

1. **Maintenance:** refers to child support or alimony but might also be understood to refer to spousal maintenance or alimony
2. **The statement that the Regulation applies to maintenance obligations**  
**marriage or affinity:** means marriage as such is not the sole prerequisite of seeking or granting maintenance
3. **Affinity in the context of the regulation refers to:** the position or relationship of closeness
4. **Habitual residence of the child:** Differs from the concept of immediate whereabouts of the child or from the concept of permanent or temporary residence of the child
5. **Child Support Agency:** refers to public body established in certain states in charge of collection of maintenance or pay, want of maintenance in lieu
6. **Financial disclosure:** refers to a situation when the court for the reasons of establishing the proportionate extent of maintenance seeks information regarding the assets and financial situation of the alleged Obligor
7. **Attachment:** is a special legal means if enforcement - attachment can be issued to the bank account or real estate property of the debtor - in this case the person defaulting in payment of maintenance
8. **To be in default:** means to partially or fully fail to pay the ordered maintenance
9. **Garnishment of wages:** is a result of court proceedings and enables the automatic deduction of the owed amount on regular basis from the salary or wages of the Obligor
10. **Prohibited steps order:** refers to a prohibitory order making some steps and actions prohibited
11. **Parental abduction:** refers to the situation when the child is removed by one of the parents or custodial, usually estranged, without the consent of the other for the purposes of wrongful retention.
12. **Wrongful retention:** refers to the retention of a child who was temporarily taken to another Convention country with the consent of the other parent and retained
13. **Wrongful removal:** removal of a child from his or her 'habitual environment' without the consent of the person or persons that have the rights of custody of the child
14. **Settlement of the child:** refers to the situation of the child becoming used to its new environment and settlement.
15. **Removal of the child:** refers to the situation when the child is removed by social services
16. **Visiting or visitation rights:** refer to the right of access of the parent to the child with whom the child does not regularly reside
17. **rights of custody:** shall include rights relating to the care of the person of the child and, in particular, the right to determine the child's place of residence;
18. **rights of access:** shall include the right to take a child for a limited period of time to a place other than the child's habitual residence.
19. **Duty to return the child:** The Convention accepts, that circumstances may arise, under which the return of a child who had been abducted from a contracting state could be refused.
20. **The burden of proof whether the child is or is not settled** rests upon the parent who opposes the return.
21. **will:** a person's declaration on how he wishes to dispose/distribute property upon death
22. **testamentary intent:** this is the intention of the maker of the will
23. **testator:** is the term used to identify a man who has made a will
24. **testatrix:** is the term used to identify a woman who has made a will
25. **executor:** person appointed in will to administer the estate. pertains to a male
26. **executrix:** person appointed in will to administer estate. pertains to a woman
27. **administrator:** person appointed by the court to administer an estate where no will has been written. pertains to a male
28. **administratrix:** person appointed by the court to administer where no will has been written. pertains to a woman
29. **testate:** is the term used to describe when a person dies and leaves a will.
30. **intestate:** term used to describe when a person dies and does not leave a will
31. **beneficiary:** an individual who receives gifts of property through will
32. **abatement:** a proportional reduction of a legacy under a will when assets out of which such legacy are not available to pay in full
33. **degree of kindred:** the relationship to the decedent of his relatives. each generation is 1 degree, counting to a common ancestor
34. **living will:** a document that governs the withholding or withdrawal of life sustaining treatment from an individual in the event of incurable or irreversible condition that will cause death in a short period
35. **nuncupative will:** oral will declared or dictated by the testator during his/her last illness before appropriate witnesses to dispose of personal property and afterwards reduced to writing (not valid in all states)
36. **per capita:** a method of dividing an estate by which an equal share is given to each person.
37. **per stripes:** divides estate by family class or group.

