

ESR Alphabetical Glossary of Background Screening Terms

Contents

A.....	1
B.....	5
C.....	6
D.....	12
E.....	15
F.....	16
G.....	17
H.....	18
I.....	18
J.....	19
K.....	20
L.....	20
M.....	21
N.....	22
O.....	23
P.....	23
Q.....	25
R.....	25
S.....	27
T.....	29
U.....	30
V.....	30
W.....	31
Y.....	32

A

Abated by Death

Case disposed of by death

Abduction

Taking away by violence or fraud and persuasion; kidnapping. Usually a female or wife, child or ward.

Abet

See Aiding and Abetting.

Abstraction

Taking away with intent to harm or deceive.

Accessory

Not the perpetrator of the crime but in some way involved without being present in the commission of the crime.

Accessory After the Fact

One who helps a criminal to elude arrest.

Accessory Before the Fact

One who induces another to commit a crime.

Account Condition

Indicates the present state of the account, but does not indicate the payment history of the account that led to the current state. (i.e. open, paid, charge off, repossession, settled, foreclosed, etc.).

Account Number

The unique number assigned by a creditor to identify your account with them. Credit Bureaus remove several digits of each account number on the credit report as a fraud prevention measure.

Accounts in Good Standing

Credit items that have a positive status and should reflect favorably on your creditworthiness.

Active judge

A judge in the full-time service of the court. Compare to senior judge.

Acquittal

A jury verdict that a criminal defendant is not guilty, or the finding of a judge that the evidence is insufficient to support a conviction.

Active Case

Case is currently active

Administrative Office of the United States Courts (AO)

The federal agency responsible for collecting court statistics, administering the federal courts' budget, and performing many other administrative and programmatic functions, under the direction and supervision of the Judicial Conference of the United States.

Adjudication

The ability to automate a judgment based on background screening outcome. This judgment often results in “meets requirements” or “does not meet requirements” outcome. Once adjudication takes place automatic distribution and/or adverse action can occur.

Adjudicated Guilty Conviction

The defendant has been found guilty of the charges.

Adjudication Withheld Non-conviction

The court does not give a final judgment regarding the case. The defendant is given probation, 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 guilty.

Adjustment

Percentage of the debt that is to be repaid to the credit grantors in a Chapter 13 bankruptcy.

Admissible

A term used to describe evidence that may be considered by a jury or judge in civil and criminal cases.

Adversary Proceeding

A lawsuit arising in or related to a bankruptcy case that begins by filing a complaint with the court, that is, a "trial" that takes place within the context of a bankruptcy case.

Adulterated Specimen

A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

Affidavit

A voluntarily, written statement of fact, confirmed by oath.

Affiliate

Persons are affiliates of one another if, directly or indirectly, one controls or has the power to control the other, or a third party controls or has the power to control both. Indicators of control include, but are not limited to: interlocking management or ownership; shared interest among family members; shared facilities or equipment; or common use of employees. Following the issuance of a public interest exclusion, an organization having the same or similar management, ownership, or principal employees as the service agent concerning whom a public interest exclusion is in effect is regarded as an affiliate. This definition is used in connection with the public interest exclusion procedures of Subpart R of this part.

Affray

Brawl or disturbance. Not premeditated.

Aggravated

(assault, battery, arson, etc.) Circumstances surrounding the commission of a crime or tort, which increase or add to its injurious consequences.

Aiding and Abetting

To assist and/or incite another to commit a crime.

Air Blank

In evidential breath testing devices (EBTs) using gas chromatography technology, a reading of the device's internal standard. In all other EBTs, a reading of ambient air containing no alcohol.

Alcohol Concentration

The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under this part.

Alcohol Confirmation Test

A subsequent test using an EBT, following a screening test with a result of 0.02 or greater, that provides quantitative data about the alcohol concentration.

Alcohol Screening Device (ASD)

A breath or saliva device, other than an EBT, that is approved by the National Highway Traffic Safety Administration (NHTSA) and placed on a conforming products list (CPL) for such devices.

