

Glossary of Terms

General terms (all courts)

“π” or “P” is Plaintiff. Plaintiff is the party bringing the action.

“Δ” or “D” is the Defendant. Defendant is the party responding to the action and is the one that is being sued.

“G.L.” or “GL” refers to Massachusetts General Laws. The one with the periods is the correct way to list it on a document.

“PT” is a court pre-trial hearing. Must have a pre-trial memorandum to submit to the court.

“Status” is a court status hearing. Must have a status memorandum to submit to the court.

“Hearing” is a trial or evidentiary hearing. The Attorney must prepare substantially prior to the hearing. Consult with attorney regarding blocking out time of their calendar to prepare.

“Atty” or “O/C” is the attorney representing the other party. Attorney is also referred to as a pro se litigant.

“Execution” is the term used in the signing of a document.

“Stip” or “Stipulation” is a written agreement between the parties that is submitted to the court to become a court order.

“Off the list” means that the moving party for the motion is removing their motion to be heard at the scheduled time and that the court will not take any action.

“ROS” or “RoS” is return of service. The notice from the constable or sheriff that the complaint or motion was served. If the court says ROS it could also mean the certificate of service.

“Certificate of Service” is the statement from the attorney that that other party/ies was notified of the document that was mailed to the court or the documents were sent to the opposing party/ies. This must go on every pleading (excluding the complaint).

“Notice of Motion” is the statement from the attorney that to other party/ies notifying them of a pending and upcoming court hearing. This must go on every pleading where there is hearing date.

“Pro Se” or “Pro Per” refers to a party who is representing themselves, without an attorney.

“Escrow” is money/item that is being held for the benefit or another. Something must be completed before the money/item is released. For example, in all real estate deals, the buyer

provides escrow money to be held by a broker (or attorney). When the property is conveyed, and the deal is done then the seller receives the escrow money. In this case it is similar to a deposit. When we take a retainer (not flat fee) the money is held in escrow until we have earned it by doing work.

“Affidavit” is sworn statement made by an individual, under the pains of perjury, as to facts as they know them.

“Motion” is a pleading submitted to the court asking the judge to allow or not allow a person to do something.

“Subpoena” is a pleading that request a person (generally a third party) to do something or to testify. A subpoena can be for records only, such as bank statements, or it can be to appear in court (or at an attorney office) to testify about what they know about a particular case or party to an action.

“Discovery conference” or “26(g)” conference is a conference between attorneys, in person or by the phone to discuss what discovery remains outstanding, why, and a deadline to provide the an missing document. The meeting is required in all courts before the attorney files a motion to compel discovery with the court.

Common words (for client subfolders)

“Pleadings” is a document created and signed by an attorney or pro se.

“Orders” or “Court orders” or “Judgment” is a pleading with the judges stamp/signature stating “allowed/denied/see order.” It is also a court order drafted and executed by the judge, or any notice from the court such a notice of hearing, notice of assignment, tracking order, etc.

“Notes” are handwritten or typed notes by any staff or the client, the intake form, the one form for intake, the probation form, all copies of payments (check or credit cards receipts).

“Correspondence” are letters written to or from our office to our client, attorney or any other third party.

“Rule 410 Response” are the responses by either party to mandatory discovery. The word H or W, P or D should be added next after the word response.

“Discovery” are the responses, other than Rule 410 responses, by either party to requested discovery (interrogatories or production of documents). The word H or W, P or D should be added next after the word response.

“Phone/Emails” are all phone messages and emails to/from the client or other party/attorney. It DOES NOT include emails between the parties. That should be a separate folder stating email between the parties (H&W or P&D).

“Financial” or “Financial statement” contain the client draft and supporting documents, notes from the staff/client regarding changes to the financial statement, and the final financial statement of our client and the opposing party.

Do not add titled subfolder without checking with the attorney as to what they may be called. Do not create duplicate folders. If phone/email gets too big make it its own redwell.

Areas of Law

“Family law” handles cases including divorce, legal separation, annulments, alimony, adoptions, custody, paternity, child support, contempt, modification (of prior judgment), guardianship of minors, grandparent visitation/petitions, removal of children from the Commonwealth of Massachusetts, and restraining order. We do NOT do guardianship of mentally incompetent or Rodger’s guardianship (unless Nicole has approved the same). A complaint in equity may be filed in family court or superior court.