38. **soldiers and sailors will:** a nuncupative will, dictated, informal, in which a soldier in the field or sailor at sea may dispose of personal property only.
39. **legatee:** an individual who receives personal property through a will
40. **devisee:** an individual who receives real property through a will
41. **heir:** the broad term that refers to a person who inherits either under a will or from someone who dies intestate
42. **bequest or legacy:** a gift of personal property left in a will to someone
43. **devise:** a gift of real property left in a will to someone
44. **requirements of writing:** in most states a will must be in writing and signed to be effective. a formal typewritten or printed will must be signed by the testator and witnessed.
45. **testamentary capacity:** wills require the testator be of sound mind and legal age. legal age varies among different states.
46. **undue influence:** the pressure that may be applied to a testator to change his/her true wishes for the disposition of property
47. **revisions of a will:** changes or alterations to a will such as erasures, words crossed out, hand written insertions. usually invalidate the document
48. **revocations:** most wills include a statement that the testator is revoking all previous wills. even without a the statement the most recent will, if void, automatically revokes all prior wills.
49. **intestacy:** dying without a will
50. **domicile:** legal term that means the state of residence of the decedent.
51. **trust:** a device or mechanism that permits personal or real property to be held by one party, ( the trustee) for the benefit of another (the beneficiary)
52. **living trusts aka inter vivo trusts:** trusts established during ones lifetime
53. **settlor:** the person establishing a trust. they transfer the legal title to the property to the trust to be held for the benefit of either the settler or the beneficiary
54. **role of the trustee:** to manage the trust property according to the settlors' wishes
55. **forgery:** the act of fraudulently making or altering a check, a note, a draft or some other document to the financial loss to others
56. **endorsement:** the signing of ones name on the back of commercial paper
57. **endorser:** the person who signs the commercial paper
58. **endorsee:** the person to whom the instrument is transferred
59. **personal representative:** the person responsible for settling the affairs of the decedent
60. **legacy:** a gift of money by will
61. **trustees powers:** 1. authority and responsibility to invest trust properly  
2. to sell exchange or rent property  
3. to contract with others in matters relating to the trust  
4. to borrow funds using trust property as security  
5. to distribute income to beneficiaries
62. **trustees duties:** 1. to maintain appropriate records  
2. to provide a full accounting of the trust property  
3. to pay taxes  
4. to use good judgement in managing the property  
5. make good investment decisions
63. **trustees accountability:** a trustee whose management is called into question can be held liable unless a court rules they used sound judgement
64. **Plaintiff:** The party or individual bringing the case to court in a civil lawsuit
65. **Defendant:** An individual, company, or institution sued or accused in the court of law
66. **Sue:** To initiate a lawsuit or continue a legal proceeding for the recovery of a right or to bring action against particular party.
67. **Negligence:** Conduct that falls below the standards of behaviour established by the law for the protection of others against unreasonable risk of harm
68. **Lawsuit:** A common term for legal action by one party against another to be decided in the court of law. The legal claims within the lawsuit are referred to as 'causes of action.'
69. **Punitive damages:** Also known as exemplary damages, is the compensations awarded in a lawsuit as punishment and examples others for malicious, fraudulent or grossly negligent actions.
70. **Settlement:** Settlement: the resolution of a law suit or legal dispute. In civil lawsuits, it is the alternative to pursuing litigation through trial. A settlement usually sees the defendant agreeing to pay some monetary amount to the plaintiff and the plaintiff agreeing to forgo any litigation against the defendant. This is achieved through negotiation and approved by court, hence law enforceable.
71. **Judge:** A public officer appointed to decide cases in a law court. Bound by the judicial oath to reach an impartial and fair decision based on the law.
72. **Litigious:** The tendency or to be too ready to take legal action to settle disputes. For example, an increasingly litigious society.
73. **Litigation:** The process of taking legal action in court to enforce a particular right. It is the judicial contest of any dispute.
74. **Confidentiality agreement:** NDA (non-disclosure agreement), an agreement reached by both parties that requires them to keep information that is shared with the other party private.
75. **Courtroom:** The official premise in which the law is upheld. For example, jury trials, lawsuits, civil and criminal cases are debated in courtrooms

76. **Emotional distress:** An increasingly popular basis for the claim of damages in lawsuits involving injuries due to negligence or intentional acts. Originally, damages regarding emotional distress were only awarded to those physically harmed. However, in many U.S. courts, it has been recognised a right to award monetary compensation even without physical damage. In most jurisdictions or business activity, emotional distress cannot be claimed as a breach of contract, but can be alleged in cases of slander and libel.
77. **Legal fees:** The payment for legal services usually billable by the hour.
78. **Fraudulent:** Obtained, done by, or involving deception, especially criminal deception.
79. **Consumer law:** The branch of law concerning the protections of consumer rights. Such statutes prohibit and regulate deceptive or misleading advertising and sales practices, product quality, credit financing and reporting, data collection, leases and other aspects of consumer transactions.
80. **Administrative law judge:** A professional hearing officer who is employed by the government to preside over hearing and appeals involving governmental agencies. They are generally experienced in the particular subject matter of the agency in question or of several agencies.
81. **Court costs or court fees:** The fees for expense that the courts pass on to attorneys, who are paid by their clients and in some cases the losing party. These costs cover filing fees, charges for serving summons and subpoenas, court reporter charges, court transcripts and exhibits.
82. **Case:** A general term for any action, cause of action, lawsuit or controversy. All the evidence and testimony compiled and organised by one party in a lawsuit to prove that the party's version of the controversy at a trial in court.
83. **Compensation amount:** A pecuniary remedy that is awarded to an individual who has sustained an injury in order to replace the loss caused by such an injury.
84. **Liability:** A comprehensive legal term that describes the condition of being actually or potentially subject to a legal obligation.
85. **Allegations:** The assertion, claim, declaration or statement of a party to an action setting out what he or she expects to prove.
86. **Witness:** A person who testifies under oath in a trial or deposition with first-hand or expert evidence useful in a lawsuit.
87. **~ 'Justice':** A public officer chosen or elected to preside over and to administer the law in the court of justice; one who controls the proceedings in a courtroom and decides questions of law or discretion.