

Legal Terminology – Common Terms Used in Utah Divorce Cases

walllegalsolutions.com/legal-terminology-common-terms-used-in-utah-divorce-cases



Going through a divorce is a daunting process. It's confusing enough without struggling to figure out what the documentation and courtroom interactions mean because you don't know the legal terminology.

Here's a glossary of legal terms used in divorce cases, to help you stay up to speed in your divorce proceeding.

Glossary of Legal Divorce Terms in Utah

A.D.R: Alternative Dispute Resolution. The use of mediation, arbitration, or other processes to settle a legal case in lieu of a courtroom trial.

Affidavit: A formal written document for submitting to the court a statement given under oath instead of testifying in person.

Alimony: Alimony is payments to a spouse or ex-spouse for his or her financial support sometimes during a divorce, after it is finalized, or both.

Allegation: A formal written accusation against a party submitted to the court for the purpose of proving to the court or jury that the allegation is true.

Annulment: A formal dissolution of a marriage by the court in which the marriage is declared to be nullified or canceled as if it had never occurred.

Arrearage: Unpaid child support or alimony that is past due for payment.

Appeal: To escalate a legal matter to a higher court seeking a reversal of a lower court's final decision.

Child Support: Child Support is Payments made by one parent to the other for the financial support of a child who is in the custody of and cared for by the parent being paid.

Common-Law Marriage: A legal status imposed on domestic unions between men and women in some states that may provide the rights and responsibilities of marriage, including the requirement to obtain a divorce if they choose to dissolve the relationship.

Contempt of Court: Any intentional disruption of the legal process including failing to obey a court order, or failing to appear when required, among other punishable offenses.

Contested Divorce: A divorce proceeding in which the spouses cannot reach an agreement about one or more sticking points so that the parties bring the matter(s) to the court for a legally binding decision.

Court Order: A formal written dictate from a court, issued by a judge.

Custody: Legal custody is the right to make decisions regarding a child's best interests, whereas physical custody is the right to have the child living with you and under your parental control.

Deposition: A written record of testimony taken from a witness who is under oath at a different location than the courtroom.

Decree: A formal order issued by a judge that concludes a court case with the judge's final decision. A decree is generally similar to a judgment but different in several significant ways.

Default Judgment: A court's ruling in the plaintiff's favor when a defendant in a case does not respond to the court summons or fails to appear in court as required.

Defendant: A person, group, or other entity against which a civil lawsuit or a criminal charge is filed.

Dissolution: The official legal ending of a marriage, other type of partnership, or other formally united group. A dissolution includes liquidation of mutual assets.

Divorce: The official ending of a marriage by a judge who grants a divorce decree or court order.

Equitable Distribution: A principle in some states' divorce laws that requires courts to work to reach a fair division of assets in adherence to guidelines specified in the state's legal code.

Hearing: Usually a brief session in which evidence is presented and the parties make arguments to determine a particular fact or law prior to a full court trial.

Guardian ad Litem: A type of guardian appointed by a court to represent the best interests of a minor child, an incompetent person, or other person who cannot protect herself or himself during a legal case.

Indemnification: Compensation granted to a person for loss or harm. In a contract, an indemnification clause compensates a party for harm or loss due to actions or failure to act by the other party.

Injunction: A judge's order restraining a person or group from starting or persisting with an action that threatens to adversely impact another's legal right or compels him/her to certain action.

Interrogatories: Written questions formally presented to a party to a legal case by the other party and which the receiving party is legally required to answer.

Irreconcilable Differences: A formal reason accepted by courts in many states as a ground for no-fault divorce, explaining that the marriage does not and cannot work.

Irretrievable Breakdown: Also called irremediable breakdown — a formal reason presented to courts in states throughout the country and accepted as the ground for no-fault divorce.

Joint Custody: Equally shared custody (legal and/or physical) of a child by the divorced or legally separated parents.

For Divorce Help in Utah, Call Wall Legal Solutions

For many years, Wall & Wall Attorneys at Law, P.C., have been helping people through the difficulties of divorce in Salt Lake City Utah. Our goal is to help each client understand all their options and make the best possible decisions so that they and their families can move beyond divorce to a happier future. We listen to all the details of your situation, review your legal case, and help you determine your best options.

For the finest divorce attorney Utah has available, call Wall & Wall Attorneys at Law at (801) 441-2388, or contact us here on our website to set up a free legal consultation.
