

# Arkansas Board of Certified Court Reporter Examiners

## ARBOCCRE



## CERTIFICATION EXAMINATION RULES, PROCEDURES, AND STUDY MATERIALS

(REVISED EFFECTIVE AUGUST 1, 2023)

**Arkansas Board of Certified Court Reporter Examiners  
(ARBOCCRE)**

**Alice C. Cook, Executive Secretary**

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**[www.arcourts.gov/boccre/](http://www.arcourts.gov/boccre/)**

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## CCR CERTIFICATION EXAMINATION (Written and Dictation)

The test for Arkansas Certified Court Reporter (CCR) is made up of the following:

- Written knowledge test consisting of 50 multiple choice questions.
  - Legal Terminology
  - Word Usage
  - Spelling
  - Punctuation
  - Sections 19 and 22 of the Regulations of the Arkansas Board of Certified Court Reporter Examiners; Sections 19 and 22 and Rule 3-1(i)(1-11) may be found on the “Rules and Regulations” tab at [www.arcourts.gov/boccre/](http://www.arcourts.gov/boccre/)
  - Rule 3-1(i)(1-11) Preparation of the Record, Rules of the Supreme Court and Court of Appeals
- Must be passed with a minimum score of 70% (15 errors allowed)
- Dictation skills exam consists of three five-minute dictations:
  - 180 wpm literary, 95% accuracy (45 errors allowed)
  - 200 wpm jury charge, 95% accuracy (50 errors allowed)
  - 225 wpm question and answer, 95% accuracy (56 errors allowed)

*NOTE: The percentages addressed here shall not be subject to modification by implementation of rounding up or down.*

## REQUIREMENTS TO TEST

- Applicant must be at least 18 years of age.
- Applicant must not be a convicted felon.
- Arkansas residents must submit a certified background check from the Arkansas State Police for in-state applicants.
- Out-of-state applicants must submit a certified background check from the state of their residence from a government agency approved by the Board.

## TEST FEES

- \$75 Arkansas resident
- \$150 out-of-state resident

## TEST REGISTRATION

- Deadlines for each testing schedule may be found on the “Calendar” tab at [www.arcourts.gov/boccre/](http://www.arcourts.gov/boccre/) and the application may be found on the “Certification Information” tab.
- Workshop and exam schedule may be found on the “Certification Information” tab.

## CANCELLATION/REFUND POLICY

- Should you need to cancel for any reason, you must notify the Board in writing, by mail or email, to Alice C. Cook, Executive Secretary, [arboccre@arcourts.gov](mailto:arboccre@arcourts.gov)
- If cancellation notice is received five (5) calendar days or more prior to a testing event, the Applicant may receive one (1) non-transferable voucher that is valid for one (1) future testing event. The voucher must be used within one year of the test date for which the voucher was issued.

## EXAMINATION READINESS WORKSHOP

- A workshop will be presented on the Saturday before the Sunday test.
- **The written exam will be given at the conclusion of the Saturday workshop.**
- The workshop will include the following:
  - Discussion and practice of proper dictation techniques, audibility, transcription, proofreading, policies and procedures, grading, review and practice of downloading techniques, dictation practice, and a mini mock test session.
- Items needed for workshop:
  - Mask or steno machine
  - Dictation recording equipment
  - Flash drive for practice purposes (will be provided)
- The mini mock test will be graded by you, and you will be allowed to review it with a test proctor.

- Written knowledge test information workshop will be presented by an English/grammar teacher (1-2 hours in length).

## **REGISTRATION AT EXAMINATION SITE**

- Do not enter the examination room prior to registration.
- Applicant must show driver's license for ID verification.
- Applicant will be assigned a number. All exam materials, including envelopes, flash drives, and paper notes must be marked with Applicant's assigned number.
- After the transcription is started, no one is allowed to leave the testing room without a test proctor.

## **LIST OF ITEMS YOU ARE ALLOWED TO BRING INTO TEST ROOM**

- Printer
- Paper
- Pencil
- Voice silencer (mask)
- Recording equipment (e.g. digital recorder, real-time dictation software, computer, foot pedal, extension cord/power strip)
- Stenotype machine
- Merriam-Webster's Collegiate Dictionary
- Morson's English Guide
- Gregg's Reference Manual
- Snacks and drinks

## **GENERAL INFORMATION**

- Flash drives will be provided by test proctor.
- Upon entering the test room, choose or find your seat and begin setup of your dictation/steno equipment only. All other equipment, including transcribing equipment, cell phones, and other electronic equipment, must be turned off and left in closed briefcases or handbags and placed in the area named by the test proctor for storage of personal belongings. No items may be left around or under

the desks. All aisles must be kept clear. The sound of a cell phone during the test process shall result in disqualification.

- During the audio part of the test, should a common disturbance occur such as a book falling, a door slamming, etc., you should continue your dictation. If such a disturbance occurs, the person who misses the fewest words will set the standard, and everyone will be credited with that number of words.
- Applicant shall not leave the exam site with a copy of the exam in any form, electronic or otherwise, and a representative of the Board will watch the deletion of the exam from all equipment, including all backup files created by your CAT software.
- Transcripts will not be printed by Applicants at the test site, but may be printed for proofreading purposes only and must be turned in.
- Test results will be emailed to the Applicant.
- The Applicant who successfully passes the certification exam will be required to attend an orientation class for new reporters. The date, time, and place will be included in the notification of test results to Applicant.
- Any Applicant who fails one or more sections of the exam may request a review which will be provided either by phone or in person.

## **TRANSCRIPTION INFORMATION**

- A total of 3-3/4 hours are allowed for transcription of three segments with 1-1/4 hour (75) minutes allowed for each segment. Following transcription, ten minutes will be allowed for downloading the segment to flash drive and giving it to the test proctor. Time will be allotted as follows:
  - 1-1/4 hour, transcribe one segment; ten minutes, download and turn in one segment.
  - 1-1/4 hour, transcribe second segment; ten minutes, download and turn in second segment.
  - 1-1/4 hour, transcribe third segment; ten minutes, download and turn in third segment.
- All applicants must cease transcribing a segment at the 1-1/4 hour mark and turn in, or be in line to turn in, that segment ten minutes later. Only one segment may

be transcribed per time period, and Applicants may not begin transcribing another segment until the announcement to begin is made.

- Applicants taking only one segment will leave following the first 1-1/4 hour transcription session and ten-minute turn-in time. This same procedure will be followed for those completing either two or three segments. No one may pack and leave during a transcription segment. All equipment deletions and departures must take place during the break between segments.
- Test segments may be transcribed and submitted in any order, one segment only per timed session.
- Each submission must have the transcript of only one segment. Any other words from another segment or practice session contained in the transcript will be considered errors.

