

BLACK'S
LAW
DICTIONARY

EIGHTH EDITION

BRYAN A. GARNER
EDITOR IN CHIEF

Black's Law Dictionary[®]

Eighth Edition

Bryan A. Garner
Editor in Chief

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610 Opperman Drive
P.O. Box 64526
St. Paul, MN 55164-0526
1-800-328-9352

Printed in the United States of America

ISBN 0-314-15199-0

ISBN 0-314-15234-2—deluxe



TEXT IS PRINTED ON 10% POST
CONSUMER RECYCLED PAPER



Black's Law Dictionary – Eighth Edition

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Preface to the Eighth Edition

This massive new edition of *Black's Law Dictionary* continues the undertaking begun by Henry Campbell Black in 1891: to marshal legal terms to the fullest possible extent and to define them accurately. But more than that, it continues the effort begun with the seventh edition: to follow established lexicographic principles in selecting headwords and in phrasing definitions, to provide easy-to-follow pronunciations, and to raise the level of scholarship through serious research and careful reassessment.¹

The terminology in several fields of law now finds greater coverage in the book than ever before. Specialists generously improved our treatment of terms in admiralty (Michael F. Sturley), contracts (E. Allan Farnsworth), criminal law (Stephen A. Saltzburg, Robert Weisberg), ecclesiastical law (R.H. Helmholz), family law (Lucy S. McGough, Janice M. Rosa), federal agencies (Joseph F. Spaniol Jr.), international law (Thomas Buergethal), Louisiana law (Saúl Litvinoff, Symeon Symeonides, A.N. Yiannopoulos), oil and gas law (John S. Lowe), parliamentary law (Brian Melendez), Roman law (Tony Honoré, Ernest Metzger, O.F. Robinson), and Scots law (O.F. Robinson, David Walker).

Beyond those specialized reviews, however, a newly created panel of academicians reviewed the entire alphabetical span of the book. That way, the entire text received thorough scrutiny by many of the best legal minds in the world. Entries have been updated and expanded to reflect both contemporary and historical usage. I am much indebted to everyone on the panel (see p. v).

Many intellectual-property lawyers reviewed and commented on the terms in their field: Ray Aust, David L. Cargille, Li Chin, Jonathan A. Darcy, Michael J. Dimino, Herbert J. Hammond, Karen G. Horowitz, Audrey E. Klein, Nanda P.B.A. Kumar, Jeff Mode, Eric Myers, Todd A. Norton, Michael A. Papalas, Tracy L. Reilly, and Eric Sofir. Special thanks go to Herbert J. Hammond, who expertly drafted many entries for intellectual property.

The first two appendixes have been greatly amplified. Kurt Adamson of the Underwood Law Library at Southern Methodist University skillfully prepared the table of abbreviations found in Appendix A. The legal maxims in Appendix B were scrutinized and corrected by Professors Honoré and Walker. The maxims have been amended and supplemented to such a degree that the result can probably be called the most exhaustive and authoritative collection to be found anywhere.

For the first time, *Black's Law Dictionary* contains citations that stay current: with a massive undertaking by the key-number classification team at West, I've added more than 10,000 citations to key numbers and to *Corpus Juris Secundum* — a significant aid to research. My special thanks to Robin

¹ See generally Bryan A. Garner, *Legal Lexicography: A View from the Front Lines*, 6 Green Bag 2d 151 (2003).

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Gernandt, who spearheaded the effort, along with his many colleagues: Jill Bergquist, Kara Boucher, Barbara Bozonie, David Brueggemann, Kevin Callahan, Dan Dabney, Lynn Dale, Lisa Dittmann, Robert Dodd, Wayne Foster, Valerie Garber, Phil Geller, Gerald Gross, Craig Gustafson, Nancy Johnson, Charles Kloos, Nicholas Koster, Jana Kramer, Patricia Larson, Jeffrey Locke, Richard Mattson, Timothy Nornes, Joel Nurre, Frederick Steimann, James Vculek, and Linda Watts. Three who did an extraordinary amount of this highly skilled work merit double mention: Robin Gernandt, Phil Geller, and Lisa Dittmann.

