

A Dictionary of American Legal Terms

with Chinese-English Explanations
by Yarong Zhou

美国法律辞典

汉英双解

周雅荣
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*For Susan
and our son, William*

前 言

《美国法律辞典（汉英双解）》可作为高等院校法律和英语专业师生、律师、司法官员、翻译和研究工作者、涉外企业和驻美机构工作人员，以及赴美留学、创业和定居华人的参考工具书。内容包括学术性强的美国各门法律的术语，也涉及美国日常生活中与法律有关的用语。鉴于美国法律体系的渊源和路易斯安那州的特殊历史原因，本书还选编了若干主要在英国使用和存在于大陆法系内的法律词汇。全典共收词目及其相关词语一万五千条左右（包含缩略语等）。

本辞典尝试改变多数英汉专业工具书将单词和长短不一的词组并列收集，仅用中文单一解释的传统模式，全部词目（除拉丁语外）一律以单词形式列出，使用汉英双语释义；所有与词目相关的短语术语被置放在词目的释义后面，例如：“collateral mortgage”和“reverse mortgage”均出现在“mortgage”词条内。这样的排列不仅使得版面整齐，而且更能让读者扎实渐进地理解那些晦涩难懂的法律行话。为了让读者进一步领会查阅的术语，本辞典编入了大量的英汉对照例句；全书布满了数以千计冠以*号的追加性中文解释。

为了弥补工具书呆板枯燥的缺陷，本辞典在许多孤立的词条之间搭起了连环参阅和比照的平台，使读者在查阅某个单词的时候能够轻而易举地接触和掌握与其相关的同义词、反义词，以及和它们有关连的短语术语等。例如：在查阅“libel”时，读者会被建议将其与“slander”和“defamation”作比较；在参阅“defamation”时，读者又会碰到“defamation per quod”和“defamation per se”两个术语；若读者有兴趣探究，再可顺藤查阅“per quod”和“per se”两个在法律文件中常被对应使用的拉丁语词组。此外，本辞典还为查阅者开辟了另一扩充词汇的途径，即在诸多词条内列出了派生词，例如：在词条“lien”的末尾编进了“liencee”和“lienor”。总之，编者在酝酿和构思本辞典时，力求以教科书方式入手，尽量使读者查而有获，温故知新。

本辞典自二零零二年底开始编写，历时整整十个春秋方告完成。西方法律词汇浩瀚如海，若没有辞书编纂前辈的书籍作参考，本辞典必然是一潭无源之水，在此谨向参考书的编/作者致以崇高的敬意。在编写过程中曾得到达拉斯

著名律师安德鲁 L. 法克斯（Andrew L. Farkas）和会计师林子良先生的热情帮助；在出版阶段承蒙徐小芬女士的大力支持，在此一并表示衷心的感谢。由于编者学识有限，书中挂漏乃至谬误之处，恳请同行专家和读者不吝指正。

周雅荣

使用说明

1. 所有词目用粗体按字母顺序编写。拉丁语词组中单词与单词之间的空格不割断字母顺序，例如：**ex lege** 当作 **exlege** 查阅。
2. 每条英语词目用汉英解释；拉丁语词目先用斜体英语解释其字面意思，然后再用汉英解释其在法律上的意义。
3. 查阅短语术语时，采用“被修饰词”或“关键词”原则进行检索；例如：要查阅“truancy court”或“beyond a reasonable doubt”，可在“court”或“doubt”下找到。极少数短语则可在作为修饰词的词目下找到；例如：由于“lights”没有作为法律用语被独立收录在典，“ancient lights”就会出现在“ancient”词目下。每个词目解释后引出的第一个短语术语前用“||”与词目和词目释义分开；短语术语之间用“|”隔开。
4. “§”引出派生词。派生词均用大写字母拼写；一个词条内的多个派生词之间用“—”分开。与词目词性不同、拼写一样的单词被视作派生词（例如：**delay** v. § DELAY n.）。如果派生词词义与词目词义基本接近，通常不再用汉英解释。对派生词释义的英语使用斜体，以区别词目英语释义的字体。
5. 有些中英文单词或词组加了下划线后，直接给出对应翻译，以节省查阅时间。
例 1: **whipping** n. 笞刑 A corporal punishment consisting of inflicting long welts 鞭痕 on the skin; 例 2: **crime of passion** 激情犯罪* 在谋杀指控案中，被告往往以一时冲动 in the heat of passion, 而非预谋 premeditation 进行辩护。
6. “⇨”用作参阅指向符号。其它标示符号均属常用易懂，恕不赘述。
7. 关于美国法院体系，请参阅附录。