## **FORMATTING REQUIREMENTS**

- Test transcripts must be formatted in accordance with Arkansas Supreme Court and Court of Appeals Rule 3-1, Sections i(1)-(12). The exam specific formatting requirements are listed below:
  - 8-1/2 x 11-inch paper
  - 25 numbered lines per page
  - Left-hand margins must be no more than 1-3/4 inch.
  - Right-hand margins must be no more than 3/8 inch.
  - Each question and answer must begin on a separate line.
  - Each question and answer must begin at the left-hand margin and have no more than 5 spaces from the “Q” and “A” to the text.
  - Carry-over “Q” and “A” lines must begin at the left-hand margin.
  - All transcripts must be prepared in upper/lower case as appropriate.
- Other formatting requirements are listed below:
  - A one-line header must be on every page. The header must contain your test identification number and the name of the test.
  - Page numbers must be inserted in a footer at the bottom right-hand corner of each page.

## OTHER INSTRUCTIONS

- A separate flash drive must be used for the transcript of each test segment submitted.
- Complete audio or machine shorthand notes must support the transcript of each test segment submitted.
- All audio or machine shorthand notes must be saved in one file and included on each flash drive.
- Your test identification number **MUST** appear on all materials submitted to the test proctor.

*NOTE: Your name must not appear on any test materials placed in your test packet. If your name appears on any materials placed in the test packet, it will result in disqualification and your test(s) will not be graded.*

- Applicant's transcripts must be downloaded to the flash drive(s) provided to you. Audio files must be formatted so that they will open in Windows Media Player.
- Machine shorthand notes must be printed or provided as a PDF file.
- Text files must be saved so that they will open in Word, WordPerfect, Adobe Acrobat Reader, or the equivalent thereof. Acceptable file extensions are .wpd, .doc, .docx, and .pdf.

*NOTE: You are encouraged to save your transcript to your computer's hard drive and not solely to your flash drive. If a malfunction occurs during the download process and you have not saved to your hard drive, you may lose your transcript.*

*NOTE: It is important that you practice this process before coming to test, so you are comfortable with this process.*

## SUBMISSION OF TEST MATERIALS AND EXITING THE TEST AREA

- Printed transcripts will not be accepted by test proctor. However, you may print a hard copy for your proofreading purposes only and must be turned in with all testing materials.
- Test materials must be turned in on a flash drive in one of the formats listed above. SD cards and compact flash cards are not allowable media. Only flash

drives will be accepted, and all test materials submitted in other formats or on other media will be disqualified.

- When all test segments are completed, all materials used during testing must be turned in to the test proctor. These materials include, but are not limited to: paper transcripts used for proofing, media containing test transcripts(s), media containing audio file(s), media containing machine shorthand notes, scratch paper, and/or notes created during the test.

## **EQUIPMENT CONCERNS AND REMINDERS**

- As an Applicant, you must be completely familiar with all the equipment you use during the certification test. No technical help by test proctors or other Applicants will be allowed. You must set up, use, and put away individual equipment (recording equipment, transcription equipment, computer) on your own.
- Technical difficulties experienced during the Dictation Skills Test are the sole responsibility of the Applicant. No technical help from the test proctors or other test Applicants is allowed. No refund will be given to Applicants who are unable to test or properly turn in test materials due to technical problems.
- Applicants must create a single audio file for all test segments and include the audio file on each flash drive for the segments.

## **VOICE WRITER INSTRUCTIONS**

- All live microphones must be disabled on laptops and digital recorders. Possession of outside microphones or room recordings of any kind in the testing area will not be tolerated and is grounds for immediate disqualification.
- Applicants using digital recording equipment must save their voices in a format compatible with Windows Media Player to a flash drive provided to the Applicant.
- Failure to successfully save your voice in a Windows Media Player compatible format will result in disqualification.
- Text files must be saved so that they will open in Word, WordPerfect, Adobe Acrobat Reader, or the equivalent thereof. Acceptable file extensions are .wpd, .doc, .docx, and .pdf.
- Voice writers will be monitored for silence and may be disqualified after two warnings.



- Transcripts not supported by Applicant's voice audio will be disqualified.

## **MACHINE WRITER INSTRUCTIONS**

- All live microphones must be disabled on laptops and digital recorders. Possession of outside microphones or room recordings of any kind will not be tolerated and is grounds for immediate disqualification.
- If Applicant is using a paperless steno machine, Applicant must have a steno machine or CAT software that allows Applicant to save steno notes to a flash drive.
- Applicant must delete exam notes/memory file from steno machine.
- Transcripts not supported by Applicant's steno notes will be disqualified.
- Text files must be saved so that they will open in Word, WordPerfect, Adobe Acrobat Reader, or the equivalent thereof. Acceptable file extensions are .wpd, .doc, .docx, and .pdf.

## **DISQUALIFICATION**

- Reasons for disqualification include, but are not limited to:
  - Outside microphones, room recordings of any kind, and open or concealed recording devices that record anything other than the Applicant's voice.
  - Unauthorized departure from the test.
  - Applicants not set up and ready to test when doors close.
  - Having test transcripts or other items in the test envelope that contain the Applicant's name.
  - Transcripts not supported by Applicant's voice audio or machine shorthand notes.
  - Text files incorrectly formatted so that they will not open in Word, WordPerfect, Adobe Acrobat Reader, or the equivalent thereof.
  - Accessing the internet during any part of the examination.
  - Having cell phones, smart watches, and other electronic equipment that are not completely turned off.
  - Disruption by a test Applicant during the dictation segment of the examination.
  - Submitting transcripts not in compliance with the guidelines as set out in these instructions.

# GRADING GUIDELINES FOR THE ARKANSAS COURT REPORTER CERTIFICATION EXAM

(Adopted March 2017 from the National Verbatim Reporters' Association  
Grading Guidelines)

## WHAT IS AN ERROR?

### ALLOWABLE ERRORS:

Literary – 5 minutes @ 180 wpm	45 errors	95%
Jury Charge – 5 minutes @ 200 wpm	50 errors	95%
Q & A – 5 minutes @ 225 wpm	56 errors	95%
Written exam – 50 questions	15 errors	70%

*NOTE: The percentages addressed here shall not be subject to modification by  
implementation of rounding up or down.*

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The following list of errors will be used as a guideline for correcting transcripts.

