



The following links will help you and your counsel comply with various federal and state regulations and understand common terms. Click on the item(s) below. The Resources Page of SecurTest is exclusively provided to its clients. The contents, forms, and sample documents should NOT be construed as legal advice, guidance or counsel. Users should consult their own attorney about their compliance responsibilities under the FCRA and applicable state and local laws. SecurTest, Inc. expressly disclaims any warranties or responsibility or damages associated with or arising out of information provided. Employers seeking credit reports must provide additional notices pursuant to state law. The various forms require that you enter an authorized PASSWORD, which is case sensitive. [CLICK HERE TO ACCESS THESE FORMS](#). By entering the PASSWORD you agree to the terms and conditions and use of the forms by relying on your own legal counsel.

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Common Terms

The following list, though not all inclusive, will help you understand common terms often found in court documents. Check with your legal counsel, local, state or federal jurisdictions to determine the most accurate definition pursuant to your background screening needs.

Abandonment	The relinquishing of a right or interest with the intention of never again claiming it.
Accessory	Something of secondary or subordinate importance. In criminal law, a person who aids or contributes in the commission or concealment of a crime. An accessory is usually liable only if the crime is a felony.
Accessory After the Fact	Accessory after the fact - An accessory who was not at the scene of the crime but knows that a crime was committing and tries to escape arrest or punishment.
Accessory Before the Fact	Accessory before the fact - An accessory who assists or encourages another to commit a crime but who is not present when the offense is actually committed.
Accident	An unintended and unforeseen injurious occurrence; something that does not occur in the usual course

	of events or that could not be reasonably anticipated.
Accomplice	A person who is in any way involved with another in the commission of a crime, whether as a principal in the first or second degree or as an accessory.
Acquit	To clear (a person) of a criminal charge.
Acquittal	The legal certification, usually by jury verdict, that an accused person is not guilty of the charged offense.
Acquitted	Judicially discharged from an accusation; absolved.
Adjudication	The legal process of resolving a dispute; the process of judicially deciding a case.
Adjudication Withheld	The court does not give a final judgment regarding the case. The defendant is given probation, or a program or community service in which they have a specified amount of time to complete. If the defendant complies, the case may be dismissed, depending on the county/state. If they do not dismiss in that particular county/state, then the disposition remains, adjudication withheld, and the case is closed. However, if the defendant is found in violation, the case disposition may be changed and the defendant can be found in guilt.
Affidavit	A voluntary declaration of facts written down and sworn to by the declarant before an officer authorized to administer oaths, such as a notary public.

Affirm	To confirm (a judgment) on appeal.
Aggravated	(Of a crime) made worse or more serious by circumstances such as violence, the presence of a deadly weapon, or the intent to commit another crime (such as aggravated robbery).
Aid and Abet	To assist or facilitate the commission of a crime, or to promote its accomplishment.
Alibi	A defense based on the physical impossibility of a defendant's guilt by placing the defendant in a location other than the scene of the crime at the relevant time.
Allegation	The act of declaring something to be true. Something declared or asserted as a matter of fact, especially in a legal pleading; a party's formal statement of a factual matter as being true or provable without its having yet been proved.
Allocution	A trial judge's formal address to a convicted defendant, asking him or her to speak in mitigation of the sentence to be imposed. This address is required under Fed. R. Crim. P. 32 (c)(3)(c). An unsworn statement from a convicted defendant to the sentencing judge or jury in which the defendant can ask for mercy, explain his or her conduct, apologize for the crime, or say anything else in an effort to lessen the impending sentence.
ARD Program	Stands for "Accelerated Rehabilitative Disposition Program". Mostly found in the state of

	<p>Pennsylvania. This program given to the defendant in place of adjudication. If the defendant completes the program, the case is closed.</p>
<p>Arrest</p>	<p>A seizure or forcible restraint. The taking or keeping of a person in custody by legal authority, esp. in response to a criminal charges; specifically the apprehension of someone for the purpose of securing the administration of the law, especially of bringing that person before a court.</p>
<p>Arson</p>	<p>At common law, the malicious burning of someone else's dwelling house or outhouse that is either appurtenant to the dwelling house or within the curtilage.</p>
<p>Assault</p>	<p>The threat or use of force on another that causes that person to have a reasonable apprehension of imminent harmful or offensive contact; the act of putting another person in reasonable fear or apprehension of an immediate battery by means of an act amounting to an attempt or threat to commit a battery.</p>
<p>Assault with a deadly weapon</p>	<p>An aggravated assault in which the defendant, using a deadly weapon, threatens the victim with death or serious bodily injury.</p>
<p>Assault with intent</p>	<p>Any of several assaults that are carried out with an additional criminal purpose in mind, such as assault with intent to murder, assault</p>