A a

ABA (缩) 1. 美国律师协会 American Bar Association * 1878 年在纽约州成立, 总部设在芝加哥; 其主要职能之一是制定和维护全美律师执业准则。2. 美国银行家协会 American Bankers Association / 参阅: *routing*

abaction *n.* 大批 (成群) 盗窃牲口 (罪) Stealing cattle on a large scale or by herds * 用于区别只偷一头牲口的犯罪行为。§ **ABACTOR** *n.* 大批盗窃牲口者 *a person who commits abaction*

abaft *ad. & prep.* (海事) 在 (向) 船尾 At or toward the stern of a ship; astern < abaft the beam 在船正横以后 >

abalienation *n.* (路易斯安那州法律) 让渡产权 Transfer of property title from one person to another § **ABALIENATE** *v.*

abandonment *n.* 1. 抛弃权利 (财产) Relinquishment of a right or property < abandonment of the right to inherit 抛弃遗产继承权 > 2. 遗弃配偶 (子女) Desertion of a person's spouse or child || **constructive abandonment** 推定遗弃 (指夫妻一方的恶劣行为 *malicious conduct* 迫使另一方离开婚姻居所) | **malicious abandonment** 恶意抛弃 (指未经配偶同意, 无充分理由不打算回家的最终出走; 亲生父母 *birth parents* 对自己孩子的故意冷漠、遗弃

等) 3. (刑法) 犯罪中止 Voluntary withdrawal from the commission of a crime

4. (保险) 委付 (指投保人将受损财产的所有权利放弃给保险公司, 以求得保单下的全额赔偿) An insured's surrendering of all rights to the damaged or lost property to his insurance company in order to be indemnified as a total loss / 参阅: *surrender; subrogation; salvage* § **ABANDON** *v.* < abandon an appeal 放弃上诉 > < Finding the insured cargo of fresh fruit to be a complete loss after the delay caused by the hurricane, the shipper elected to abandon. 托运人发现飓风造成的延误将导致投保的新鲜水果遭受全损, 便选择了把货物委付给保险公司。 > — **ABANDONED** *a.*

1) 被完全抛弃 (遗弃) 的 *wholly deserted or forsaken* < abandoned property 被抛弃的财产 > 2) 无道德约束的; 自弃而放纵的 *unrestrained by moral principles; given up to bad ways; profligate* — **ABANDONEE** *n.* (被遗弃财物的) 受领人; 受委付人 (通常指保险公司) *a person or entity to whom anything is abandoned (usually an insurance company)*

abatement *n.* 1. (因死亡人负债导致的) 遗产减少 (消失) Reduction or elimination of legacy to a beneficiary due to the decedent's debts < The abatement of

legacies resulted from the estate's insolvency. 遗产不足偿债导致遗产继承消失。> 2. 减税, 退税 Tax decrease or rebate 3. (诉讼的) 中止, 撤销 Suspension or defeat of a pending action < The defendant sought abatement of the suit because of misnomer. 由于(诉状内)人名不对, 被告寻求中止诉讼。> § ABATE v. < abate rents 减少租金 > — ABATABLE a. 可减少的; 可消除的 *capable of being reduced or eliminated* < an abatable nuisance 可排除的妨碍 >

abbot n. 男修道院院长; 寺院男住持 A male superior of a monastery or temple / 参阅: *imam; rabii* § ABBESS n. 女修道院院长; 寺院女住持 *a female superior of a convent or temple* * 修道院院长、寺院住持等神职人员均可被县级法院书记官 *county court clerk* 授权主持宗教结婚仪式 *perform a marriage ceremony*。