D = professional dictation

W = as written in transcript

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EACH WRONG WORD	# OF ERRORS
(D) He used a key to <u>access</u> the building.	
(W) He used a key to <u>excess</u> the building.	1 error
(D) Did you <u>notice</u> the color of the traffic light?	
(W) Did you <u>see</u> the color of the traffic light?	1 error
EACH ADDED WORD	# OF ERRORS
(D) Please tell us about <u>your work</u> history.	
(W) Please tell us about <u>your past work</u> history.	1 error

#### EACH DROPPED WORD

- (D) The light was green as I approached the intersection.  
(W) The light green as I approached the intersection. 1 error
- (D) The meeting is scheduled to start at 8 o'clock on Monday.  
(W) The meeting is scheduled to start at 8:00 Monday. 1 error

#### MISSPELLED WORD

- (D) I called my doctor yesterday.  
(W) I called my docter yesterday. 1 error
- (D) It's my party and I'll cry if I want to.  
(W) Its my party and I'll cry if I want to. 1 error

#### EACH WRONG NAME

- (D) Mr. Johnson borrowed my car last week.  
(W) Mr. Jones borrowed my car last week. 1 error

#### TRANSPPOSED WORDS

- (D) I since have been promoted to manager of sales.  
(W) I have since been promoted to manager of sales. 1 error

*NOTE: If words or phrases are transposed from one place in a sentence to another, each misplaced word is an error.*

- (D) I checked my luggage, and I went for coffee.  
(W) I went for coffee, and I checked my luggage. 4 errors

EACH OMITTED, ADDED, OR MISPLACED Q AND A			# OF ERRORS
(D)	Q	Where do you live, Mr. Smith?	
(W)	___	Where do you live, Mr. Smith?	1 error

(D)	A	Are you asking when I worked there?	
	Q	How long?	
(W)	A	Are you asking when I worked there? How Long?	1 error

#### IMPROPER END OF SENTENCE MARK

(D)	I didn't see him prior to the collision.	
(W)	I didn't see him prior to the collision!	1 error
(W)	I didn't see him prior to the collision _	1 error
(W)	I didn't see him prior to the collision...	1 error
(D)	How old are you?	
(W)	How old are you.	1 error

#### OMISSION OF PERIOD OR QUESTION MARK

(D)	He didn't answer the phone. He didn't hear it ring.	
(W)	He didn't answer the phone he didn't hear it ring.	1 error

#### OMISSION OF PERIOD REQUIRED BY RULES OF PUNCTUATION

(D)	The meeting begins at 9 a.m. in Conference Room 101.	
(W)	The meeting begins at 9 am in Conference Room 101.	1 error

#### EACH OMITTED COMMA IN A DATE

(D)	I was born on October 11, 1951, in North Carolina.	
(W)	I was born on October 11 1951 in North Carolina.	1 error

#### EACH OMITTED COMMA FOR CITY AND STATE

#### # OF ERRORS

- |     |   |          |
|-----|---|----------|
| (D) | I have lived in <u>Atlanta, Georgia</u> since 1985. |          |
| (W) | I have lived in <u>Atlanta, Georgia</u> since 1985. | 1 error  |
| (W) | I have lived in <u>Atlanta Georgia</u> since 1985.  | 2 errors |

#### EACH OMITTED COMMA IN SERIES

*NOTE: The comma before a conjunction is optional.*

- |     |  |          |
|-----|--|----------|
| (D) | He owned a <u>cat, a dog, three birds</u> , and some fish. |          |
| (W) | He owned a <u>cat a dog</u> three birds and some fish.     | 2 errors |
| (W) | He owned a <u>cat, a dog</u> , three birds and some fish.  | 0 errors |

#### EACH OMITTED COMMA IN A DIRECT ADDRESS

- |     |  |          |
|-----|--|----------|
| (D) | <u>Sir, please</u> state your name and occupation. |          |
| (W) | <u>Sir please</u> state your name and occupation.  | 1 error  |
| (D) | Tell <u>me, Bob</u> , about your new job.          |          |
| (W) | Tell <u>me, Bob</u> about your new job.            | 1 error  |
| (W) | Tell <u>me Bob</u> about your new job.             | 2 errors |

#### EACH OMITTED OR MISUSED COLON IN A SERIES OR LIST

- |     |   |         |
|-----|---|---------|
| (D) | I like three kinds of <u>music: jazz</u> , blues, and pop.  |         |
| (W) | I like three kinds of <u>music, jazz</u> , blues, and pop.  | 1 error |
| (D) | Two factors cannot be <u>ignored: the</u> budget and the bottom line.                                   |         |
| (w) | Two factors cannot be <u>ignored, the</u> budget and the bottom line.                                   | 1 error |
| (D) | We considered two things when making the decision. <u> We</u> looked at age, and we looked at location. |         |
| (W) | We considered two things when making the decision. <u> we</u> Looked at age, and we looked at location. | 1 error |

EACH INAPPROPRIATE USE OF SEMICOLON # OF ERRORS

- (D) I don't like him, not at all.
- (W) I don't like him; not at all. 1 error
- (D) There are many books on chaos theory, no fewer than 12 since 1988.
- (W) There are many books on chaos theory; no fewer than 12 since 1988. 1 error

*NOTE: No error will be counted for use of a period between two closely related sentences not separated by a conjunction.*

- (D) Call me tomorrow; I will give you my answer then.
- (W) Call me tomorrow. I will give you my answer then. 0 error
- (D) John is Canadian; however, he lives in the U.S.
- (W) John is Canadian. However, he lives in the U.S. 0 error

EACH MISSING SPACE

- (D) I worked in the paper plant until I retired.
- (W) I worked in thepaper plant until I retired. 1 error

EACH COMPOUND WORD WRITTEN AS TWO WORDS AND VICE VERSA

- (D) Mary agreed to pick up the children.
- (W) Mary agreed to pickup the children. 1 error

EACH OMITTED CAPITAL LETTER WHEN CLEARLY NEEDED

- (D) I saw Dr. smith for the first time in October. 1 error
- (W) I moved to Miami, florida. 1 error

EACH CONTRACTION WRITTEN AS TWO WORDS AND VICE VERSA

- (D) He won't speed down that road again.
- (W) He will not speed down that road again. 1 error

INCORRECT VERB TENSE	# OF ERRORS
(D) Do you <u>need</u> additional credits for this CE cycle?	
(W) Do you <u>needed</u> additional credits for this CE cycle?	1 error

#### EACH PLURAL INCORRECTLY WRITTEN AS SINGULAR AND VICE VERSA

(D) I cashed five <u>checks</u> and then made one deposit.	
(W) I cashed five <u>check</u> and then made one deposit.	1 error

#### EACH ACRONYM WHICH CONTAINS HYPHENS OR WORDS

(D) I missed last month's <u>PTA</u> meeting.	
(W) I missed last month's <u>P-T-A</u> meeting.	1 error
(W) I missed last month's <u>P tea A</u> meeting.	

