

Understanding Legal Terminology: A Guide for Non-Lawyers

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ABSTRACT

Legal terminology is an integral part of navigating modern life, yet it often intimidates and confuses non-lawyers due to its technical nature and perceived exclusivity. This guide simplifies complex legal language, providing non-lawyers with clear explanations of terms, their contexts, and practical strategies to improve comprehension. By addressing the importance of legal terminology across fields such as business, healthcare, and academia, it highlights how legal literacy impacts decision-making and reduces misinterpretations with significant legal consequences. Additionally, the guide explores common challenges faced by non-lawyers, debunks misconceptions about legal jargon, and offers actionable strategies to enhance understanding. Ultimately, this resource empowers individuals to confidently engage with legal concepts in both personal and professional spheres.

Keywords: Legal terminology, Legal literacy, Non-lawyers, Law communication, Legal education, Legal misconceptions.

INTRODUCTION

When reading synopses, article abstracts, or an extract of a legal statute, have you ever been confused or overwhelmed by the complexity of the language used? If so, this will be of particular interest to you. This document is a guide to legal terminology for non-law students and legal practitioners. This initiative was created in response to the question: 'Explain what a legal term means.' This guide is designed to provide a simple explanation of the meaning and context behind many words used every day in legal discourse. The purpose of this guide is to enlighten readers or students to understand the language of the law. Understanding all types of documents is not easy. Legal terms often have particular meanings that differ from the meanings used in everyday language. Similarly, there is often a technical precision to the drafting of legal documents, which is designed to provide absolute clarity and certainty. However, the debt to this clarity and precision is that non-lawyers can often read legal documents and simply not understand what is being said. This need not (and must not) be the case. Lawyers have no a priori need to be inscrutable. It achieves nothing. The tools are merely tools, and if we show them off to be clever, or to give an impression of being clever – both in court and out of court – then we are doing everyone, not least the courts, a disservice [1, 2].

The Importance of Legal Terminology in Various Fields

In today's dynamic world, the need for a common language has never been felt more strongly. Legal terms have trickled into almost every walk of life, be it business, healthcare, or academics. Business executives make use of legal language every day, as do healthcare workers who have to obtain consent from their patients before an invasive treatment or operation. Students need to understand and use legal terminology that is relevant to their discipline. In all the fields above, statutory and non-statutory breaches pose greater legal implications, particularly when they are being written into legislation [3, 4]. Making use of appropriately understood legal terminologies is crucial in understanding a contract fully before making legally binding agreements. It can mean the difference between being in breach of a statute or making an arrangement of mutual benefit. Vague, misinterpreted, or misunderstood laws have implications that go beyond fields that are directly involved, for example, the actions of medical professionals who have breached terms of consent. Medical professionals could have legal proceedings

brought against them, while such an incident also reflects badly on the institution or department the professional works for. Let's turn to retail, where flouting the terms of the Sale of Goods Act can damage the goodwill and confidence of the consumer. In many cases, a consumer's relationship with the retailer affects the goodwill of the brand itself. Moreover, those major brands and retailers have an impact on shaping their industry's practice. Our legal literacy is as important in our daily activities as it is in running our businesses or formulating/influencing policies [5, 6].

Common Legal Terms and Definitions

Affidavit: a written statement of fact that is witnessed and signed under oath by an authorized official. Affidavits are used as evidence in court and for other formal administrative proceedings. Example: In a divorce proceeding, a spouse's employer may need to complete an affidavit confirming the spouse's income. This information could be used in a settlement negotiation or at a temporary hearing. **Deed:** a legal document that transfers or conveys title or ownership of real estate between parties. A deed indicates the names of the prior and new owners, the legal description of the property, and usually contains covenants or warranties regarding the ownership interest. Following the transfer, it is crucial to file and record the deed with the county recorder's office. Example: John and Jane Doe execute a warranty deed to convey real estate to their children as a gift. This kind of deed is usually used for estate planning or asset protection purposes. **Tort:** a wrongful act that, if it causes harm to another party, becomes the basis of a civil lawsuit. Tort law generally allows the aggrieved party to receive monetary damages for physical or emotional harm, financial loss, or damage to personal property. Some common examples of torts include negligence, libel, and trespass. Example: When Joe ran the stop sign, he committed the tort of failing to obey a traffic law. If the other driver had been injured, Joe would likely have been liable for any damages [7, 8].

Misconceptions and Challenges Faced by Non-Lawyers in Understanding Legal Terminology

Non-lawyers often hold the mistaken belief that legal words and phrases are used to confuse them. This is generally not true, as legal language is simply an efficient way for lawyers to communicate complicated concepts to their colleagues and clients. Lawyers are trying to be precise and safeguard against linguistic confusion when they use technical terms derived from a foreign language. But it doesn't matter whether or not the layperson is correct in his or her beliefs about legal language. The problem arises from a miscommunication [9, 10]. Many law academics report that laypeople misunderstand, are intimidated, or are confused by the jargon used by lawyers and judges. This lack of knowledge about legal terms and their meanings and origins impedes open access to the law and fair treatment by the legal systems. A lack of comprehension exposes individuals to procedures that unfairly disadvantage them. Awareness of the challenges encountered in communicating accurately about the law to the average American is essential to begin developing literacy in the legal language. This research sees the need to create in laypeople a sense of belonging to the legal community and to validate their input into potential legal theories. For non-lawyers, learning and understanding legal terminology poses many difficulties. These obstacles include the impression that legal jargon is designed specifically to intimidate non-lawyers, unfamiliar roots or prefixes, the creation of an interlanguage, and the effect of syllable stress in compounds and interlanguage creation [11, 12].

Strategies For Non-Lawyers to Improve Their Understanding of Legal Terminology

Non-lawyers have several options for increasing their understanding of legal terminology so that they may, at a minimum, make predictions as to the interpretations of terms in the contracts they read. First and foremost, one should be proactive when it comes to learning. Learning is not something that can simply happen to a person. Non-lawyers will need to take extra measures to ensure they understand the difficult vocabulary and complicated syntax of legal documents. Some strategies suggested to non-lawyers for increasing their understanding of legal terminology include using a legal dictionary, taking a course or workshop in legal English, conducting practice exercises on their work or school campus, and interacting with law students, professors, and practicing legal professionals. In the end, the best action for non-lawyers to take if they hope to understand legal terminology is to take charge of their learning. Learn to ask people useful questions. Begin reviewing court cases regularly, preferably in the legal area in which you hope to practice. Make sure you understand each word and phrase contained within the cases. In addition, try to bring at least one question about the cases you read to the next conference you attend with a lawyer or judge. While it may take many hundreds of hours to informally teach oneself the vocabulary and terminology required, it is very possible. If you are proactive and take responsibility for your learning, the odds are in your favor. In summary, the law is like any other specialized field; it

depends on the context. If non-lawyers are willing to put effort into learning the rules of the 'game,' then they can easily comprehend legal documents [13, 14].

CONCLUSION

Legal terminology, while inherently precise and technical, need not be inaccessible to non-lawyers. Bridging the gap between legal professionals and the general public requires breaking down barriers of misunderstanding, addressing common misconceptions, and encouraging proactive learning. By understanding key terms, contexts, and implications, non-lawyers can effectively navigate legal documents, mitigate risks, and make informed decisions in various aspects of life. A concerted effort to promote legal literacy not only fosters individual empowerment but also contributes to a more equitable and transparent legal system. Ultimately, demystifying legal language is a critical step toward ensuring fairness, accessibility, and informed participation in legal processes.

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