abbrochment n. 垄断市场 Buying up any merchandise at wholesale to control the supply and then resell it at a much higher price; forestalling § ABBROCH v. / 参阅: *hoard*

abduction n. 1. 诱拐妇女(儿童) Leading a woman or child away by fraudulent persuasion for the purpose of marriage, cohabitation, indecent sex or prostitution 2. 绑架 Carrying off a person by force § ABDUCT v. < Jill Carroll, an American journalist, was abducted in Baghdad by the gunmen who killed her translator. 美国记者洁尔·卡罗尔在巴格达被打死她的翻译员的枪手所绑架。> — ABDUCTOR n. 诱拐者, 绑架者 *a person who abducts someone* — ABDUCTEE n. 被诱拐者; 被绑架者 *a person who has been abducted*

abeam ad. (海事) 在正横 At the right angles to the keel of a ship / 参阅: *astern*

abet v. 教唆(协助)他人犯罪 Instigate and assist another in commission of a crime < abet the commission of a crime 唆使犯罪 > § ABETMENT n. — ABETTOR n. 教唆犯 *a person who abets someone in a crime*

abeyance n. 1. (不动产所有权归属的)未定状态 A state of real property in which the title is not yet vested < An inheritance is in abeyance when the legal heir has not been determined. 当合法继承人未确定时, 继承即处于未决状态。> 2. (活动的)搁置 Suspension of activity < Work on the dam is in abeyance while the court considers the motion for an injunction. 法院在考虑强制令动议时, 堤坝施工暂停。> § ABEYANT a. 悬而不决的 *in a state of suspense*

abidance n. ⇨ **abide**

abide v. 1. 听从, 接受 Accept without objection < abide the decision of the court 服从法庭裁决 > 2. 居住 Reside or stay < the right to abide in 50 states 在 50 个州居住的权利 > § ABIDANCE n. < law abidance 守法 > — ABIDE BY v. 遵守; 遵循 *obey; follow* < Jurors must abide by the judge's instruction through their deliberation. 陪审员在审核案件的全过程中必须遵守法官对法律要点的说明。>

ab inconvenienti (Latin: from *inconvenience*) (论证) 来自艰难抉择 (Of an argument) drawn from hardship / 参阅 *argument* 下 *argument ab inconvenienti*

ab initio (Latin: from the first act)

从头开始 From the beginning < The contract was declared void ab initio. 该合同被宣布自始无效。>

ab intestato (*Latin: from an intestate*) (路易斯安那州法律) (继承) 来自无遗嘱 (Of succession) from a person dying without a valid will < succession ab intestato 无遗嘱继承>

ab invito (*Latin: by an unwilling person*) 出于非自愿 Against a person's will < a transfer ab invito 非情愿转让>

ab irato (*Latin: from an angry person*) (决定的做出) 出于一怒之下 (Of a decision) (made) out of anger * 如: 遗嘱人在盛怒之下对某一合法继承人做出不利的决定。

abjudication *n.* (经司法判决的) 拒绝, 剥夺 Rejection or deprivation by judicial judgment § ABJUDICATE *v.*

abjuration *n.* (正式宣誓) 放弃国籍 (信仰) Renunciation of nationality or belief by oath < abjuration of one's allegiance for his former country 对前国家效忠的正式放弃> § ABJURE *v.* < abjure one's power 发誓放弃权力>

able *a.* 1. 有能力达到目标的 Possessed of needed power to accomplish an objective < able to perform under the contract 有能力履行合同> 2. 有法律资格的 Legally qualified < able to inherit property 有法定资格继承财产>

abnegation *n.* 放弃 (权利、职位等) Renunciation of (a right, position etc.) < abnegation of territorial claim 放弃领土主张> § ABNEGATE *v.* < abnegate the power 放弃权力>

abnormal *a.* 反常的; 心理变态的 Deviating from the standard or average; psychologically unusual < an abnormal risk 异常风险> < abnormal sexuality 变态性欲> § ABNORMALITY *n.* 1) 反常的事物 *an abnormal thing or event* 2) 不正常性 *an abnormal condition* / 与 *normal* 相对