#### DATES MUST BE EXPRESSED AS NUMERALS

(D) My daughter was born <u>July 8, 1980</u> .	
(W) My daughter was born <u>July eight, 19 eighty</u> .	1 error

#### EACH WRONG OR INCORRECTLY RENDERED NUMBER

(D) I've lived here since <u>1996</u> .	
(W) I've lived here since <u>1966</u> .	1 error
(D) <u>720</u>	
(W) <u>700 twenty</u>	1 error

#### THE FOLLOWING WILL **NOT** BE COUNTED AS ERRORS

1. Large numbers containing six zeros or more may be written as a combination of words and numerals: 11 million **OR** eleven million
2. Fractions written as words or numerals:  $\frac{1}{4}$  **OR** one-fourth
3. Use of the word "dollars" instead of the \$ symbol: \$117 **OR** 117 dollars
4. Use of the word "percent" instead of the % symbol: 30 percent **OR** 30%

*NOTE: Omission of the word "dollar" of "percent" for \$ or % symbol is 1 error for a dropped word.*

5. In dates, cardinal numbers for ordinal numbers and vice versa: December 5 OR December 5<sup>th</sup>
6. Missing hyphens in compound adjectives: 15-page report OR 15 page report
7. Hyphen used at the end of a line to divide a word
8. An extra space where only one space is required: I went to the store for eggs.
9. Misplaced commas except as specifically described in this document
10. Punctuation which is part of any other error
11. Spelling of proper names, except that the name must sound similar to the name dictated, must contain the same number of syllables, and must be used consistently throughout the transcript
12. Miss, Mrs., or Ms. used interchangeably, EXCEPT that one form must be used consistently throughout the transcript
13. Time written as six o'clock OR 6:00
14. Q and A not dictated during the two-voice question and answer segment, but must appear correctly in the transcript
15. Paragraphing is recommended for readability, but is not required



## **ORIENTATION NOTICE TO NEW COURT REPORTERS**

By per curiam order of the Supreme Court of Arkansas dated September 9, 2004, Section 14 of the Regulations of the Board of Certified Court Reporter Examiners has been revised as follows:

“(g) Each individual successfully passing the certification examination shall, prior to receiving certification from the Board, participate in an orientation session at a time and place set by the Board.”

1. The Court Reporter Reference Manual is available on the website [www.arcourts.gov/boccre/](http://www.arcourts.gov/boccre/) and will be referred to in the orientation. It is recommended that the new reporter print the manual or download it to a device that can be easily accessed during the orientation.
2. The orientation class will include:
  - a. Freelance court reporter(s) who will review rules and regulations, as well as information and forms used in freelance court reporting; and
  - b. Official court reporter(s) who will review rules and regulations, as well as information and forms used in official reporting in the courtroom.
3. Continuing education credits will be earned based upon the length of the program.
4. The Court Reporter Reference Manual has freelance reporter information and forms; official court reporter information and forms; continuing education information; Rules and Regulations for Arkansas court reporters; substitute court reporter information and forms; Arkansas Court Reporters Association (ACRA) membership information; and Maude Parkman Mentor Program information and application.
5. Certification numbers will be provided to new court reporters by the Executive Secretary when orientation has been completed.

## STUDY MATERIAL – LEGAL TERMS

**a.k.a (a/k/a):** also known as; frequently used in captions

**abeyance:** estate law – a lapse in succession during which there is no person in whom title is vested

**abstract of title:** excerpts from the official records containing the essential information to show the chain of title to real estate and the facts of record that bear upon its marketability

**ad damnum:** the clause of a writ or declaration containing statement of damages claimed

**ad hoc:** for only the particular case at hand

**adjudication:** the rendering of a decision; sometimes the decision itself

**ad litem:** for the purposes of the suit

**affirmation:** a solemn and formal declaration of asseveration that an affidavit is true, that the witness will tell the truth; being substituted for an oath in certain cases

**a fortiori:** with greater reason or more convincing force

**aliunde:** from another source; from outside

**allegation:** the claim of fact that a party makes in a pleading

**allocution:** formality of court's inquiry of prisoner as to whether he/she has any legal cause to show why judgment should not be pronounced against him/her on verdict of conviction

**amicus curiae:** friend of the court: one who volunteers information, with the court's permission, on matters of law

**ancillary:** auxiliary, supplementary

**annotations:** the case summaries which follow and construe the statutes, printed in the commercially produced statute books; they are not official

**answer:** the defendant's pleading which responds to the plaintiff's petition or complaint

**ante:** listed prior in same index or material

**appearance:** the act of submitting oneself to the court officially, usually by the attorney filing an appearance with the clerk

**appellant:** the party seeking a change in a lower court's decision or administrative order by an appeal to a higher court

**appellate court:** the court which hears appeals from the decisions of other courts, as contrasted with a trial court where the cases are litigated initially

**arraignment:** in criminal law, the formal hearing at which the defendant is called before the judge to plead to the charge

**asportation:** a carrying away; felonious removal of goods

**attachment:** a procedure whereby the plaintiff secures a lien against the property of the defendant to satisfy an obligation which may not yet be determined

**attorney of record:** the attorney whose name appears in the official record as the lawyer representing the party

**bail:** the process of taking some security to guarantee that an accused person will appear at a hearing or trial

**bailiff:** the courtroom attendant who maintains order and facilitates the conduct of the trial

**best evidence:** evidence from the most reliable source; an original as against a copy

**bill of sale:** an instrument evidencing a transfer of personal property

**brief:** the document that a lawyer files with the court arguing the law and facts in support of his/her case

**burden of proof:** the duty that falls upon a party to prove a fact affirmatively

**canon:** a system of correlated rules or standards

**caption:** the heading on a pleading, containing name of court, county, parties, and the title of the document

**carte blanche:** unlimited authority; a free hand

**caveat:** warning

**caveat emptor:** let the buyer beware

**certiorari:** appellate review proceeding examining action of inferior court for further information; a writ of review or inquiry

**chambers:** a judge's office

**change of venue:** moving a case from one county to another

**chattel:** an item of personal property

**chattel real:** an item of personal property so affixed to the real estate as to be considered a part thereof; a fixture

**circumstantial evidence:** indirect evidence; evidence from which you can draw a conclusion, but it, itself, does not establish the fact

**civil:** relating to private rights and remedies sought by suit, distinct from criminal proceedings

**class action:** an action brought by a group of people having common characteristics from which arises a common legal position such that the court can efficiently and fairly adjudicate in a single proceeding

**code:** compilation of all existing law in effect under a system of subjects in a particular jurisdiction

**collusion:** secret cooperation for a fraudulent purpose

**common law:** law evolving from ancient custom, from judicial decision and casual statutes, as contrasted with a concerted plan of statutory enactments

**complainant:** the party making complaint, thus instigating prosecution in a legal action

**complaint:** the first document filed in a lawsuit by the plaintiff setting forth claim or case

**condemnation:** the taking of private property for public use upon the payment of compensation

**consideration:** in contract law, value given or received; can be money, services or property, or mutual performances; the factor that makes a contract binding

**contempt of court:** acts which impede the court; it can be failure to carry out an order, or it can be disrespectful conduct

**contingent fee:** the lawyer must win to get paid

**contumacy:** stubborn resistance to authority

**corpus delicti:** the body of the crime; that is, the physical object upon which the crime was committed

**corroboration:** that which strengthens or confirms

**costs:** the expenses of a trial or proceeding which may be charged to one or both of the parties; usually does not include the attorney's fees