Several splendid lawyers helped edit the manuscript in the final months, often working nights and weekends. My thanks to Julie Buffington, Beverly Ray Burlingame, Nicole Gambrell, and Ann Schwing. Others — namely, Jordan Cherrick, Charles Dewey Cole Jr., Margaret I. Lyle, Luke S. Putman, and Scott Patrick Stolley — generously took on the task of reviewing batches of new entries. They all made the book better than it otherwise would have been.

In the final stages of preparing the manuscript, Mayuca Salazar and Liliana Taboada, two learned lawyers from Monterrey, Mexico, helpfully reviewed the several Spanish-law terms that appear here.

In the last few days before the manuscript went to the printer, several Minneapolis-area lawyers volunteered to proofread batches of manuscript. My thanks to Catherine Berryman, Vanya S. Hogen, Seth J.S. Leventhal, Michael A. Stanchfield, and Edward T. Wahl. They all made valuable contributions.

As in the past, the business side of producing the dictionary ran smoothly. At West, Doug Powell, Pamela Siege Chandler, and Louis H. Higgins all provided important support. Timothy L. Payne of West painstakingly shepherded the book through production. At LawProse, Inc., Pan Garner once again enabled the lexicographers to work without an administrative worry.

Many others have contributed to the book in one way or another: Angee Calvert, Edwin Carawan, Caroline B. Garner, Harris L. Hartz, Donald F. Hawbaker, Cynde L. Horne, Thomas B. Lemann, Karen Magnuson, R. Eric Nielsen, Alison Parker, Wanda Raiford, Patrick M. Ryan, David W. Schultz, Andre Stipanovic, and Christina E. Wilson. As in the seventh edition, we had the benefit of Charles Harrington Elster's excellent pronunciations.

Finally, I thank my two assistant editors, Tiger Jackson and Jeff Newman, who worked closely with me for several years to produce this much-amplified eighth edition.

Bryan A. Garner
Dallas, Texas
February 2004

Preface to the Seventh Edition

When Henry Campbell Black published the first edition of *Black's Law Dictionary* back in 1891, the *Oxford English Dictionary* had not yet been completed. Nor was the *OED* finished when Black prepared his second edition in 1910. By today's standards, the "gentle art of lexicography,"¹ as it has been called, was yet to experience the tremendous dictionary-making developments that the 20th century had in store, the highlights being the *OED* (1928), *Webster's Second* (1934), *Webster's Third* (1961), and the second edition of the *OED* (1989). Largely through the influence of these major works, dictionaries today are much better than they used to be.

Legal scholarship has also made tremendous strides — even in describing pre-19th-century law. The great legal historians Pollock, Maitland, and Holdsworth had not yet produced their monumental works when Black put out the first edition. Our understanding of Roman law is better today than it was a century ago. Our understanding of feudal law is much better. Meanwhile, our precedent-based system still has not entirely escaped the influence of Roman and feudal law.

At the same time, modern law hurtles headlong into decade after decade of new statutes, new doctrines, and new tripartite tests. The world — as well as the law that tries to govern it — is changing at a dizzying pace. If you want evidence of this change, look inside for the hundreds of new entries such as *cyberstalking*, *jurimetrics*, *parental kidnapping*, *quid pro quo sexual harassment*, *reproductive rights*, and *viatical settlement*.

Given all these developments — both in lexicography and in law — it is hardly surprising that, by the end of the 20th century, *Black's Law Dictionary* had come to need a major overhaul. This edition is the result of that effort.

New Features in the Seventh Edition

Significant strides have been made both in modernizing this edition and in improving its historical depth. The editors' goal was to make it at once the most scholarly and the most practical edition ever published. More than 4,500 entries in the book are entirely new. (Some of the new entries are surprising: previous editions had omitted some commonplace terms such as *act of Congress*, *circuit judge*, *motion for summary judgment*, *senatorial courtesy*, and *sidebar comment*.) Of the remaining 20,000 entries, all have been thoroughly revised: sharpened and tightened.

