同強姦
RECKLESS DRIVING	魯莽駕駛
ROBBERY	搶劫
SEXUAL MOLESTATION	性褻弄
SHOPLIFTING	高買；顧客行竊
SLANDER	言語誹謗
SODOMY	雞姦；肛交
THEFT	偷竊
THEFT, GRAND	重偷竊罪
THEFT, PETTY	輕偷竊罪
TRESPASSING	擅入私宅；非法侵入

VAGRANCY

流蕩

VANDALISM

惡意破壞他人財物

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