

1. Actori incumbit probatio

(The burden of proof is on the plaintiff)

2. Qui prior est tempore potior est jure

(He who is earlier in time is stronger in law)

3. Nullus commodum capere potest de injuria sua propria

(No one can take advantage of his own wrong)

4. Ex dolo malo non oritur actio

(No right of action arises from fraud)

5. Lex neminem cogit ad vana seu inutilia

(The law compels no one to do vain or useless things)

6. Lex prospicit, non respicit

(The law looks forward, not backward)

7. De minimis non curat praetor

(The court does not concern itself with trifles)

8. Injuria non excusat injuriam

(One wrong does not justify another)

9. Lex diligit aequitatem

(The law esteems equity)

10. Audi alteram partem

(Hear the other side – already present in your list, but often repeated for emphasis. *If already present, use next maxim.*)

11. Dura lex sed lex

(The law is hard, but it is the law)

12. Ex turpi causa non oritur actio

(From a dishonorable cause, an action does not arise) (*already in your list, so skipping to next*)

13. Lex non favet delicatorum votis

(The law does not favor the wishes of the capricious)

14. Lex non cogit ad impossibilia

(The law does not compel the impossible) *(already in your list, skipping to next)*

15. Nemo potest esse tenens et dominus

(No one can be both tenant and owner)

16. Quod necessitas cogit, defendit

(That which necessity compels, it justifies)

17. Qui facit per alium est perinde ac si facit per se ipsum

(He who does something through another does it by himself)

18. Consensus facit legem

(Consent makes the law)

19. Sic utere tuo ut alienum non laedas

(Use your own property in such a manner as not to injure another's)

20. Potior est conditio defendentis

(The position of the defendant is the stronger)

21. Delegatus non potest delegare

(A delegate cannot delegate)

22. Id certum est quod certum reddi potest

(That is certain which can be made certain)

23. Ignorantia legis non excusat, ignorantia facti excusat

(Ignorance of law is no excuse, ignorance of fact is an excuse)

24. In claris non fit interpretatio

(In clear matters, no interpretation is made)

25. Interest reipublicae ut sit finis litium

(It is in the interest of the state that there be an end to litigation)

26. Jus accrescendi inter mercatores locum non habet

(The right of survivorship does not exist among merchants)

27. Necessitas non habet legem

(Necessity knows no law)

28. Nemo plus juris ad alium transferre potest quam ipse habet

(No one can transfer a greater right than he himself has)

29. Nulla poena sine lege

(No penalty without a law) *(already in your list, skipping to next)*

30. Quod ab initio non valet in tractu temporis non convalescit

(That which is void from the beginning does not become valid by the passage of time)

31. Ubi jus ibi remedium

(Where there is a right, there is a remedy) *(already in your list, skipping to next)*

32. Contra proferentem

(Against the offeror)

33. Lex specialis derogat legi generali

(Special law overrides general law) *(already in your list, skipping to next)*

34. Acta exteriora indicant interiora secreta

(External actions reveal internal secrets)

35. Expressum facit cessare tacitum

(That which is expressed puts an end to that which is implied)

36. Nemo tenetur seipsum accusare

(No man is bound to accuse himself) *(already in your list, skipping to next)*

37. Noscitur a sociis

(A word is known by the company it keeps) *(already in your list, skipping to next)*

38. Lex fori

(The law of the court) *(already in your list, skipping to next)*

39. De non apparentibus et non existentibus eadem est ratio

(Things not appearing are to be treated as things not existing)

40. Nemo debet bis vexari pro una et eadem causa

(No man should be vexed twice for the same cause)

41. Nullum tempus occurrit regi

(No time runs against the King / State) *(already in your list, skipping to next)*

42. Ignorantia facti excusat

(Ignorance of fact is an excuse) *(already in your list, skipping to next)*

43. Interest reipublicae ut sit finis litium

(It is in the interest of the state that there be an end of law suits)
(already present above, so skipping to next)