abode *n.* 住处 A dwelling place < the defendant's current place of abode 被告的目前住处> / 比较: *domicile*; *residence*

abolish *v.* 彻底废除制度 (习俗) 等 Completely do away with or put an end to a system, custom, etc. § ABOLISHMENT *n.* < abolishment of the death penalty 废除死刑>

abolition *n.* 废止 (尤指 18 或 19 世纪奴隶制的废除) Abolishing, especially, the Negro slavery in the 18th or 19th century < abolition of slavery 废除奴隶制> § ABOLITIONIST *n.* 废止论者 *a person who is in favor of abolishing some law, custom, etc.*

aboriginal *n.* 土著居民 An original inhabitant * 如: 美国印第安人。

abortifacient *n.* 堕胎药; 堕胎方法 A drug or device for inducing abortion § ABORTIFACIENT *a.* 引起堕胎的 *causing abortion* < abortifacient herbs 堕胎草药>

abortion *n.* 人工流产; 堕胎 Artificial termination of a pregnancy / 比较: *miscarriage*; 参阅: *stillbirth* || *induced abortion* 人工流产 | *late-term abortion* 晚期堕胎 | *spontaneous abortion* 小产 / 等同: *miscarriage* * *spontaneous aborting* 为医学术语。| *therapeutic abortion*

(为保护母亲生命安全的) 医疗性堕胎
* 1973 年美国联邦最高法院在 *Roe v. Wade* 一案中第一次认可妇女有权选择终止怀孕。§ ABORT *v.* — ABORT-EE *n.* 被打胎者 *a pregnant woman who has an abortion* — ABORTIONIST *n.* 非法堕胎者 *a person who causes criminal abortion*

abridge *v.* 1. 限制 (削弱) 法律权利 Restrict or diminish a legal right < The First Amendment prohibits Congress from abridging freedom of speech. 美国宪法第一修正案禁止限制言论自由。> 2. 节略 Shorten by omission of words without sacrifice of principal meaning < Abstract of Title is an abridged history of the title to a piece of land prepared by an attorney. 产权摘要是由律师准备的土地产权简史。>

abrogation *n.* (通过正式或官方手段) 废除法律 (习俗) 等 Abolishment of a law or abolition of established customs, etc. through formal or official means / 比较: *derogation* § ABROGATE *v.* < abrogate a statute 废除一项法规 > < abrogate a will 撤销遗嘱 >

abscond *v.* 1. (为躲避法律诉讼) 隐藏; 秘密离开法院管辖地 Hide or go secretly out of a court's jurisdiction to avoid legal proceedings < absconded from New York 从纽约潜逃而来 > 2. 逃避追债 Flee from a creditor § ABSCONDCENCE *n.*

absentee *n.* 1. 不在自己居所者 A person who is away from his usual residence / 参阅 *ballot* 下 *absentee ballot* 2. 矿工者, 旷课者, 缺席者 A person who is missing from work, school, etc. / 参阅: *truancy*

absentia *Latin* ⇨ **in absentia**

absolute *a.* 绝对的, 完全的, 最终的 Unrestricted, complete, final < absolute discretion 绝对自由裁量权 > < absolute trust in the statement 对陈述的无保留相信 >

absolution *n.* ⇨ **absolve**

absolutism *n.* 独裁政府; 专制主义 The government in which all power is vested in a single ruler; a political theory that reflects such government

absolve *v.* 1. 使免除嫌疑 (定罪、惩罚) Set free of suspicion, guilt or penalties < A jury absolved the defendant of any negligence. 陪审团排除被告有过失行为。> 2. 使免除义务 (债务、责任) Release from duty, debt or responsibility < The first clause of the will absolved the decedent's brother from his debts to the decedent. 遗嘱的第一条免去了死者兄弟欠死者的债务。> § ABSOLUTION *n.* < achieve a complete absolution of an old debt 获取旧债的彻底免除 >

absque hoc (*Latin: without this*) 倘若不是此事 If it had not been for this; but for * 该术语用在被告的答辩状中, 要义是被告承认原告在诉状中的事实, 但若没有某个事实的存在, 他不会做出伤害原告的行为。