	with intent to inflict great bodily injury.
Attempt	In Criminal Law, an overt act that is done with the intent to commit a crime but that falls short of completing the crime.
Bail	A security such as cash or a bond; especially security required by a court for the release of a prisoner who must appear at a future time.
Bail-Jumping	The criminal offense of defaulting on one's bail.
Battery	The use of force against another, resulting in harmful or offensive contact. It also referred to as the unlawful touching or striking of another person.
Bench Warrant	A writ issued directly by a judge to a law-enforcement officer, esp. for the arrest of a person who has been held in contempt, has been indicated has disobeyed a subpoena, or has failed to appear for a hearing or trial. A bench warrant is often issued for the arrest of a child-support who is found in contempt for not having paid the support obligation.
Bind over	To put (a person) under a bond or other legal obligation to do something, especially to appear in court. To hold (a person) for trial; to turn (a defendant) over to a sheriff or warden for imprisonment pending further judicial action.
Bond	An obligation; a promise. A written promise to pay money or do some act if certain circumstances occur or a certain time elapses; a promise

	that is defeasible upon a condition subsequent; especially an instrument under seal by which (1) a public officer undertakes to pay a sum of money if he or she does not faithfully discharge the responsibilities of office, or (2) a surety undertakes that if the public officer does not do so, the surety will be liable in a penal sum.
Capias	Any of various types of writs that require an officer to take a named defendant into custody. A capias is often issued when a respondent fails to appear or when an obligor has failed to pay child support. This is also often synonymous with a warrant.
Community Supervision	Placement of an offender under supervision for a specified length of time, as ordered by a court, with court-imposed rules and conditions. Community supervision may be ordered for misdemeanor or felony offenses and is generally imposed instead of a jail or prison sentence.
Conditional Discharge	The defendant has no finding of guilt. The court is discharging him/her from trial on special conditions that they must abide by. If they do not abide by these conditions, the discharge may be revoked and the finding may become guilty.
Dead Docket	Charges dropped/no further action taken, it is usually attached to other charges that the offender plea-bargained on.

Declined	DA Declined to Prosecute. Not enough evidence to take to grand jury.
Deferred Judgment	The defendant has no finding of guilt. The judgment is set-aside for a deferred amount of time and the defendant must comply with any conditions give to him/her. The case can be dismissed depending on the county/state if defendant completes all requirements.
Discharged	Any method by which a legal duty is extinguished; especially the payment of a debt or satisfaction of some other obligation. The dismissal of a case. The canceling or vacating of a court order. The release of a prisoner from confinement.
Dismiss	To send (something) away; specifically, to terminate (an action or claim) without further hearing, esp. before the trial of the issues involved. To release or discharge (a person) from employment.
Dismissal with prejudice	A dismissal, usually after adjudication on the merits, barring the plaintiff from prosecuting any later lawsuit on the same claim. If, after a dismissal with prejudice, the defendant in the later suit can assert the defense of res judicata.
Dismissal without prejudice	A dismissal that does not bar the plaintiff from refiling the lawsuit within the applicable limitations period.
Dismissed	To terminate a case or some part of it.

Diversion	A deviation or alteration from the natural course of things; esp., the unauthorized alteration of a watercourse to the prejudice of a lower riparian owner, or the unauthorized use of funds.
Diversion Program	A program that refers certain criminal defendants before trial to community programs on job training, education, and the like, which if successfully completed may lead to the dismissal of the charges.
Double Jeopardy Clause	The Fifth Amendment provision stating "nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb". The clause, which was ratified in 1791, does not prevent post acquittal appeals by the government if those appeals could not result in the defendant's being subjected to a second trial for substantially the same offense.
Expunge	To erase or destroy (example: the trustee wrongfully expunged the creditor's claim against the debtor). To declare (a vote or other action) null and outside the record, so that it is noted in the original record as expunged, and redacted from all future copies.
Expungement of Record	The removal of a conviction (especially for a first offense) from a person's criminal record.
Failure to Appear (FTA)	The defendant failed to appear in court.
Felony	A felony is considered a more serious criminal offense. Generally,

	<p>a felony conviction may result in incarceration or supervised release (probation or parole) equal to or greater than 12 months. Check the case record and local jurisdiction for a particular offense to ensure if your state law classifies the offense as a felony or misdemeanor.</p>
First Offender Program	<p>One who has never before been convicted of a crime and, hence, one generally given special consideration in the disposition of his case. For example, first offenders of less serious crimes often receive suspended sentenced or are placed on probation.</p>
Guilty	<p>Having committed a crime or other breach of conduct; justly chargeable with a crime; responsible for a crime or tort or other offense or fault. The work used by an accused in pleading or otherwise answering to an indictment when he confesses to the crime of which he is charged, and by the jury in convicting a person on trial for a particular crime. The connotation of such work is "evil," "wrongdoing," or "culpability."</p>
Guilty by Absentia	<p>The jury has found the defendant guilty without his having appeared in court.</p>
Inactive Docket	<p>Resulting in no conviction or dismissed by the court.</p>
	<p>The case resulted in a finding of the court or a jury that the subject was not guilty of the offense.</p>
Misdemeanor	<p>A misdemeanor is less serious than a felony. In some instances, felonies</p>

