

LESSON 3: LEGAL REFERENCING WORDS.

Script:

In the second module we explained why legal English is so complex and we talked about specific examples of the use of English language within the sphere of legal English that is very particular to the legal profession; we talked about the use of technical terms and legal jargon; we talked about use of pair of words or triplets; the assigning of special meaning to words with ordinary use and so on;

At this time I would like to talk about the use of **legal referencing words** in particular and it is important to talk about it because of how commonly they are used in contracts and legal documents including legal correspondence to this day. There is a movement to move away from the use of this highly technical old-fashioned language, or as some lawyers describe it **legalese**, to a more modern or more plain English; however, this shift is very slow because as you know most lawyers don't start **drafting contracts** from nothing, or as we say "from scratch," they usually use **templates** or older contracts and these words always appear in them

So let's look at few most common examples of legal referencing words; The first group of legal referencing words are those that start with **here**; and there are a number of them, for example

hereby which means **by means of this document or with these words or with this action**, for example I hereby reject your offer;

herein which simply means **in this document** for example the list of items herein is final and non-negotiable;

Hereinafter (or simply hereafter) which means **starting from this time or later in this document**; for example the Royal Dutch Oil Company, hereafter RDOC;

Heretofore, earlier in this document or previously/before the time of writing, for example the country heretofore known as Burma is renamed Myanmar;

Hereunder or hereinunder in the later part of this document or under the terms of this agreement, for example the warranties are listed hereunder.

The second group of legal referencing words I want to look at are those that start with **there**. For example,

thereby which means **as a result or as a consequence of this or that action (it could also be understood as therefore)**, for instance our client never signed the contract and thereby there is no binding agreement;

therein which means **in a particular place or thing in that or in there**, for example, the rented property and the fixtures contained therein;

thereon which means **on it on there or on what I have just mentioned**, for example the mortgage and the interest due thereon must be paid in monthly instalments;

Thereinafter or thereafter which means **later in that document or later in what I have just mentioned**, for example, we defined the company as RDOC and they were known as such thereafter;

and finally **thereto** which means **to it to the thing I have just mentioned**, for example, during the business lunch we will discuss the upcoming board meeting and all the issues related thereto.

So these are just some of the most common examples of legal referencing words that you should get familiar with and be comfortable with them in order to be able to quickly and easily understand contractual terms when you read them.