“Probate law” handles matters after someone one is no longer living. This includes contested or uncontested wills, trusts, intestate probate, formal and informal probate.

“Estate planning” refers to the drafting and execution of the following document: health care proxy, living will, will, trust, and powers of attorney.

“Business law” or “corporations” refers to the creation or dissolution of a business entity (LLC, corporation, LLP, PC), annual updates, annual reports, shareholder or annual meetings, minutes.

“Civil law” cases are brought to District or Superior Court. Cases that we handle here would be breach of contract, breach of warranty, 93A demand, lemon law breaches, complaints in equity, and real estate issues. A complaint in equity may be filed in family court or superior court. Restraining orders may be issued in District Court as well (we prefer probate court).

“Housing Court” addressing the lawful or unlawful removal of tenants from housing not owned by them.

“Real Estate” can pertain to both conveyance of real property or litigation involving land. Conveyance or the buying or selling of ones real property. Real estate litigation would include easement issues, return/allocation of escrow deposits, petition for partition, option to purchase breach, tax taking, condo disputes, foreclosures, boundary disputes, adverse possession

How a docket is defined:

1. In all District, Superior and Housing Courts, the first 2 digits are the year in which the original complaint was filed.

For Probate and Family Court the first 2 digits are letters of the court location based on county (WO=Worcester, MI=Middlesex, EX=Essex, SU=Suffolk, NO=Norfolk, etc).

2. In all District and Superior Courts, the second 2 digits are the court location code. Each court has its specific code.

For Housing Court code the third digit is always H. The 3-4th digit is the court location code. The court file color is blue.

For Probate and Family Court the second 2 digits are year in which the original complaint was filed.

3. The 5-6th digit is the is the type of case. It is always a letter/s.

Probate and & Family Court

D is divorce (including modification or contempt), court file color is red

W is paternity or custody (including modification or contempt), court file color is grey

P is probate, guardianships. Court file color is manilla

A is adoption, court file color is blue

E is equity, court file color is green.

Superior and District Court- CV is civil court, CR is criminal court and RO is restraining orders

Housing Court is SP for summary process.

4. The last set of numbers, consisting of 4-7 numbers is the case number which starts at 1 for the first filing of the year until the last number filing in the year.
5. Superior Court usually has a “-letter” at the end. It must be included on all pleadings. Probate & Family Court may have a 1-2 letter at the end.

Probate & Family Court

“H” is Husband

“W” is Wife

“H not married” is dad, paternity case

“W not married” is mom, paternity case

“M” is mom, paternity case

“D” is dad, paternity case

“1A” is a Joint Petition for Divorce (uncontested divorce). See G.L. c. 208, §1A.

“1B” is a Complaint for Divorce (contested divorce). See G.L. c. 208, §1B.

“DOM” is date of marriage

“LLT” is last lived together date

“DOD” is date of death

“DV” is domestic violence

“TO” is a temporary order that the court makes pending a final hearing at trial.

“FTO” is a further temporary order that the court makes pending a final hearing at trial. If this order contradicts the temporary order then the portions that contradict supersede the previous temporary order. You can have multiple further temporary orders. The most recent one always controls.

“FS” is a financial statement. It is required in all cases involving money or support. The financial statement sent to the court must be printed on pink paper for short form and light purple for long form.

“CS” is child support. A child support worksheet going to the court must be printed on yellow paper. Alimony is printed on light blue paper.

“GAL” is Guardian ad Litem. They are appointed by the court to investigate and write a report to the court about specific topics (as listed in the court order). The GAL does not represent either of the parties. A GAL report is NOT allowed to be given to a client EVER.

“PO” has two (2) meanings.

1. Proposed orders. The court expects drafted proposed orders for any of the hearings-motion for temporary order, pre-trial hearing, status or trial .
2. Probation Officer. When have to attempt to settle a case before going in front of a judge, the morning of court, we must see a probation officer to discuss.

“PO Report” is a Probation Officer investigative report. They are ordered by the court to investigate and write a report to the court about specific topics (as listed in the court order). They do not represent either of the parties. A PO report is NOT allowed to be given to a client EVER.

“AJCM” (or ACJM if you are Nicole) is the assistant judicial case manager who reports directly to the judge and can help in moving case along or asking questions on a case.

“Pathways” is a zoom hearing with an AJCM. It is a recorded hearing for modification cases. First attempt to resolve the case. Must have a pathways conference memorandum (like PT memo) and FS.