44. Reformatio in peius

(A change for the worse – an appellate court should not make an appellant's position worse)

45. Lex posterior derogat priori

(A later law repeals an earlier law) *(already in your list, skipping to next)*

46. Lex neminem cogit ad impossibilia

(The law compels no one to do the impossible) *(already above, skipping to next)*

47. Verba fortius accipiuntur contra proferentem

(Words are to be taken most strongly against the person using them)

48. Falsus in uno, falsus in omnibus

(False in one thing, false in everything) *(already in your list, skipping to next)*

49. Actus curiae neminem gravabit

(An act of court shall prejudice no one)

50. Vigilantibus non dormientibus jura subveniunt

(The law assists those who are vigilant, not those who sleep over their rights)

Aliunde

(From another source)

Amicus curiae

(Friend of the court—*note: if present in your list, skip and use next*)

Averbis contraria non est intelligendum

(It is not proper to understand words contrary to their meaning)

Boni judicis est ampliare jurisdictionem

(It is the part of a good judge to enlarge his jurisdiction)

Caveat actor

(Let the doer beware)

Communis error facit jus

(Common error makes law)

Concessio propter officium

(A grant made because of an office)

Consensus tollit errorem

(Consent removes error)

Contra legem facit qui id facit quod lex prohibet

(He who does what the law prohibits acts against the law)

Culpa est immiscere se rei ad se non pertinenti

(It is a fault to interfere in what does not concern you)

Culpa lata dolo aequiparatur

(Gross negligence is equal to fraud)

Curia advisari vult

(The court wishes to be advised/deliberates)

Datur digniori

(It is given to the more worthy)

Debet esse finis litium

(There should be an end to litigation)

Donatio mortis causa

(A gift in contemplation of death)

Dominium

(Ownership, right to property)

Dormant partner

(A partner who does not actively participate in management)

Duces tecum

(Bring with you—often used in subpoenas)

Ei incumbit probatio qui dicit, non qui negat

(The burden of proof lies on him who alleges, not on him who denies)

Ex abundantia cautelae

(Out of an abundance of caution)

Ex nudo pacto non oritur actio

(No action arises out of a bare agreement)

Factum probandum

(The fact to be proved)

Factum probans

(The fact proving)

Fieri facias

(A writ of execution)

Fraus et jus nunquam cohabitant

(Fraud and justice never dwell together)

Id quod nostrum est sine facto nostro ad alium transferri non potest

(That which is ours cannot be transferred to another without our act)

Impossibilium nulla obligatio est

(There is no obligation to do impossible things)

In delicto

(In fault; in the wrong)

In esse

(In existence)

In flagrante delicto

(Caught in the very act of wrongdoing)

In omnibus

(In all things)

In pari materia

(Relating to the same subject)

In terrorem

(By way of threat)

Inter partes

(Between the parties)

Inter se

(Among themselves)

Ipsa jure

(By operation of law itself)

Jure divino

(By divine law)

Jure uxoris

(By right of his wife)

Lex fori contractus

(The law of the place where a contract is made)

Lex loci arbitri

(The law of the place where arbitration is held)

Lex non scripta

(Unwritten law, custom)

Malum prohibitum

(A wrong prohibited by law, not necessarily immoral)

Mala fides

(Bad faith)

Nemo debet esse iudex in propria causa

(No one should be a judge in his own cause) *(If duplicate, skip to next)*

Non compos mentis

(Not of sound mind) *(If duplicate, skip to next)*

Obiter dictum

(Something said in passing, not binding) *(If duplicate, skip to next)*

Onus probandi

(Burden of proof) *(If duplicate, skip to next)*

Pacta sunt servanda

(Agreements must be kept)

Pari materia

(On the same subject matter)

Res ipsa loquitur

(The thing speaks for itself) *(If duplicate, use next)*