

# My Maintenance Guru

Child Maintenance Made Easy

[www.maintenanceguru.co.za](http://www.maintenanceguru.co.za)

## GLOSSARY OF TERMS

<b>ACCUSED</b>	The person accused of committing a crime, who appears in court to answer the charge.
<b>ACT</b>	A written law passed by parliament, usually divided into numbered paragraphs, called sections.
<b>ADVOCATE</b>	A legal practitioner, a member of a separate profession, an advocate is a specialist in litigation, ie. Presenting court cases.
<b>APPLICANT</b>	The person who approaches the court, through a legal procedure called an application, asking for an order against another person, the Respondent.
<b>ATTORNEY</b>	A member of the attorneys' profession. An Attorney is a lawyer who can be approached by members of the public (or anybody else) to represent them in court, or to prepare documents on their behalf.
<b>COMPLAINANT</b>	This is a person who makes a complaint, leading to a court case against an accused or (in the Maintenance Court) a Respondent.
<b>DIVORCE COURT</b>	The special divorce court created to handle divorces only.
<b>EMOLUMENTS ATTACHMENT ORDER</b>	An order issued by a court to order an employer to deduct a certain monthly payment (usually for maintenance) and to pay it to the person to whom a debt is owed.
<b>GARNISHEE ORDER</b>	A Court Order made against a person who owes money to a debtor (for maintenance or otherwise), ordering the garnishee to pay the money direct to some other person, such as a mother to whom maintenance is due.

<b>HIGH COURT</b>	One of the highest courts in the land, the High court is where most trials in very important cases (civil and criminal) take place. It has almost unlimited powers.
<b>INTERDICT</b>	A Court Order telling somebody to do something, or not to do something.
<b>JUDGE</b>	The judicial officer who presides over any court within the High Court.
<b>MAGISTRATE</b>	The judicial officer who is in the position of a judge, in the Magistrate's Court.
<b>MAINTENANCE COURT</b>	The special court created within the Magistrate's Court to hear maintenance cases.
<b>MAINTENANCE INVESTIGATOR</b>	An official appointed in terms of the Maintenance Act to serve papers and the like for the Maintenance Court.
<b>MAINTENANCE OFFICER</b>	A person appointed within each Magistrate's Court, to be responsible for that section which deals with maintenance cases.
<b>MAINTENANCE ORDER</b>	An order made by a Magistrate in a Maintenance Court, ordering one person to pay a certain amount of money to another person, as maintenance.
<b>PROSECUTOR</b>	The person, in a criminal court, who represents the State and who conducts a case against an accused person, on behalf of the State.
<b>PROTECTION ORDER</b>	An order made by a Magistrate, in terms of the Domestic Violence Act. This is usually an interdict ordering the Respondent to stay away from the Applicant, or to refrain from acting in a certain way. It can also include positive orders, e.g. To make certain payments.
<b>RESPONDENT</b>	The person against whom some assistance is sought, in an application to court by an Applicant, or a complaint by a Complainant (in the Magistrate's Court).
<b>RULE 43 APPLICATION</b>	An application, in terms of Rule 43 of the High Court, for temporary assistance with custody, maintenance and / or costs, until such time as a divorce case is concluded.
<b>SALE IN EXECUTION</b>	A sale, conducted by a Sheriff of the Court, of goods seized by the Sheriff from a person who owes money to another person. The sale is conducted in order to raise money to pay the debt.

<b>SHERIFF</b>	An official of the court, who must deliver Court Orders to the people against whom the orders are made and who serves other court documents, such as Warrants of Attachment.
<b>SUBPOENA</b>	An official Court Order, requiring a person to attend a particular court case, to give evidence.
<b>WARRANT OF EXECUTION</b>	A Court Order authorising a Sheriff to call upon a person who owes money, to demand payment of that money, or to seize goods to be sold at an auction sale, to raise money to pay the debt concerned.
<b>WRIT</b>	The same as a Warrant of Execution.