“Pathways 2” is for a pending modification. Must meet with a probation officer to attempt to resolve the case. Must have a pathways conference memorandum (like PT memo) and FS.

“Pathways 3” is for a pending modification. You go before the judge. Must have a pathways conference memorandum (like PT memo) and FS.

“Review” is a review hearing of a previous temporary order. The court needs updates on how things are progressing. A memorandum is optional. If it helps our client, we draft one.

“RO” is a restraining order.

“4-way” or “3-way” or “5-way” is almost called a 4 way regardless of the number of people. It is a conference between the parties and their respective attorneys. A 4-way is required prior to the pre-trial hearing. If there is an active restraining order then it may only be the attorneys attending the meeting.

“Petitioner” is the same as the Plaintiff. It is the moving party in a case involving guardianships or estates.

“Respondent” is the same as the Defendant. It is the non-moving party who is responding to a case involving guardianships or estates.

“In re: <name of person>” is used when it is a guardianship or estate matter.

“VR” is the virtual (zoom) registry to ask questions of the court such as obtaining a court hearing date, checking on the status of an e-filing or a court hearing or looking for missing document. Each court has different hours and their own zoom link.

“Probate form” (completed at initial consult) is the form needed each time we go to court (excluding trial). The client should leave the date blank so we can fill in each time when we go to court. If any items changed since the initial intake we should have them update a new one.

“410” or “Rule 410” is mandatory discovery that must be exchanged within 30-45 days after service of the complaint in any divorce action. It may be required in paternity case or modification (upon request by either party).

“401” or “Rule 401” is the request for a financial statement from the other party. It is a formal pleading.

“401k plan” or “ROTH IRA” or “IRA” or “Pension” or “Annuity” are all similar types of assets that people can own. These assets are important when dividing assets in a divorce.

“DCF” is the Department of Family Services (formally known as DSS). DCF get involved with family who have children that may be getting abused or neglected. They are a government agency seeks to protect children from abuse or neglect. They remove children from a parent’s care.

“PR” or “personal representative” or “administrator” or “executor” are all the names referring to a person who is in charge of a decedents estate. They are the one who distribute assets according to the decedents wishes in a Will or by the laws of intestacy.

“Intestacy” is when a person dies without a valid will. There is set distribution based on the people who survive you.

Housing Court

“SP” is summary process complaint

“14 day” is a 14 day notice to quit

“30 day” is a 30 day notice to quit

“Tier 1” is the first hearing in housing court to try and settle the case

“Agreement for Judgment” is a stipulation/written agreement between the parties that is submitted to the court to become a court order.

Other terms

“93A” is a 93A demand letter. This is a demand pursuant to G.L. c. 93A, unfair and deceptive trade practices.

“Juvenile” refers to either a child under the age of majority (18 year) or to the court where custody is being taken from a parent or the minor child is engaging in unlawful behavior.

“A&B” is a criminal action of assault (unwanted threat of a touching) and battery (unlawful touching) of another person.

“Appeal” is where the court has ruled in what a person feels is unreasonable or not based on the facts of their case. The person wants to have a higher court decide if they were right or the lower court was right. We do not handle appeal cases.

“Lien” is a way to let the world know that someone is entitled money from another person. When you own real estate, a mortgage is a form a lien. If a person obtains a judgment, they will want a lien on the assets owned by the person who lost the case, known as a debtor.

“LLC” is a type of business. LLC stands for limited liability company.

“PLLC” is a type of business. LLC stands for professional limited liability company.

“PC” is a type of business. PC stands for professional corporation.

“Inc.” or “Co.” or “company” after business name is a type of business. Each one stands for a corporation.

“Mediation” or “Conciliation” or “ADR” are all terms used where parties speak with a neutral third party to help and assist them in resolving the matter outside of the court (even while the case is pending in court or before anything is filed).

“LRS” is a lawyer referral service. These are referral from the Worcester bar association, and we have to give a referral to them upon completion of the case.

“Motion in Limine” is a motion to exclude certain documents or testimony at trial due to improper conduct of the other party.

“Lemon Law” is a term used for a vehicle recently purchased that is not working properly or does not pass inspection.

“P&S” is the purchase and sale agreement. It is a contract used to set forth the terms of the conveyance of real estate from one person to another.