**count:** a distinct statement of plaintiff's cause of action; a complaint or indictment may contain one or more counts

**counterclaim:** the claim that a defendant may make against a plaintiff in the plaintiff's action against him

**countermand:** a change or revocation of orders, authority, or instructions previously issued

**court of record:** court which is required to make a record of and preserve its proceedings

**cross-examination:** interrogation of a party or a witness by the other side to test knowledge, observation, and credibility

**d/b/a:** doing business as

**damages:** the monetary redress which one seeks to recover from another

**declaratory judgment:** one which simply declares the rights of parties or expresses opinion of the court on a question of law without ordering anything to be done; distinguished from other actions in that it does not seek execution or performance from the defendant or opposing parties

**decree:** a decision or order of a court, often a dissolution of marriage decree

**deed:** an instrument effecting a transfer of real estate

**defacto:** in fact, in deed, actually

**default:** usually in pleading, a failure to take a required step within a specified time; can result in a default judgment against the one who failed to act

**defendant:** one against whom the action is brought

**déjà vu:** already seen; the illusion of having previously experienced something actually encountered for the first time

**de jure:** legitimate; lawful

**de minimus:** insignificant; minute; frivolous

**demurrer:** a pleading which says, "I admit, for the purpose of argument, that your claimed facts are true, but those facts do not give you a valid claim against me."

**de novo:** anew; starting over as though not done before

**deposition:** taking testimony outside the courtroom before a court reporter with the other side present for purpose of cross-examination; testimony is given under oath and reduced to writing

**dictum:** in a court's decision, the statement of a rule or principle of law which is not essential to the determination of the issues in a particular case but is used to explain the court's reasoning

**digest:** a multi-volume collection of abbreviated case summaries arranged by subject matter; a research tool

**direct evidence:** that offered by eyewitnesses as contrasted to circumstantial evidence from which conclusions are drawn

**direct examination:** interrogation of one's own party or witness

**discovery:** the pretrial process whereby one side seeks to discover facts known by the other side

**dismissal without prejudice:** dismissal without trial which permits party to bring another civil action for the same cause unless civil action is otherwise barred

**dismissal with prejudice:** dismissal without trial which bars the assertion of the same cause of action or claim against the same party

**dissent:** the opinion of a judge who does not agree with the majority of the court

**dissolution:** termination; frequently used in "dissolution of marriage"

**domicile:** the actual place that is home to the person; stronger than residence; you may have several residences simultaneously, but only one domicile

**double jeopardy:** being prosecuted twice for the same crime

**due process:** according a person all of the rights and privileges afforded by the law

**e.g.:** *exempli gratia*; for example

**easement:** a right of access onto, over, under, or across real property

**emancipation:** freed of parental control although not yet having reached age of majority

**embezzlement:** fraudulent use of money entrusted to one's care

**eminent domain:** the power to take private property for public use through condemnation proceedings and compensation

**en banc:** all of the judges of one court sitting together

**enjoin:** usually to stop a person from doing some act by court order

**equity:** as used in trial work, means a system of justice for causes of action not governed by specific statutes or law; negligence is a law action; injunction is an equity action

**equity:** as used in property or contract law, means the interest that person has in property he/she is mortgaging or is buying; the amount remaining over and above the amount of the mortgage thereon or balance due on the purchase price under the contract to buy the same

**escrow:** held by a third party until an agreed event takes place

**estate:** the total probate assets of a deceased person

**et al.:** and others

**et seq.:** and following

**et ux.:** and wife

**exception:** a legal objection to ruling of court

**exculpatory:** refers to evidence and/or statements which tend to clear, justify, or excuse a defendant from alleged fault or guilt

**ex officio:** by virtue or because of an office

**ex parte:** by or for one person, not adversary



**ex relatione:** upon relation or information; legal proceedings which are instituted by the attorney general (or other proper person) in the name and behalf of the state, but on the information and at the instigation of an individual who has a private interest in the matter, are said to be taken “on the relation” (ex relatione) of such person, who is called the “relator”; such a cause is usually entitled thus: State ex rel. Doe v Roe

**extradition:** surrender of an alleged criminal by one state to another

**fait accompli:** an accomplished fact; thing already done

**felony:** a serious crime established by statute; punishable by imprisonment

**fiduciary:** a broad term for one who has a trust to perform; trustees, guardians, and agents are all fiduciaries

**foreclosure:** action to take possession of mortgaged property and to collect for amounts still due and owing thereon when the conditions set forth in the mortgage have not been met

**fraud:** intentional perversion of truth for purposes of persuading another to part with something of value

**garnishee:** to take by legal authority

**garnishment:** action compelling a third party (usually an employer) to pay some of the defendant’s money to the plaintiff

**grand jury:** hears criminal accusations and holds for trial or refuses to indict

**guardian:** one appointed by the court to be responsible for the person and/or property of another

**guardian ad litem:** appointed to protect a minor defendant’s interest during specific litigation

**habeas corpus:** writ for the release of a prisoner

**headnote:** the paragraphed material which precedes the opinion of the court describing the issues in a particular decision

**heir:** one who inherits the property of another by operation of law rather than by will

**hornbook law:** those principles of law which are known generally to all and are free from doubt and ambiguity

**hostile witness:** witness who manifests so much hostility or prejudice under examination in chief that the party who has called witness is allowed to cross-examine him/her; i.e., to treat witness as though he/she had been called by the opposite party

**hung jury:** one which cannot agree on a verdict

**hypothetical question:** a question asking an expert witness to assume proven facts and eliciting witness' opinion based on those facts

**i.e. :** id est; that is

**impeachment:** destruction of witness' credibility

**in camera:** in chambers

**inchoate:** not yet clearly or completely formed or organized

**inculpatory:** that which tends to incriminate or bring about a criminal conviction

**indictment:** a formal charge by a grand jury

**infra:** below, later in this document

**injunction:** a court order prohibiting some action

**in limine:** on or at the threshold; at the very beginning; preliminary

**in personam:** against a person to impose a liability or obligation

**in re:** in the matter of; concerning

**inter alia:** among other things

**interlineation:** amending of pleading or motion by written insertion between words or lines already typed or printed

**interlocutory:** temporary or intermediate; not final

**interrogatories:** written questions propounded by one party and served on adversary, who must serve written answers thereto under oath

**inter vivos:** among the living, done during lifetime

**irrelevant:** not pertinent; does not relate to the matter at issue

**issue:** a point of dispute between the parties to a lawsuit

**joint tenancy:** an ownership of property by two or more persons; when one joint tenant dies, his/her interest passes to the other tenants

**judgment:** formal decision given by court

**judge pro tem:** lawyer appointed by judge to sit on bench when regular judge cannot be there

**jurat:** synonymous with acknowledgment; place on document for signatures to be notarized

**lease (noun):** a document evidencing the transfer of the use of property for a limited time

**lessee:** one who leases property from another; tenant

**lessor:** one who leases property to another; landlord

**levy:** imposition of a tax

**lex loci:** the law of the place

**liable:** responsible; chargeable with

**libel:** defamation by writing

**lien:** a charge against property

**lis pendens:** a pending lawsuit

**litigate:** to carry on legal contest by judicial process

**mala fides:** with bad faith

**mandamus:** order of a higher court directing a lower court to take certain action

**Miranda Rule Warnings:** the requirement that a person receive certain warnings relating to privilege against self-incrimination (right to remain silent) and right to the presence and advice of an attorney before any custodial interrogation by law enforcement authorities