Aside from the thousands of new entries and subentries, the differences between earlier editions and this one are many. The headwords show whether a term should be uppercase or lowercase, roman or italic. The

¹ Eric Partridge, *The Gentle Art of Lexicography, as Pursued and Experienced by an Addict* (1963).

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pronunciation symbols are easy to understand. For the first time ever, etymologies systematically appear. Senses of words are analytically broken down and given numbers — as never before. Definitions are clearer than ever (though the battle for clarity, when the subject is feudal law, can never be completely won). Bullets now appear within definitions to help differentiate definitional information (before the bullet) from encyclopedic information (after the bullet). More than 2,000 newly added quotations from some 400 important works of Anglo-American legal scholarship appear throughout the text to help convey the nuances of the legal vocabulary. (More about these in a moment.) The 2,200 legal maxims (mostly Latin) are conveniently collected in an appendix, instead of cluttering the main lexicon. In addition, my colleagues and I have:

- Attempted a thorough marshaling of the language of the law from original sources.
- Examined the writings of specialist scholars rather than looking only at judicial decisions.
- Considered entries entirely anew rather than merely accepting what previous editions have said. We have often checked Westlaw and other sources when trying to decide which of two competing forms now predominates in legal usage.
- Imposed analytical rigor on entries by avoiding duplicative definitions and by cataloguing and numbering senses.
- Ensured that specialized vocabularies are included — from bankruptcy to securities law, from legal realism to critical legal studies.

This modern approach to legal lexicography is only a beginning. To its great credit, the West Group has now made the editing of *Black's Law Dictionary*, in its various editions, an ongoing project. This means that *Black's*, like all major dictionaries outside the law, will be a continuing work in progress. As the law continues its rapid evolution, *Black's Law Dictionary* will keep apace.

The Inclusion of Scholarly Quotations

In a novel feature, more than 2,000 quotations from scholarly works appear throughout the text to help round out the treatment of various terms. In selecting these quotations, my colleagues and I have sought a blend of characteristics: temporal and geographic range, aptness, and insight. Some scholars show great astuteness in discussing terminology — particularly Blackstone (English law), Glanville Williams (criminal law and jurisprudence), Rollin Perkins (criminal law), and Charles Alan Wright (federal procedure). Although Blackstone and Wright are well known to American lawyers, Williams and Perkins are not: their work deserves more widespread attention.

The List of Works Cited (Appendix H) sets forth the 400-plus law-books cited in these pages. We have tried to locate the best scholarly discus-

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sions of legal terminology and to give snippets of them. In future editions, we intend to continue this practice, and we encourage readers to submit published quotations for this purpose.

The Challenge of Legal Lexicography

Law dictionaries have a centuries-old tradition of apologizing in advance for errors and omissions. Some of the apologies are moving — especially to one who understands the arduousness of lexicography — and a few border on the humorous:

- 1607:** “[I]f I have either omitted any hard word within my circuit, or set it downe not expounded, I give you good leave to impute the one to my negligence, the other to mine ignorance: and so commend these my paines to your best profit, and you unto God.”²
- 1670:** “If I have sometimes committed a *Jeofaile*, or hunted Counter in any explication or Etymology, in so large a field of words, and stor’d with such variety of Game, it will be no wonder, and, I hope, will draw no censure upon me from the Ingenuous . . . [I]f I leave some words with a *Quaere* . . . to be resolved or corrected by the more learned; it is but what Cowell frequently, and Spelman has sometimes done.”³
- 1732:** “[W]here there is such great Variety of Learning and abundant Quantity of Nice Matter, with the utmost Care, there must be some Faults and Failings to be Pardon’d by the Reader.”⁴
- 1839:** “To those who are aware of the difficulties of the task, the author deems it unnecessary to make any apology for the imperfections which may be found in the work. His object has been to be useful; if that has been accomplished in any degree, he will be amply rewarded for his labour; and he relies upon the generous liberality of the members of the profession to overlook the errors which may have been committed in his endeavours to serve them.”⁵
- 1848:** “It is not without very considerable diffidence, that this Lexicon is submitted to the indulgence of the Profession and the Public, for no man can be more conscious of the difficulties besetting such a subject — of the many requisites of the task — and above all, of the great discrepancy usually exhibited between what a book *ought to be*, and what it *is* — than the Author of the present undertaking.”⁶
- 1859:** “[T]he work is now submitted to the examination of the profession. That its execution has fallen far short of its design, is already but too