Alcohol Screening Test

An analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

Alcohol Testing Site

A place selected by the employer where employees present themselves for the purpose of providing breath or saliva for an alcohol test.

Alcohol

The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol's, including methyl or isopropyl alcohol.

Alcohol Use

The drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.

Alias

False name used in substitution of a legal name on official documents and for official purposes. Nicknames are not considered aliases. May be noted as AKA (Also Known As) on criminal records

Annual Percentage Rate (APR)

A measure of how much interest credit will cost you, expressed as an annual percentage.

Antitrust Acts or Laws

Laws to protect trade and commerce from unlawful practice.

Appeal

A complaint to a superior court to review the decision of a lower court.

Appellant

One who makes a complaint to a superior court to review the decision of a lower court.

Appellate Court

A court having jurisdiction of appeal and review. Not a trial court.

Applicant Tracking System (ATS)

Any system, whether in paper or software form, that manages both an organization's job posting and data collection (i.e., resume/applications) process to efficiently match prospective candidates to the proper positions.

Appropriate

To take something from another for one's own use or benefit.

Archive/Archives

The place where records are stored after a certain specified period of time. The period of time a record is held at a court of record may differ between courts and states.

ARD Program Non-Conviction

Mostly found in the state of Pennsylvania, this stands for "Accelerated Rehabilitative Disposition Program." This program is given to the defendant in place of adjudication. If the defendant completes the program, the case is closed.

Arraignment

A call to the accused to come before the court to hear charges or enter a plea.

Arrest

The taking of an individual into custody by law enforcement personnel for the purpose of charging them with an illegal act.

Arrest Record

An official form completed by the police department when a person is arrested. Also, a cumulative record of all instances in which a person has been arrested.

Arson

The attempted or intentional destruction of property by fire or explosion.

Assault

Intentional or threatened infliction of injury to another. The classification of "aggravated" is assigned when the injury is considered serious or when injury is threatened or carried out with the use of a deadly or dangerous weapon. The classification of "simple" is assigned when the injury inflicted or threatened is not serious and a deadly weapon is not used. May be used with Battery.

Authorized User

Person permitted by a credit cardholder to charge goods and services on the cardholder's account but who is not responsible for repayment of the debt. The account displays on the credit reports of the cardholder as well as the authorized user. If you wish to have your name permanently removed as an authorized user on an account, you will need to notify the credit grantor.

B

Bail

The release, prior to trial, of a person accused of a crime, under specified conditions designed to assure that person's appearance in court when required. Also can refer to the amount of bond money posted as a financial condition of pretrial release.

Balloon Payments

A loan with a balloon payment requires that a single, lump-sum payment be made at the end of the loan.

Bankruptcy

A legal procedure for dealing with debt problems of individuals and businesses; specifically, a case filed under one of the chapters of title 11 of the United States Code (the Bankruptcy Code).

Bankruptcy Code

Federal laws governing the conditions and procedures under which persons claiming inability to repay their debts can seek relief.

Battery

Nonconsensual, unlawful contact, such as touching, beating or wounding of another.

Bench Trial

Trial by judge, without jury.

Bench Warrant or Arrest Warrant

A process delivered by the court directing a law enforcement agency to bring a specified individual before the court.

Bind Over

To put under bond to appear in court. The term is also used when a case is shifted from a lower court to a higher court.

Blackmail

An illegal demand for money or property under threat of harm or exposure of undesirable acts.

Blind Specimen or Blind Performance Test Specimen

A specimen submitted to a laboratory for quality control testing purposes, with a fictitious identifier, so that the laboratory cannot distinguish it from an employee specimen.

Bond

A certificate of obligation, either unsecured or secured with collateral, to pay a specified amount of money within a specified period of time.

Bond Forfeiture

Bond forfeiture occurs when a case has been disposed and a fine is to be, or has been paid. If it is a first offense, it is listed on the record but not classified as a conviction; any other time it is classified as a conviction.