abstain *v.* 1. 戒除 (着迷的事物) Keep from (some indulgence) < abstain from alcohol 戒除酗酒 > 2. 放弃 (投票) Refrain from voting < The Senator abstained from voting on the motion. 该参议员放弃对动议的投票。>

abstention *n.* 1. 避让 (指为避免联邦和州之间的事务冲突, 美国联邦法

院将管辖权放弃给州法院) A federal court's relinquishment of jurisdiction to a state court in order to avoid conflict between federal and state affairs || **Burford abstention** 伯福德避让原则 * 源于1943年 *Burford v. Sun Oil Co.* 一案; 此案因与州行政法规有冲突而未适用联邦管辖权, 而后联邦法院在涉及州复杂法律体系和敏感的职能问题时予以规避。| **Pullman abstention** 普尔曼避让原则 * 源于1941年 *Railroad Commission of Texas v. Pullman Co.* 一案; 此案因与州法律解释有冲突而未适用联邦管辖权, 而后联邦法院在州法律条文能够解释处理宪法问题时予以规避。| **Younger abstention** 扬格避让原则 * 源于1971年 *Younger v. Harris* 一案; 指联邦法院不得以签发强制令 *injunction* 等方式干预州法院正在顺利进行的刑事诉讼。2. 戒除 (沉溺之事); 放弃 (投票) The act of abstaining < abstention from smoking 戒烟 > < Abstention from voting will have no impact on the outcome of this proposal. 投弃权票不会对该提案结果产生影响。>

abstract *n.* (法律文件的) 摘要性总结 A summary (of a legal document) || **abstract of record** 案卷摘要 (指提供给上诉法院的判案总结) | **abstract of title** 产权摘要 (指土地所有权简史, 包括所有权的转让和留置权等记录) | **abstract of judgment** 判决书摘要 (胜诉方在败诉方拒绝清偿判决债务 *judgment debt* 时, 可以向判决法院的民事书记官 *Civil Clerk* 申请索取判决摘要, 然后持摘要向败诉方不动产所在地的县政府通报判决, 从而在败诉方的不动产上设定留置权 *lien*) / 比

较: *release* 下 *release of judgment*

abuse *n.* 1. 背离法律; 滥用权力 Departure from legal use or wrongful exercise of power || **abuse of discretion** (法庭或行政机构) 自由裁量权的滥用 | **abuse of process** 滥用法律程序 (尤指为了达到不合理目的, 欺骗性要求法院签发传票、逮捕令等; 或不当使用法院令状) | **discovery abuse** (庭审前) 事实披露程序滥用 * 如: 强求对方提供与诉案无关或受法律保护不必透露的信息。2. (毒品、酒精等的) 滥用 Excessive use of drug, alcohol, etc. || **alcohol abuse** 酗酒 | **drug abuse** 吸毒 3. 身心虐待 (摧残) Physical or emotional mistreatment || **abuse of the elderly** 虐待老人 * 如: 剥夺食物和药品、打骂 *beatings and oral assaults*、隔绝 *isolation* 等 / 又称: *elder abuse* | **child abuse** 虐待儿童 (指对儿童身、心、性等方面的摧残) | **domestic abuse** 家庭暴力 (指夫妻之间或父母对孩子的身体攻击、侵害) / 又称: *domestic violence* | **secondary abuse** 间接虐待 (孩子) (指孩子虽然没有受到身体攻击, 但在家目睹了家庭暴力) | **sexual abuse** 性虐待 (非法性行为, 尤指成年人对未成年人的性侵害) / 又称: *carnal abuse* | **spousal abuse** 婚姻虐待 (指婚姻一方对另一方在身体、性和心理上的摧残) § ABUSE *v.* 1) 滥用 (权力、药物) 等 *misuse a person's authority, drugs, etc.* 2) (身心) 虐待 *verbally or physically mistreat* — ABUSIVE *a.* 滥用的, 虐待的 *improperly using authority; mistreating* < abusive dismissal 滥解雇 > < an abusive boss 虐待型老板 >

abut *v.* 毗连 Touch along a border <

two lots that abut each other 两块贴邻的地 >

abutments *n.* 地界 The boundary lines of a parcel of land in relation to adjacent lands