² John Cowell, *The Interpreter* 5 (1607).

³ Thomas Blount, *Nomo-Lexicon: A Law-Dictionary* [n.p.] (1670).

⁴ Giles Jacob, *A New Law-Dictionary* 4 (2d ed. 1732).

⁵ John Bouvier, *A Law Dictionary* viii (1839).

⁶ J.J.S. Wharton, *The Legal Lexicon, or Dictionary of Jurisprudence* iii (1st Am. ed. 1848).

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apparent to the author's own observation. Of the defects that may be discovered in its pages, some seem to be inseparable from the task of first compiling any matter of the kind from sources so numerous, and scattered over so wide a field."⁷

1874: "[W]ithout craving the indulgence of the public, whose servant he is, and to whom, therefore, if he serve up anything he should in all conscience serve up a proper dish, [the Author] is reluctant to acknowledge that an unaccustomed feeling of diffidence has once or twice assailed him, lest his work should not prove so absolutely faultless or so generally useful as it has been his wish to make it."⁸

In the first edition of this book (1891), Henry Campbell Black broke the tradition, boldly asserting the exhaustiveness of his work:

"The dictionary now offered to the profession is the result of the author's endeavor to prepare a concise and yet comprehensive book of definitions of the terms, phrases, and maxims used in American and English law and necessary to be understood by the working lawyer and judge, as well as those important to the student of legal history or comparative jurisprudence. . . . Of the most esteemed law dictionaries now in use, each will be found to contain a very considerable number of words not defined in any other. None is quite comprehensive in itself. The author has made it his aim to include *all* these terms and phrases here, together with some not elsewhere defined."⁹

There is no lack of confidence expressed anywhere in his preface.

Yet in putting forth this seventh edition, I confess that my feelings incline more to those of Black's predecessors than to those of Black himself.

A Lot of Help from Our Friends

Diffidence, though, can lead to safeguards. And so it has in this work. I engaged several distinguished scholars who thoroughly vetted the entire manuscript:

- Tony Honoré, former holder of the Regius Professorship in Civil Law at Oxford University, and author of many important books, including *Causation in the Law* (with H.L.A. Hart).
- Joseph F. Spaniol, Jr., former Clerk of the Supreme Court of the United States, whose wide-ranging experience includes decades of service in federal rulemaking as a consultant to the Standing Committee on Rules of Practice and Procedure.
- David M. Walker, former holder of the Regius Professorship in Law at Glasgow University, perhaps the most prolific legal writer in the British Isles, and author of the renowned *Oxford Companion to Law* (1980).

⁷ Alexander M. Burrill, *A Law Dictionary and Glossary* xv (1859).

⁸ Archibald Brown, *A New Law Dictionary* vi (1874).

⁹ Henry Campbell Black, *A Dictionary of Law* iii (1891).

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Additionally, in about a third of the manuscript, we had the help of Hans W. Baade, holder of the Hugh Lamar Stone Chair in Civil Law at the University of Texas. He is a comparativist of the first rank whose expertise ranges from domestic relations to international transactions to conflict of laws.

