

## WHAT'S IN A NAME?

A child takes the father's last name followed by the mother's last name. If the name is to be shortened at all, this is done by dropping the mother's last name.

In formal settings, an individual traditionally added, in order, his paternal grandmother's and maternal grandmother's last names; some go back yet one more generation.

In cases such as of birth out-of-wedlock or abandonment by father, a child may take the mother's name only.

Although less common now, a married woman traditionally kept the father's last name only and added "de" before her husband's last name. "De" means "of", to signify "wife of", but is not so much seen in a proprietary sense than as a genealogical branch, much like in Russian.

Hyphenation of last names, while present in some Hispanic names, in the U.S. is mostly used by agencies (DMV, Courts) so that the names are filed in proper alphabetical order.

	<b>YOU</b>				
1	Name		2	Middle Name	
3	Father's Name		4	Mother's Name	
5	Paternal Grandmother's Name		6	Maternal Grandmother's Name	
	<b>SPOUSE</b>				
9	Name		10	Middle Name	
11	Father's Last Name		12	Mother's Last Name	
13	Paternal Grandfather's Last Name		14	Maternal Grandfather's Last Name	
15	"De..." – (see note)				
	<b>CHILD</b>				
16	Name		17	Middle Name	
18	Your Last Name		19	Spouse's Maiden Name	

# WHAT'S IN A NAME?

## Getting Names Straight for Court:

I've tested a system to get correct name order for parties in court, and have found this to work much more effectively than asking parties what their father's and mother's last names are:

- Ask the party: → What is your **first last-name**?  
 Follow with: → What is your **second last-name**?<sup>1</sup>
- Then ask: → What is your **first** name?  
 and: → What is your **second** name?<sup>2</sup> (*i.e., middle name*)
- Then: → Have the record reflect that the party's name is:  
 First name  
 Second name  
 First last name (*hyphen*<sup>3</sup>) second last name.<sup>4</sup>

*Note: Since some names (e.g. "James") can be either first or last names, it leaves less room for confusion to first ask for last names and then ask for first and middle names, since that will leave less possibilities for confusion.*

Here is a tool to help you. I've left spaces below the questions for you to fill in the answers, starting with column 3, then 4, then fill in 1 and 2. You can then read the name straight across.

Start here ↓ ..... Then here ↓

FIRST NAME	MIDDLE NAME	LAST NAME #1	-	LAST NAME #2
<i>What is your First name?</i>	<i>What is your second name?</i>	<i>What is your First last-name?</i>	-	<i>What is your Second last-name?</i>

<sup>1</sup> In Spanish this translates to "¿Cual es su primer **apellido**?" and "¿Cual es su segundo **apellido**?"

<sup>2</sup> We don't have a specific word for "middle name." We use "first" and "second" name. One way to say this in Spanish: "¿Cual es su **primer nombre** / **segundo nombre**?"

<sup>3</sup> If you do not specify, the hyphen may not get on the minute sheet and you'll be back to square one.

<sup>4</sup> Hyphenation in these cases is merely a device used by some U.S. agencies to keep names in proper order and avoid the appearance that a party is using false names.

**COMMONLY USED WORDS AND PHRASES  
IN THE SELF-HELP SETTING**

<b>ENGLISH</b>	<b>SPANISH TRANSLATION AT THE SELF HELP CENTER</b>	<b>COURT INTERPRETER'S TRANSLATION</b>
Bailiff	Sheriff	Alguacil
Case File	Archivo	Expediente
Child Support	Sostenimiento de Hijos	Manutención de hijos (Mex.); Pensión alimenticia (Sp.); cuota alimentaria (Arg.)
Complaint	Demanda	Demanda
Court Clerk's Office	Ventanilla para Archivar Documentos	Secretaría del juzgado
Court Room	Juzgado	Sala (del tribunal); sala de justicia
Defendant	Demandado	Demandado
Entry of Judgment	Notificación de Fallo	Asentamiento del fallo; publicación del fallo
Filing Fee	Costos por Registrar Documento	Cuotas/costas/cargos/tasas procesales; ...para entablar documentos; ... de inter- posición; ...por tramitación
Gross Income	Ingresos Antes de Taxes	Ingreso bruto
Hearing	Audiencia	Audiencia
Jurisdiction	Jurisdicción	Jurisdicción; competencia
Motion	Pedimento	Petición; pedimento; moción
Plaintiff	Demandante	Demandante
Process Server	Persona Registrada para Citar a la otra Persona	Portador de citaciones
Proof of Service	Prueba de Servicio	Constancia de notificación legal