**misdemeanor:** offense not punishable by imprisonment in the penitentiary

**mortgagee:** one who takes a mortgage

**mortgagor:** one who gives a mortgage

**movant:** applicant for rule or order in court

**nisi prius:** trial court where tried to jury as distinguished from appellate court

**next friend:** the equivalent of a guardian, but not appointed as such; usually seen in litigation where next friend brings the action on behalf of a minor

**nolle prosequi:** (commonly nolle pros) an entry on the record denoting that the plaintiff or prosecutor will proceed no further in action or suit

**nolo contendere:** I do not contest the claim

**non sequitur:** fallacy; it does not follow

**nunc pro tunc:** entered at a time subsequent with retroactive effect

**objection:** method of directing attention to an error in the course of the trial

**open court:** when court is in session

**ordinance:** a municipal statute

**parties:** the persons actively concerned in the prosecution and defense of a legal proceeding, such as plaintiff and defendant; does not include counsel

**pendente lite:** while suit is pending

**per capita:** by the head; all eligible share and share alike

**peremptory challenge:** excusing a prospective juror without explanation or reason

**perjury:** false swearing

**petitioner:** one making written request for relief in court

**petit jury:** the ordinary jury, distinguished from grand jury

**petit mal:** a type of epilepsy

**plagiarism:** theft of literary property

**plaintiff:** the person or company or corporation or any legal entity named in caption of lawsuit as bringing the action

**plea:** a pleading in a civil or criminal case

**pleading:** an instrument used to frame the issues in a lawsuit

**poll:** after a verdict to examine each juror separately as to concurrence in verdict

**power of attorney:** written authorization to act as one's agent

**prayer:** a request that the court will grant relief desired

**preliminary hearing:** first appearance before a judge, for purpose of determining whether there are grounds for prosecution

**preponderance:** greater weight, said of evidence

**pre-sentence:** a study of a defendant made by investigation by probation and parole officer prior to sentencing

**prima facie:** on the first appearance; a prima facie case is such as will suffice until contradicted and overcome by other evidence

**pro hac vice:** for this occasion

**prohibition:** order of a higher court ordering a lower court or official to refrain from taking certain action

**pro se:** for oneself; in one's own behalf

**punitive damages:** monetary compensation awarded to plaintiff in a lawsuit in excess of what compensates for property loss, awarded to redress for mental anguish suffered from defendant's misconduct or to punish defendant for wrong and evil actions

**putative:** commonly accepted or supposed

**quash:** to set aside as void

**quasi-judicial:** part judicial, of judicial character; often said of administrative agencies

**quid pro quo:** one equivalent for another

**quitclaim:** to release or relinquish a claim; releases right or title to another without professing validity of title

**rebuttal:** state of trial proceedings demonstrating evidence of previous witnesses as untrue; the evidence itself

**recidivist:** habitual criminal

**reciprocal:** a mutual shared interest or legal action by each of two judicial areas

**recognizance:** an obligation entered into in court requiring a performance of an act, such as appearance in court

**record:** the official proceedings of a trial

**redundant:** needlessly repetitive

**reply:** the pleading that responds to an answer

**res:** literally, the thing; i.e., the trust res is the property held in trust

**res gestae:** things done; especially the acts and declarations admissible in evidence that form the environment of a litigated issue, considered an exception to hearsay rule

**res ipsa loquitur:** the thing speaks for itself

**res judicata:** a thing or point formerly in controversy but now judicially settled

**respondent:** person against whom relief is asked, who opposes prayer of petition

**retainer:** the arrangement (or the fee) where a lawyer undertakes to represent a client; usually refers to a continuing arrangement

**rigor mortis:** rigidity of muscles occurring after death

**riparian rights:** rights which accrue to owner of land on the banks of waterway

**security agreement:** a lien on goods or personal property to secure payment on the purchase price of goods on the installment plan; replaces the old chattel mortgage

**separate maintenance:** allowance granted to a spouse for support of the spouse and children while living apart from husband/wife

**show cause:** a direction to appear and present reasons to court why some order or decree should not take effect or be confirmed

**sic:** Latin for “thus in the original”; exact reproduction

**since qua non:** the essential element

**slander:** oral defamation

**special judge:** one selected from a panel to serve as judge in a particular case

**stare decisis:** the rule of precedent; that which is decided once will be applied in the future

**statute:** the written law as enacted by the legislature

**statute of limitations:** statute specifying a time period within which something must be done, or rights will be lost

**stipulation:** the agreement of counsel as to existence of certain facts or circumstances

**sua sponte:** of its own will or motion

**subpoena:** under penalty or pain; order of the court requiring a witness to appear

**subpoena duces tecum:** an order of the court for a witness to produce documents or records

**sui juris:** of one's own right

**suo nomine:** in one's own name

**summons:** a writ of notification requiring the person to appear and defend

**support:** the sums required of a divorced parent for the support of the children of the marriage

**supra:** above, earlier in this document

**tenants in common:** a joint tenancy of two or more people, but when one tenant in common dies his/her interest passes to his/her heirs, etc., not to the other tenants

**tenancy by entirety:** a joint tenancy between husband and wife; each is considered as owning the whole; when one dies, the other still owns all the property

**tort:** a civil wrong (as compared to a crime) for which a suit for damages may be brought

**transcript:** an official report of the proceedings of a trial

**trauma:** physical or mental injury to a person caused by external violence

**trust:** the placing of property in one's hands for the benefit of another

**U.C.C.:** Uniform Commercial Code

**ultra vires:** outside of the scope of authority to act



**unclean hands:** one of the equitable maxims embodying the principle that a party seeking equitable relief must not have done any dishonest act in the transaction upon which he/she maintains an action of equity

**usury:** charging more than the legal rate of interest

**vendee:** buyer

**vendor:** seller

**venire:** an entire panel from which jury is drawn

**venue:** the place of jurisdiction

**viz.:** videlicet; namely

**voir dire:** speak the truth; a preliminary examination to determine competency of witness or juror

**wanton:** grossly negligent or careless

**ward:** a person placed in the care of a guardian by court order

**warrant:** a written order directing the arrest of a person or persons, issued by a court, body, or official having authority to issue warrants of arrest

**weight of evidence:** a phrase which indicates the relative value of the totality of evidence presented on one side of a judicial dispute, in light of the evidence presented on the other side

**whiplash injury:** neck injury commonly associated with “rear end” automobile collisions

**work product:** that work done by an attorney in the process of representing the client which is ordinarily not subject to discovery