	<p>are reduced to a misdemeanor during plea agreements or where the facts do not support a felony. Generally, a misdemeanor conviction may result in incarceration or supervised release (probation or parole) less than 12 months. Check the case record and local jurisdiction for a particular offense to ensure if your state law classifies the offense as a felony or misdemeanor.</p>
Misdemeanor Intervention Program	<p>A program designated only for misdemeanor offenses in which the defendant may comply to the conditions of the program in order to avoid a conviction.</p>
No Bill	<p>This phrase, endorsed by a grand jury on the indictment, is equivalent to “not found”, “no indictment”, or “not a true bill”. It means that, in the opinion of the jury, evidence was insufficient to warrant the return of a formal charge.</p>
No Papered	<p>The paperwork was never sent to the court by the District Attorney and the case was never filed. Therefore, it was never brought to trial.</p>
Nolle Contendere or No Contest	<p>Where the defendant does not dispute that the prosecutor can prove the facts as alleged and does not dispute or contest the facts, and as such enters a no contest plea, which most courts consider the equivalent of a guilty plea. Defendants often enter this type of plea versus a guilty plea to preserve rights to appeal the conviction</p>

	without having to have admitted to the crime.
Nolle Prosequi	Latin. A formal entry upon the record, by the plaintiff in a civil suit, or, more commonly, by the prosecuting attorney in a criminal action, by which he declares that he "will no further prosecute" the case, either as to some of the defendants, or altogether. The voluntary withdrawal by the prosecuting attorney of present proceedings on a criminal charge. Commonly called "nol pros".
Nolle Prosee	Latin for "Not Prosecuted". This means there was not enough evidence to convict the defendant. The case is dropped.
Not Guilty	Plea entered by the accused to criminal charge. If the defendant refuses to plead, the court will enter a plea of not guilty. Also, the form of the verdict in criminal cases where the jury acquits the defendant; i.e. finds him "not guilty". For defense of not guilty by reason of insanity.
Pending	Begun, but not yet completed; during; before the conclusion of; prior to the completion of; unsettled; undetermined; in process of settlement or adjustment. Awaiting an occurrence or conclusion of action, period of continuance or indeterminacy. Thus, an action or suit is "pending" from its inception until the rendition of final judgment.
Prayer for Judgment	Deferred Prosecution, meaning state did not prosecute. Often seen in

	North Carolina. For example, with worthless checks it gives the defendant a chance to pay the check before being charged.
Pre-Trial Diversion or PTD	A system of recent origin by which certain defendants in criminal cases are referred to community agencies prior to trial while their criminal complaints or indictments are held in abeyance. The defendant may be given job training, counseling, and education. If he responds successfully within a specified period the charges against him are commonly dismissed.
Pre-Trial Intervention or PTI	A program that diverts selected criminal defendants from the normal prosecution process in order that they can be rehabilitated and returned to the community as productive citizens with no criminal record. Upon successfully completing the PTL program the pending criminal charges are dismissed.
Quash	To overthrow; to abate; to vacate; to annul; to make void.
Returned Unserved	The case has not been to trial at this time. Found in North Carolina. A warrant, summons or paper from the district attorney's office was issued for delivery to the defendant to appear for trial; however, the defendant could not be located. Therefore, the case is technically pending, however, the paperwork was never served.

Speedy Trial	The prosecutor must bring a defendant to trial within 180 days of the date of arrest, unless the defendant has waived his right to a trial in that period.
STET Docket	Will not prosecute at this time. Eligible to be re-opened for one year if a violation is committed during that time. After the one-year period and no violations have been committed, it cannot be re-opened and the case is closed.
Suspension of Sentence	This term may mean either a withholding or postponing the sentencing of a prisoner after the conviction, or a postponing of the execution of the sentence after it has been pronounced. In the latter case, it may, for reasons addressing themselves to the discretion of the court, be indefinite as to time, or during the good behavior of the prisoner.
Vacate	To annul; to set aside; to cancel or rescind. To render an act void; as, to vacate an entry of record, or a judgment. As applied to a judgment or decree it is not synonymous with "suspend" which means to stay enforcement of judgment or decree.
Waived	Mainly found in the state of North Carolina. This means the defendant has waived his/her right to trial and has pled guilty to the charges. In turn, the court accepts the plea of guilt.
Warrant	A written order of the court which is made on behalf of the state, or

	United States, and is based upon a complaint issued pursuant to statute and/or court rule and which commands law enforcement officer to arrest a person and bring him before magistrate.
Withdraw	Resulting in no conviction. The prosecutor withdrew the charge and case.

Additional Abbreviation Resources

FBI codes

FBI CJIS codes

Common Police Terms

Other Abbreviations

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