accede *v.* ⇨ **accession**

acceleration *n.* (因未满足合同的某些条件) 剩余债款的提前偿付 (条款) A clause that an entire balance becoming due immediately in the event of a breach of certain conditions of the loan agreement * 如: 债务人若无力对抵押财产付税或购买保险, 全部债务余额成为立即到期的应付款项。§ ACCELERATE *v.*

acceptance *n.* (合同法) (对要约的) 接受 An agreement to the terms of an offer || **express acceptance** 明示承诺 | **implied acceptance** 默示承诺 | **qualified acceptance** 有条件承诺 (该承诺改变了原要约的内容, 从而构成反要约 *counteroffer*) 2. (财产法) 同意领受财产的交付; 正式同意成为受领财产的所有人 Agreement to take delivery of property or give formal assent to becoming the owner 3. (商法) 承兑票据 Drawee's signed engagement to honor the draft || **banker's acceptance** 银行承兑汇票 (由银行对客户开发的汇票, 承兑指定的到期票据) | **blank acceptance** 空白承兑 (受票人 *drawee* 预先签名的汇票, 持票人 *holder* 填票后即可承兑) | **trade acceptance** 商业承兑汇票 (由售货人对购货人开发的汇票, 经购货人在票据上签章承兑)

access *n.* 1. (不动产法) 过道权, 地役权 Legal right of a landowner whose land abuts a road to go to and return from his land to the road without being

obstructed 2. (未具监护权的离婚一方对未成年孩子的) 探望权 Visitation by a divorced parent with a child of whom the parent does not have custody < parental access 父母接触权 > 3. 阅读 (拷贝) 公共档案权 Opportunity to view or copy public records

accession *n.* 1. (财产所有人对在其财产上的自然生长或通过劳动产生的添物的) 拥有 Acquisition by a property owner of something added to that property, by natural growth or labor. < the riverbank owner's accession to the new land. 河岸所有人对新生土地的拥有权。 > 2. 继承权利 (所有权、职位) Coming into possession of a right, title, office, etc. < accession to the throne 继承王位 3. 带有让步性的同意 Consent, especially when it involves some yielding of one's own position < accession to the kidnapper's demand 同意绑架者的要求 > 4. (国际法) 附和加入条约 (Of a nation) becoming a party to a treaty that has already been agreed on by other nations / 又称: *adhesion* § ACCEDE (TO) *v.* < accede to the mayor 就任市长 > < accede to a demand 同意提出的要求 >

accessory *n.* 1. (刑法) 从犯 A person who helps another person commit a crime || **accessory after the fact** 事后从犯 (故意协助罪犯逃避追捕或惩罚) | **accessory before the fact** 事前从犯 (暗中协助策划犯罪) | **accessory at the fact** 二级主犯 (现场协助犯罪) / 又称: *principal in the second degree* 2. 从物, 配件 Something extra or helpful, but not essential < auto accessories 汽车附属物件 * 如: 备用千斤顶、遮阳板等 > § ACCESSORY *a.* 次要的,

从属的 *secondary or subordinate* < an accessory contract 从合同 > < an accessory debtor 从债务人 >

accident *n.* (造成伤害和损失的) 意外事故 Unintentional and unexpected event that results in injury, damage or loss || **unavoidable accident** 不可避免的意外事故 (由不可预见或不可抗力等造成) * 如: 突发病状或地震引起的事件。| **at-fault accident** (汽车保险) (由驾驶员疏忽或违章造成的) 过失车祸

accommodation *n.* 1. (使贷款申请人获得借款的) 无偿担保 Acting as a surety without any consideration to enable a loan applicant to obtain borrowed money < The mother cosigned the car loan as an accommodation to her son. 母亲以无偿担保为儿子联署了汽车贷款申请。 > < accommodation paper 通融票据 > 2. 提供住宿 (协助、便利) 等 Providing with a room, assistance, convenience, etc. § ACCOMMODATE *v.*

accomplice *n.* 同犯, 帮凶 A person who voluntarily joins another in the commission of an offense