On the editorial side, several of my colleagues at LawProse, Inc. played crucial roles. David W. Schultz, a seasoned editor who joined the *Black's* team in 1995, was invaluable in producing both the pocket edition (which appeared in 1996) and this unabridged edition. His editorial judgments have improved every page. Lance A. Cooper, an aspiring legal historian, joined the team in 1997, working skillfully on thousands of entries for more than 18 months. Elizabeth C. Powell arrived in 1998, bringing with her a keen intellect, ten years of lawyerly experience, and an amazing capacity for hard work. All three — Schultz, Cooper, and Powell — are splendid lawyers who, not so long ago, never imagined they would one day be legal lexicographers. Yet they learned dictionary-making as the best lexicographers do: on the job. And they've become quite accomplished.

When it came to pronunciations, though, I knew we needed someone already expert in the art. This dictionary presents extraordinary challenges to a pronunciation editor, being full of Latin and French as well as Law Latin (the impure Latin of Renaissance lawyers) and Law French (the Norman French of medieval lawyers). Fortunately, Charles Harrington Elster of San Diego, an orthoepist with several excellent books to his credit, was willing to take on the task. He wisely guided us through the confusing mazes of Anglo-Latin, the only type of Latin with a continuous tradition in Anglo-American law. Even if some of the pronunciations strike you at first as odd, you can be sure that there is sound authority for them.

On translating Greek, Latin, and French, we had the benefit of many scholars' expertise. Professors Honoré and Walker supplied many of our etymologies. So did Edwin Carawan and Alison Parker, both of whom hold Ph.D.s in Classics; they examined all the maxims listed in Appendix B and supplied new translations and annotations for them.

As the manuscript deadline approached, I asked 30 judges, lawyers, and academics — mostly practicing lawyers — to read and comment on a batch of 150 pages of manuscript each. All of them generously agreed. I am enormously grateful to each of these learned lawyers:

Paul H. Anderson
Beverly Ray Burlingame
Jordan B. Cherrick
Charles Dewey Cole, Jr.
Dana Fabe
Stephen F. Fink
Neal Goldfarb

C. Kenneth Grosse
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What I hadn't fully reckoned, when sending out batches of manuscript, was how challenging it would be to integrate more than 4,500 pages of lightly to heavily edited text. Evaluating and entering the edits into our database took three full-time lawyers the better part of six weeks. Fortunately, Beverly Ray Burlingame of Dallas, an immensely talented editor and prodigiously hard worker, took time off from her busy law practice to help complete the project. She made huge contributions during the final stage.

But hers was not the only extraordinary act on behalf of the cause. During the final months, Michael L. Atchley of Dallas, upon learning of our deadline, began sending us draft entries for several hundred terms that were missing from the sixth edition. His broad legal knowledge, as well as his natural aptitude for lexicography, showed in all his work. Then he generously read and commented on large stacks of manuscript.

Several lawyers made important contributions beyond those I've already described. Ann Taylor Schwing of Sacramento painstakingly culled through the 90 volumes of *Words and Phrases* for possible inclusions, and she read large portions of the manuscript. Elizabeth Sturdivant Kerr of Fort Worth contributed drafts of many entries for the letters E, H, and T, and she read much of the manuscript. Michelle D. Monse of Dallas contributed drafts of many L entries. Stephen W. Kotara of Dallas contributed to the letters F and G. Meanwhile, Terrence W. Kirk of Austin submitted many useful drafts of criminal-law definitions.

As the work progressed, I occasionally ran queries by scholars in various legal specialties, and they all responded helpfully. Many thanks to J.H. Baker, Peter Butt, Robert W. Hamilton, Herbert J. Hammond, Geoffrey C. Hazard, Jr., Gideon Kanner, Robert E. Keeton, John S. Lowe, Neil MacCormick, Joseph W. McKnight, Sir Robert Megarry, Richard A. Posner, William C. Powers, Jr., Thomas M. Reavley, Christoph Schreuer, Sir David Williams, and Charles Alan Wright. In a specialized review, Marc I. Steinberg commented on the business-law terms throughout the book.

