



Basic Legal Terminology You Should Know

Understanding key legal terminology helps process servers communicate clearly, complete documentation accurately, and maintain professionalism.

These foundational terms appear frequently in civil cases, court documents, and service instructions.

1. Plaintiff / Petitioner

- The person or party who initiates a lawsuit or legal action.

2. Defendant / Respondent

- The person or party being sued or required to respond to the legal action.

3. Summons

- A document notifying the defendant they are being sued and must respond by a specific deadline.

4. Complaint / Petition

- The document outlining the plaintiff's claims and legal grounds for the lawsuit.

5. Subpoena

- A legal order requiring a person to appear in court or produce documents.

6. Proof of Service (POS)

- A signed document completed by a process server confirming how, when, and where legal papers were served.

7. Service of Process

- The official delivery of legal documents to notify someone of a legal action.

8. Personal Service

- Documents are handed directly to the person named.

9. Substitute Service

- Delivery to a competent adult at the recipient's residence or workplace (if allowed), usually followed by mailing.

10. Due Diligence

- Reasonable, repeated attempts made to serve someone before alternative methods can be used.

11. Affidavit / Declaration

- A written, sworn statement signed under penalty of perjury.

12. Jurisdiction

- A court's legal authority to hear a case or issue orders.

13. Venue

- The specific county or location where a case is heard.

14. Garnishment

- A legal order allowing wages or bank funds to be seized to satisfy a judgment.

15. Restraining Order / Protection Order

- A court order restricting someone's actions toward another person.

16. Small Claims

- A simplified court process for disputes involving smaller monetary amounts.

17. Eviction Notice / Unlawful Detainer

- A notice informing a tenant they must comply with lease rules or vacate.

18. Declarant

- A person who signs an affidavit or declaration.

19. Civil Case

- A dispute between individuals or entities (not criminal).

20. Criminal Case

- A case brought by the state against someone accused of violating a law.

A strong understanding of legal terminology enhances your professionalism and helps ensure accuracy when dealing with clients, courts, and legal documents.