accord *n.* (和解性了结债务、赔款) 协议 Amicable agreement to settle a debt or claim, usually the payment less than the amount legally owed and a lawsuit barred || **accord and satisfaction** (债务等的) 和了 (可作阻拦诉讼的理由) § ACCORDANCE *n.* 一致 *in conformity or agreement with* < in accordance with the Texas Rules of Civil Procedure 依据德克萨斯州民事诉讼程序规则 >

account *n.* 1. (银行、信用合作社、

抵押贷款公司等的) 账户 Relationship between a bank, credit union or mortgage company and its clients, usually evidenced by deposit or agreement || **bank account** 银行账户 | **checking account** 支票账户 | **custodial account** 监管账户 * 如: 父母为未成年子女开立。| **escrow account** 第三方代管转交账户; 托管账户 * 如: 抵押贷款公司 mortgage company 通过此类账户代为房屋贷款人支付房屋保险费 homeowner insurance premium、房产税 property tax 等。| **impound account** 保管账户 / 等同 escrow account | **joint account** 共同账户 (由两人或两人以上开立, 其对账户拥有平等权利和义务; 若有一人死亡, 在世者成为账户所有人) | **loan account** 贷款账户 2. (保险公司、证券机构等的) 账户 Relationship between an insurance company or security institution and its clients, usually evidenced by contribution or brokerage agreement || **annuity account** 年金账户 | **discretionary account** 全权委托账户 (指股票经纪人可以自行决定委托人的股票买卖的账户) | **Individual Retirement Account (IRA)** 个人退休账户 (可抵税 tax deductible) | **equity account** 股本账户 | **insurance account** 保险账户 | **margin account** (开设在股票经纪人处的) 保证金账户; 融资账户 * 投资人在该账户内放入规定数额的现金, 作为购买股票的部分资金及贷款购股的押金; 若股票买卖亏本, 致使保证金短缺时, 经纪人会向投资人发出追加保证金通知 margin call。| **mutual fund account** 共同基金账户 | **security account** 证券账户 | **VUL sub-account** (浮动宇宙人寿险 variable universal life 内的)

分支账户 (用来记载储蓄投资的盈亏、追加或取用资金等情况) 3. (买卖交易、公共事业服务等) 账户 Contractual relationship between a buyer and seller or utility service provider and its customers under which a payment is made at a later time < Please check my account and confirm if I have paid my last month's telephone bill. 请核查我的账户, 以确认我是否付了上个月的电话账单。> ||

charge account 赊购账户 4. 簿记账目 Record of debts or credits || **bad account** 坏账 (指无法收回的账款) | **account**

payable 应付账目 | **account receivable** 应收账目 **closed account** 已结账目 |

open account 未结账目 5. 叙述, 说明 A description or explanatory statement

§ ACCOUNTANT *n.* 会计师 *a professionally trained person whose work is to inspect, keep, or adjust accounts* ||

Kovel accountant 科沃尔会计人员 (指受雇于律师进行调查诉案的会计人员) * 该会计人员可以享受律师与客户保密特权 *attorney-client privilege*; 源自 1961 年 *Kovel v. U. S.* 一案。— ACCOUNTING *n.* 会计 (学) *a system or science of keeping, analyzing, and explaining commercial accounts* / 参阅: *bookkeeping*

accountable *a.* 有说明义务的; 对不利后果等负有责任的 *Liable to be called to explain; responsible for an unfavorable effect or result* < A bar can be held accountable for a drunk driver causing an accident. 酒吧可能对肇事的酒醉驾驶员负有责任。> § ACCOUNTABILITY *n.* 对某行为负有责任 *responsibility for some activity* < accountability for bad behavior 就不良行为应承担的责任 >

accredit *v.* 1. (国际法) (以国书) 任命 (委派) 外交人员等 *Appoint or send a diplomat with credentials* 2. 认可, 批准 *Recognize or approve* § ACCREDITED *a.* 承认的, 批准的 *recognized or approved* < accredited law school (经公认机构鉴定批准的) 法学院校 >

accreditation *n.* 鉴定 A process in which certification of competency, authority, or credibility is presented; the state of being accredited < a committee on accreditation 鉴定委员会 >