Several universities provided significant assistance. While working on the project, I was an adjunct professor at Southern Methodist University School of Law. Meanwhile, I had stints as a visiting scholar at the University of Glasgow (July 1996), under the sponsorship of Professor David M. Walker; at the University of Cambridge (July 1997), under the sponsorship

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of Vice-Chancellor Emeritus Sir David Williams; and at the University of Salzburg (July 1998), under the sponsorship of Professors Wolfram Karl and Christoph Schreuer. I used the libraries at each of those universities to good advantage. I also made good use of the renowned Tarlton Law Library at the University of Texas (thanks to Professor Roy M. Mersky and his colleagues). And the entire *Black's* team constantly used the Underwood Law Library at Southern Methodist University (thanks to Professor Gail Daly and her colleagues). Also, I was able to carry out some research at the Langdell Law Library at Harvard University. To all of these libraries and their staffs, I am grateful for the cordial help they unfailingly gave.

Professor Mersky helped in another notable way: he and several of his colleagues — Beth Youngdale, Marlyn Robinson, and Monika Szakasits — generously verified the accuracy of our List of Works Cited (Appendix H).

Five research assistants — extraordinarily talented law students at Southern Methodist University School of Law — verified citations throughout the book. The editors are much indebted to Daniel Alexander, Julie Buffington, Nicole Schauf Gambrell, Peggy Glenn-Summitt, and Kenneth E. Shore. I especially thank Julie Buffington for organizing this team and ensuring the timely completion of a complex task.

Karen Magnuson of Portland, who has worked on several of my other books, courageously proofread the entire 3,500-page single-spaced manuscript as we worked through the final draft. Her talents as a copyeditor and proofreader are, in my experience, unmatched.

Many others contributed to the book in various ways: the late Alexander Black of Rochester began a reading program to gather illustrative quotations for our files; Thomas M. Fleming of Rochester continued that program for most of its duration; Caroline B. Garner of Dallas located historical legal terms in early dictionaries; E.N. Genovese of San Diego helped supply some foreign pronunciations; Tanya Glenn of Dallas typed the initial list of maxims; Michael Greenwald of Philadelphia helped on terms relating to the American Law Institute; and Tinh T. Nguyen of Dallas, with unusual enthusiasm, carried out the tedious but necessary task of checking cross-references and alphabetization.

While the project has been housed at LawProse, Inc. — as it will be through at least the next edition — Pan Garner, vice president of the company, has handled its business operations with energy, enthusiasm, and care. This included, over several years, working with me to acquire one of the most comprehensive collections of law-related dictionaries anywhere to be found. This collection has been invaluable in our work.

At the West Group, David J. Oliveiri, Doug Powell, John Perovich, and Brendan Bauer had the imagination and the forcefulness to make the book a reality. Their logistical support, not to mention their moral support, helped everyone involved in the project. In the production department, Kathy Walters worked wonders to produce the book within a tight deadline.

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Tremendous amounts of talent and toil have gone into the making of this book. Yet the worries of early lexicographers have a haunting ring: this work might not prove as absolutely faultless as it has been my wish to make it. If that turns out to be so, as it inevitably will, I can only hope that readers will recognize the genuine merits residing in these pages.

Bryan A. Garner
Dallas, Texas
June 1999

Guide to the Dictionary

1. Alphabetization

All headwords, including abbreviations, are alphabetized letter by letter, not word by word. Spaces, apostrophes, hyphens, virgules, and the like are ignored. An ampersand (&) is treated as if it were the word *and*. For example:

Pan-American Convention

P & L

***Panduit* test**

per annum

P/E ratio

per capita

percentage lease

per diem

peremptory

Numerals included in headwords precede the letter “a” and are arranged in ascending numerical order:

Rule 10b-5

Rule 11

rule absolute

rulemaking

rule of 72

rule of 78

A numeral at the beginning of a headword is alphabetized as if the numeral were spelled out:

Eighth Amendment

eight-hour law

8-K

ejection

Commas break the letter-by-letter alphabetization if they are backward-looking (e.g., *attorney*, *power of*), but not if they are forward-looking (e.g., *right*, *title*, *and interest*).