**writ:** court order commanding or authorizing some action

## STUDY MATERIAL – WORD USAGE

**accede:** to agree

**exceed:** to go beyond limit

**accept:** to receive willingly

**except:** other than; to exclude

**access:** entrance

**excess:** more than needed

**adherence:** close attachment; devotion

**adherents:** supporters of a cause

**advice:** opinion, suggestion

**advise:** to offer advice to, to counsel

**affect:** to influence; emotional response

**effect:** a result; to cause to happen

**aid:** to assist

**aide:** assistant

**ail:** feel ill

**ale:** type of beer

**aisle:** passageway between rows of seats

**isle:** small island

**all ready:** prepared

**already:** by this time

**allowed:** permitted

**aloud:** in loud tone, out loud

**allude:** to refer to indirectly

**elude:** to avoid

**allusion:** indirect reference

**illusion:** erroneous belief perception

**elusion:** avoidance

**alright:** informal use of all right

**all right:** satisfactory; agreeable

**altar:** elevated structure for religious ceremonies

**alter:** to adjust or modify

**altogether:** adverb, meaning all told

**all together:** all present

**ascent:** an upward slope

**assent:** agreement; to agree

**awhile:** adverb, meaning a short period of time

**a while:** noun phrase, meaning a period or interval of time

**bail:** money for release of arrested person

**bale:** large package bound and wrapped

**bare:** unclothed; to reveal

**bear:** to carry; an animal

**bazaar:** marketplace, fair

**bizarre:** strange

**beat:** whip, thrash

**beet:** dark red root vegetable

**been:** past participle of be

**bin:** storage container

**beer:** alcoholic beverage

**bier:** coffin stand

**biannual:** occurring twice a year  
**biennial:** occurring once every two years

**bloc:** a group united for common cause  
**block:** piece of wood, city square, to prevent passage

**boar:** male swine  
**boor:** crude person  
**bore:** dull, tiresome person; to make a hole

**board:** a plank of wood  
**bored:** uninterested

**born:** brought into life  
**borne:** carried

**brake:** stop  
**break:** smash

**breach:** to break or violate  
**breech:** part of a gun

**breadth:** width  
**breath:** air inhaled and exhaled  
**breathe:** to inhale and exhale

**buy:** purchase  
**by:** next to

**cannon:** large gun  
**canon:** code of law

**canvas:** heavy cloth  
**canvass:** to examine or survey

**capital:** seat of government, uppercase letter of alphabet; very serious; sum of money  
**capitol:** building where legislature meets

**cash:** ready money

**cache:** secure place of storage

**cede:** to surrender

**seed:** propagative part of plant; to plant

**cellar:** basement

**seller:** one who sells

**censer:** incense container

**censor:** one who condemns; to examine for objectionable material

**censure:** reprimand

**sensor:** a device that responds to stimulus

**choir:** company of singers

**quire:** one twentieth of a ream of paper

**choose:** to select

**chose:** past tense of choose

**chord:** tones sounded together

**cord:** twine, rope, cable

**cite:** to quote an authority

**sight:** the ability to see; to look at

**site:** a place

**cloth:** fabric

**clothe:** to cover with clothing

**coarse:** rough, crude

**course:** a route, program of instruction

**complement:** something that completes; makes whole

**compliment:** expression of praise; to praise

**conscience:** sense of right and wrong  
**conscious:** aware, capable of thought

**consul:** government official  
**council:** governing body  
**counsel:** advice, attorney; to advise

**core:** innermost part  
**corps:** military group, group of persons acting together  
**corpse:** dead body

**deprivation:** the act of depriving; loss  
**depravation:** moral corruption; perversion

**decent:** acceptable  
**descent:** downward slope or movement; ancestry  
**dissent:** disagreement; to disagree

**desert:** arid region; to abandon  
**dessert:** after-dinner course

**die:** expire; singular of dice  
**dye:** color

**discreet:** reserved, respectful  
**discrete:** individual, distinct

**done:** finished; past participle of do  
**dun:** dull brown color; to demand payment

**earn:** to gain from work  
**urn:** a vase

**elicit:** to bring out  
**illicit:** illegal, forbidden

**emigrate:** to leave one region or country to settle in another; emigrate from  
**immigrate:** to settle in a region or country other than one's native area; immigrate to