## COMMONLY USED WORDS AND PHRASES IN THE SELF-HELP SETTING

Rights	Derechos	Derechos
Settle	Llegar a un acuerdo	Llegar a un acuerdo; resolver
Sheriff's Court Services	Oficina del Aguacil para servicios Civiles	TBD
Small Claims	Corte de Reclamos Menores	Tribunal para controversias de cuantía menor
Statute	Ley	Estatuto
Summons	Citacion Judicial	Citatorio; citación
Trial	Juicio	Juicio
Do you need court forms?	Necesita usted documentos judiciales?	Necesita formularios del tribunal?
Have you been served with Court documents regarding a lawsuit?	La han entregado a usted documentos judiciales referente a una demanda?	Le han hecho entrega formal de documentos del tribunal referente a una demanda?
Do you have a copy of the Court documents regarding the lawsuit?	Tiene usted una copia de los documentos referente a la demanda?	Tiene una copia de los documentos referente a la demanda?
We need a copy of your Court documents regarding your lawsuit.	Necesitamos una copia de los documentos de la corte referente a la demanda.	Necesitamos una copia de sus documentos del tribunal referente a su demanda.
File your court documents with the Court Clerk?	Archive sus documentos en la Ventanilla del Secretario del Juzgado.	Vaya a la Secretaría del Juzgado para que sus documentos sean entablados/archivados ahí.
Please go to the Clerk's Office, and get copies of your documents regarding your lawsuit.	Por favor vaya a la oficina de la secretaria del juez y obtenga copias de los documentos referente a la demanda.	Favor de ir a la Secretaría del Juzgado para obtener copias de los documentos referente a su demanda.

## **Helpful Links:**

**<http://www.freetranslation.com/>**

Look up words meanings and translate words from English to Spanish and Spanish to English.

**[www.yourdictionary.com](http://www.yourdictionary.com)**

Look up words meanings and translate words from English to Spanish and Spanish to English.

**[http://www.123teachme.com/learn\\_spanish/legal\\_terminology](http://www.123teachme.com/learn_spanish/legal_terminology)**

Look up legal terminology and translate from English to Spanish and Spanish to English.

**<http://www.courtinfo.ca.gov/selfhelp/espanol/>**

California's Self Help in Spanish.

**<http://www.courts.ca.gov/partners/51.htm>**

Information on Web sites, form sets, video conferencing and other technological resources to assist self-represented litigants

**<http://www2.courtinfo.ca.gov/cjer/aoctv/dialogue/neuro/index.htm>**

AOC-TV Shows

The Neuroscience and Psychology of Decisionmaking, Part 1: A New Way of Learning, Part 2: The Media, the Brain, and the Courtroom, and Part 3: Dismantling and Overriding Bias.

## **Other Resources**

“El Laberinto de la Soledad” by Octavio Paz

“NTC's Dictionary of Mexican Cultural Code Words” by Boye Lafayette De Mente

## **HYPOTHETICALS**

1. The customer has been sent by the Court Clerk to the Self-Help Center because his court hearing was continued. He does not understand what happened as he filed the complaint and assumed that the Court would send a notice to appear to the defendant.
2. The customer comes for assistance to the Self-Help Center because her husband abandoned the home about 3 months ago; however, he recently withdrew the children from school and will not disclose the children's whereabouts. Because of his history of domestic violence, the customer believes the children are in danger. The customer informs you that she is a non-citizen and does not want to get the police involved because she fears being deported.
3. A Spanish speaking customer comes into the Small Claims Advisor office asking information about filing a small claim against a former employer. He was working as a cook at a restaurant and being paid cash. He was let go but was still owed 80 hours and the manager refuses to pay. The only witnesses he has are also former employees and only speak Spanish as well.
4. A customer has been sent from the Clerk's Office because he has been served with a Petition for Dissolution. He does not agree with what his wife has put on the petition, but he also does not want to get a divorce. He was informed that in order for the divorce to go through, his signature will be required.