accretion *n.* 1. 添附 (通常指一时觉察不出的河岸新生地) *Adding on or adhering of something to property, usually referring to gradual and imperceptible formation of new land at the river bank* / 比较: *avulsion*; 参阅: *reliction* 2. (共同继承人死亡或抛弃继承而产生的) 余额继承权 *The right to additional share of legacy due to the death of or rejection of legacy by a colegatee*

accrue *v.* 1. (合法权利、要求的) 产生 (Of a legal right or claim) come into existence < The pedestrian's cause of action against the driver accrues when the driver hits and injures the pedestrian. 当驾驶员撞伤行人时, 行人告驾驶员的诉因便发生。> 2. 自然增长 *Increase regularly* < Interest accrues on a daily basis. 利息按天累计。> 3. 累计应付 *Accumulate and become due* < accrued alimony 到期应付的抚养费 >

accusation *n.* (以轻罪指控状、重罪起诉状) 正式控告 A formal charge in the form of a complaint or indictment that a person has committed an offense

|| **malicious accusation** 诬告 § ACCUSATORY *a.* 控告的 *containing accusation* < accusatory stage (刑事) 控告阶段 * 嫌疑犯逮捕后, 开始接受审讯并有权会面律师阶段。> — AC-CUSE *v.* — ACCUSED (刑事) 被告 *n.* *a criminal defendant*

accusatorial *a.* (刑事诉讼) 控诉制的 Relating to the system of criminal prosecution in which the prosecutor bears the burden to prove the allegations (the judge just acts as neutral referee) / 参阅: *adversarial; inquisitorial*

accusatory *a.* ⇨ **accusation**

acknowledgment *n.* 1. (在受权官员前的) 正式声明 Formal declaration in the presence of an authorized officer * 如: 在公证员 *notary public* 面前的宣誓声明 2. 承认 (事实真相和责任的存在) Recognition of (the truth of a fact and existence of obligation) < acknowledgement of paternity 承认父子关系 > < acknowledgement of debt 承认负债 > 3. (对收到物件的) 确认 Confirmation that something has been received < acknowledgement of service 传票送达回执 > § ACKNOWLEDGE *v.*

ACLU (缩) 美国民权同盟 American Civil Liberties Union * 由律师和其他热情人士组成的全国性组织, 旨在保障和维护联邦和州宪法规定的公民个人权利和自由。

acquaintance *n.* 相识的人; 熟人 A person whom one knows < a mere acquaintance, not a friend 只是相识, 不是朋友 > < acquaintance rape 熟人强奸 >

acquest *n.* (路易斯安那州法律) (非继承) 取得物 The property purchased or received as a gift, rather than acquired by inheritance

acquet *n.* = **acquest**

acquiesce *v.* ⇨ **acquiescence**

acquiescence *n.* 默认行为 Conduct that may imply consent < When asked about a crime, a person's acquiescence may imply guilt. 当一个人被问及是否有犯罪行为时, 他的沉默可能意味着承认有罪。> / 参阅 *lie* 下 *lying by* § ACQUIESCE *v.* < In the end, all the partners acquiesced in the settlement. 所有合伙人最终默认了和解方案。> — ACQUIESCENT *a.* 默认的 *tending to acquiesce*

acquisition *n.* 1. (公司的) 购并 Obtaining of controlling interest in a company 2. (通过购买、继承等获得的) 资产 Assets gained by purchase, inheritance, etc. || **new acquisition** 新增资产 (指非通过继承祖上遗产所得) | **original acquisition** (从未有过其他所有人的) 原始资产 * 如: 作者对版权的直接取得。§ ACQUIRE *v.* < The target's directors don't want the company to be acquired. 被收购对象的董事会不愿意公司被购并。>

acquit *v.* 1. 宣判无罪; 开释 Set free from a criminal charge by a jury verdict of not guilty or by court or prosecutor's determination. < The jury acquitted him of murder. 陪审团裁定他没犯谋杀罪。> 2. 免除债务或其它责任 Release from a debt or other liability § ACQUITTANCE *n.* (证明债务清偿) 文件, 收据 *a document or receipt indicat-*