**eminent:** distinguished  
**imminent:** about to occur

**envelop:** to surround  
**envelope:** flat, usually paper container, wrapper

**everyday:** ordinary  
**every day:** each day

**everyone:** everybody  
**every one:** each one

**exercise:** bodily exertion; to use  
**exorcise:** to free from evil spirit

**faint:** lose consciousness  
**feint:** misleading movement

**fair:** average; lovely  
**fare:** a charge for transportation

**farther:** greater distance  
**further:** additional; to promote

**flair:** style, talent  
**flare:** to flame up; sudden outburst

**forego:** to go before  
**forgo:** to do without

**foreword:** preface to a book  
**forward:** in front; to send, promote

**formally:** conventionally, ceremonially  
**formerly:** previously

**forth:** forward  
**fourth:** number after third

**foul:** offensive  
**fowl:** types of birds

**gate:** structure blocking an entrance  
**gait:** rhythm of movement

**gorilla:** a large primate  
**guerrilla:** a kind of soldier

**grate:** framework of bars; to annoy  
**great:** large, distinguished

**grisly:** gruesome  
**grizzly:** species of bear; partly gray

**hail:** frozen precipitation; to greet enthusiastically  
**hale:** in sound health

**hangar:** structure for aircraft storage  
**hanger:** a device for hanging clothes

**heal:** to mend  
**heel:** part of foot

**hew:** to shape with ax  
**hue:** color

**hear:** to perceive by ear  
**here:** in this place



**heard:** past tense of hear

**herd:** a group of animals

**hole:** an opening

**whole:** complete

**hoard:** to store up

**horde:** large group

**incite:** to provoke

**insight:** ability to discern

**its:** possessive of it

**it's:** contraction of it is

**lane:** narrow roadway

**lain:** past participle of lie

**latches:** a fastener

**laches:** negligence in the observation of duty

**later:** occurring after

**latter:** second of two things

**lead:** heavy metal; front position; to guide

**led:** past tense of lead

**lesser:** smaller

**lessor:** one who leases

**liable:** responsible

**libel:** written defamation

**lightening:** lessening

**lightning:** electrical discharge in atmosphere

**loath:** unwilling, reluctant  
**loathe:** to dislike intensely

**loose:** slack, not tight  
**lose:** to mislay; opposite of win

**mail:** postal material; armor  
**male:** masculine

**meat:** edible flesh  
**meet:** encounter  
**mete:** to deal out

**medal:** an award  
**meddle:** to interfere  
**metal:** hard substance  
**mettle:** courage, spirit

**might:** power, force; may  
**mite:** small object or creature

**moral:** conviction of right or wrong  
**morale:** spirit of enthusiasm or discipline in a group

**more:** additional  
**moor:** open land

**naval:** relating to navy or ships  
**navel:** where umbilical cord was attached

**no:** the opposite of yes  
**know:** to be certain

**pail:** bucket  
**pale:** light in color, pallid

**pair:** two matched items

**pare:** to peel

**pear:** fruit

**palate:** roof of the mouth

**palette:** board for mixing artist's paints

**pallet:** platform for freight; mattress

**passed:** past tense of pass

**past:** after; a time gone by

**patience:** forbearance

**patients:** persons under medical care

**peace:** the absence of war

**piece:** a portion of something

**peak:** high point, pinnacle

**peek:** quick look

**perme:** resentment

**peal:** to ring out

**peel:** skin of fruit

**pedal:** foot lever

**peddle:** sell

**petal:** part of flower

**peer:** to look intently; a person of equal status

**per:** platform extending from shore over water

**personal:** private

**personnel:** employees

**phase:** a stage or period

**faze:** to disturb

**plain:** undecorated; clear

**plane:** airborne vehicle; carpenter's tool

**plaintiff:** complaining party in litigation

**plaintive:** sorrowful, melancholy

**populace:** population

**populous:** containing many inhabitants

**pole:** long, rounded piece of wood

**poll:** voting place; to question in survey

**pore:** tiny opening in skin; to read or study intently

**pour:** to stream or flow

**precede:** to come before in time

**proceed:** go forward, continue

**precedence:** priority of importance

**precedents:** prior in time, arrangement, or significance

**prescribe:** to lay down a rule, dictate

**proscribe:** to condemn or forbid as harmful or unlawful

**presence:** the state of being at hand

**presents:** gifts

**principal:** most important; sum of money; head of school

**principle:** a basic truth or law; rule or standard

**prophecy:** a prediction

**prophesy:** to predict

**putative:** commonly accepted or supposed

**punitive:** inflicting or aiming at punishment

**query:** question, inquiry  
**quarry:** stone excavation, prey

**rail:** horizontal bar  
**rale:** rattling breath sound

**rain:** precipitation  
**reign:** to rule  
**rein:** a strap for controlling an animal

**raise:** to build up  
**raze:** to tear down

**rational:** sane, logical  
**rationale:** explanation or reason

**real:** actual  
**reel:** a spool; to wind

**regimen:** a systemic plan; regular course of action  
**regiment:** a military unit

**respectfully:** with regard or deference  
**respectively:** in the order designated

**right:** correct  
**rite:** a religious ceremony  
**write:** to form letters, compose

**road:** a surface for driving  
**rode:** past tense of ride

**role:** function, capacity; part played by actor  
**roll:** a list; to rotate

**rote:** memorizing process  
**wrote:** past tense of write

**sail:** fabric for propelling ship; to move effortlessly  
**sale:** the act of selling

**sane:** of sound mind  
**seine:** fishing net

**scene:** where an action occurs  
**seen:** past participle of see

**shear:** to cut  
**sheer:** steep; transparent; to turn aside

**sleight:** clever trick  
**slight:** to treat thoughtlessly

**sometime:** at a time in the future  
**some time:** an unspecified time

**stalk:** stem of plant; to track  
**stock:** a supply of merchandise; corporate shares

**stationary:** unmoving  
**stationery:** writing paper

**steal:** take property  
**steel:** hard metal

**straight:** unbending  
**strait:** a water passageway

**taught:** past tense of teach  
**taut:** tight

**tense:** nerve-racking  
**tents:** portable shelters

**tensile:** of or relating to tension

**tinsel:** threads, strips of plastics or metals used to produce sparkling appearance in fabrics, yarns, or decorations

**their:** possessive of they

**there:** opposite of here

**they're:** contraction of they are

**throe:** spasm of pain

**throw:** to toss

**timber:** trees; wood

**timbre:** distinctive tone

**to:** toward

**too:** also

**two:** number following one

**treaties:** contracts, formal agreements

**treatise:** written account

**troop:** group of people

**troupe:** theatrical company

**trooper:** a state police officer

**trouper:** a member of a troupe; actor

**trustee:** legal administrator

**trusty:** dependable; trustworthy

**waist:** the middle of the body

**waste:** discarded material

**wait:** postpone

**weight:** measure of heaviness

**waive:** to relinquish voluntarily  
**wave:** hand gesture; ridge of water

**want:** desire  
**wont:** apt, likely

**weak:** not strong  
**week:** Sunday through Saturday

**weather:** state of the atmosphere  
**whether:** used to introduce alternative possibilities

**which:** one of a group  
**witch:** a sorcerer

**who's:** contraction of who is  
**whose:** possessive of who

**wreak:** to inflict punishment  
**wreck:** to destroy

**yoke:** type of harness  
**yolk:** center of egg

**your:** possessive of you  
**you're:** contraction of you are  
**yore:** time long past



# STUDY MATERIALS

## COMMONLY MISSPELLED

### WORDS

abeyance  
 absence  
 absorption  
 abundance  
 accentuate  
 acceptable  
 accessible  
 accidentally  
 accommodate  
 accuracy  
 accustomed  
 achieve  
 acknowledge  
 acquaintance  
 acquiesce  
 acquire  
 across  
 actually  
 address  
 admission  
 adolescent  
 adsorption  
 advice  
 advising  
 aesthetic  
 against  
 aggravate  
 aggressive  
 all right  
 all together  
 almost  
 altercation  
 although  
 altogether  
 altruistic

amateur  
 analysis  
 analyze  
 angel  
 annihilate  
 annual  
 answer  
 apology  
 apparent  
 appearance  
 appetite  
 appreciate  
 appropriate  
 approximately  
 apropos  
 argument  
 arrest  
 ascend  
 assassinate  
 assistance  
 associate  
 atheist  
 athlete  
 attendance  
 attorneys' eyes only  
 audience  
 auxiliary  
 average  
 bargain  
 basically  
 beginning  
 belief  
 believe  
 beneficial  
 benefited  
 boundary  
 breath

breathe  
 Britain  
 bureaucracy  
 burial  
 business  
 calculator  
 calendar  
 carrying  
 category  
 cede  
 cemetery  
 certain  
 changeable  
 changing  
 characteristic  
 chief  
 chocolate  
 choose  
 climbed  
 coarse  
 column  
 coming  
 commercial  
 commitment  
 committed  
 committee  
 competent  
 competition  
 complement  
 compliment  
 conceit  
 conceive  
 concentrate  
 concert  
 condemn  
 conquer  
 conscience

conscientious  
conscious  
consistency  
consistent  
continuous  
controlled  
controversial  
convenience  
convenient  
coolly  
council  
counsel  
course  
courteous  
criticism  
criticize  
crowd  
cruelty  
curiosity  
deceive  
deception  
decide  
decision  
definitely  
defuse  
degree  
dependent  
descend  
descendant  
describe  
description  
desirable  
despair  
desperate  
destroy  
determine  
detrimental

develop  
device  
devise  
dictionary  
difference  
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