2. Pronunciations

Boldface syllables receive primary stress:

oligopoly (ol-ə-**gop**-ə-lee), *n.*

If a word has more than one acceptable pronunciation, the preferred pronunciation appears first and the variant form after *or*:

talesman (**taylz**-mən or **tay**-leez-mən).

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A pronunciation of dubious standing is preceded by *also*:

condition precedent (prə-**seed**-ənt *also* pres-ə-dənt).

For variably pronounced syllables, often only the changed syllables are included:

ejusdem generis (ee-**jəs**-dəm **jen**-ə-ris *also* ee-**joos**- or ee-**yoos**-).

Brackets in pronunciations indicate an optional sound:

fiduciary (fi-**d**[y]oo-shee-er-ee), *adj.*

For handy reference, the pronunciation guide is located inside the front cover

3. Etymologies

The origins of most foreign words and phrases are given in brackets. By far the most frequent etymologies are “Latin” (i.e., classical Latin used during the Roman Empire) and “Law Latin” (i.e., the Anglicized Latin formerly used in legal documents and proceedings). Essentially, the *Law Latin* tag corresponds to what some dictionaries call *Late Latin* and others call *Medieval Latin*. Other languages of origin are listed as well, including French, Law French (i.e., medieval common-law French), Old English, Greek, German, and Dutch.

4. Tags

Two types of tags appear. First, there are usage tags:

Hist. = historical; no longer current in law

Archaic = old-fashioned and declining in use

Rare = very infrequent in modern usage

Slang = very informal

Second, there are many subject-matter tags that identify the field of law that a particular term or sense belongs to (e.g., *Antitrust*, *Commercial law*, *Insurance*, and *Wills & estates*). Two of these tags deserve special mention. *Roman law* indicates a term that can be traced back to the legal system of the ancient Romans. *Civil law* indicates a term that is used in modern civil-law systems, including much of the law in Louisiana.

5. Angle Brackets

Contextual illustrations of a headword are given in angle brackets:

avail, *n.* **1.** Use or advantage <of little or no avail>. **2.** (*pl.*) Profits or proceeds, esp. from a sale of property <the avails of the trust fund>.

6. Bullets

Bullets are used to separate definitional information (before the bullet) from information that is not purely definitional (after the bullet), such as encyclopedic information or usage notes.

7. Cognate Forms

This dictionary lists corresponding parts of speech. For example, under the definition of *consultation*, the corresponding verb (*consult*) and adjectives (*consulting*, *consultative*) are listed.

If a cognate form applies to only one sense of a headword, that form is denoted as follows:

enjoin, *vb.* **1.** To legally prohibit or restrain by injunction <the company was enjoined from selling its stock>. [Cases: Injunction • 1. C.J.S. *Injunctions* §§ 2–4, 12, 14, 22, 24, 166.] **2.** To prescribe, mandate, or strongly encourage <the graduating class was enjoined to uphold the highest professional standards>. — **enjoinment** (for sense 1), *n.* — **enjoinder** (for sense 2), *n.*

8. Cross-references

a. See

The signal *See* is used in three ways.

(1) To indicate that the definition is at another location in the dictionary:

call loan. See LOAN.

perpetuities, rule against. See RULE AGAINST PERPETUITIES.

(2) To refer to closely related terms:

nationalization, *n.* **1.** The act of bringing an industry under governmental control or ownership. [Cases: International Law • 10.16. C.J.S. *International Law* § 35.] **2.** The act of giving a person the status of a citizen. See NATURALIZATION. [Cases: Aliens • 60–70. C.J.S. *Aliens* §§ 276–315, 326.]

cognovit (kog-**noh**-vit). [Latin “the person has conceded (a debt or an action)”] An acknowledgment of debt or liability in the form of a confessed judgment. • Formerly, credit contracts often included a cognovit clause in which consumers agreed in advance that, if they were sued for nonpayment, they had relinquished any right to be notified of court hearings — but such clauses are generally illegal today. See *confession of judgment* under JUDGMENT.

(3) To refer to a synonymous subentry:

binding instruction. See *mandatory instruction* under JURY INSTRUCTION.