Bookmaking

An operation with the purpose of placing, registering, paying off or collecting debts for bets.

Breath Alcohol Technician (BAT)

A person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

Brief

A written statement submitted in a trial or appellate proceeding that explains one side's legal and factual arguments.

Burden of Proof

The duty to prove disputed facts. In civil cases, a plaintiff generally has the burden of proving his or her case. In criminal cases, the government has the burden of proving the defendant's guilt. (See standard of proof.)

Burglary

The act of entering a premises, without the privilege to enter, with the purpose of committing a crime. States may classify as first, second, or third degree burglary.

C

Cancelled Test

A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which otherwise requires to be cancelled. A cancelled test is neither a positive nor a negative test.

Capacity

Factor in determining creditworthiness. Capacity is assessed by weighing a borrower's earning ability and the likelihood of continuing income against the amount of debt the borrower carries at the time the application for credit is made. While capacity may be considered in a credit decision, the credit report does not contain information about earning ability or the likelihood of continuing income.

Capias

The Latin meaning is "That You Take". This is the name for several types of writs, which require that a law enforcement official take a named defendant into custody.

Capital Case/Crime

Case or crime for which the death penalty may be imposed.

Capital Punishment

Punishment by death for capital crime.

Carnal

Sexual, sensual. Carnal knowledge is sexual intercourse.

Case File

A complete collection of every document filed in court in a case.

Case Law

The law as established in previous court decisions. A synonym for legal precedent. Akin to common law, which springs from tradition and judicial decisions.

Cause of Action

One or more related charges, combined and made against a defendant for wrongs committed.

Chain of Custody (COC)

The procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

Chapter 7

The chapter of the Bankruptcy Code providing for "liquidation," that is, the sale of a debtor's nonexempt property and the distribution of the proceeds to creditors. In order to be eligible for Chapter 7, the debtor must satisfy a "means test." The court will evaluate the debtor's income and expenses to determine if the debtor may proceed under Chapter 7.

Chapter 7 Trustee

A person appointed in a Chapter 7 case to represent the interests of the bankruptcy estate and the creditors. The trustee's responsibilities include reviewing the debtor's petition and schedules, liquidating the property of the estate, and making distributions to creditors. The trustee may also bring actions against creditors or the debtor to recover property of the bankruptcy estate.

Chapter 9

The chapter of the Bankruptcy Code providing for reorganization of municipalities (which includes cities and towns, as well as villages, counties, taxing districts, municipal utilities, and school districts).

Chapter 11

A reorganization bankruptcy, usually involving a corporation or partnership. A Chapter 11 debtor usually proposes a plan of reorganization to keep its business alive and pay creditors over time. Individuals or people in business can also seek relief in Chapter 11.

Chapter 12

The chapter of the Bankruptcy Code providing for adjustment of debts of a "family farmer" or "family fisherman," as the terms are defined in the Bankruptcy Code.

Chapter 13

The chapter of the Bankruptcy Code providing for the adjustment of debts of an individual with regular income, often referred to as a "wage-earner" plan. Chapter 13 allows a debtor to keep property and use his or her disposable income to pay debts over time, usually three to five years.

Chapter 13 Trustee

A person appointed to administer a Chapter 13 case. A Chapter 13 trustee's responsibilities are similar to those of a Chapter 7 trustee; however, a Chapter 13 trustee has the additional responsibilities of overseeing the debtor's plan, receiving payments from debtors, and disbursing plan payments to creditors.

Chapter 15

The judge who has primary responsibility for the administration of a court; chief judges are determined by seniority.

Charge

In criminal law, a charge is an allegation that an individual has committed a specific offense.

Charge-Off

Action of transferring accounts deemed uncollectible to a category such as bad debt or loss. Collectors will usually continue to solicit payments, but the accounts are no longer considered part of a company's receivable or profit picture.

Circuit Courts

Courts whose jurisdiction extends over several counties or districts. (There are thirteen judicial circuits wherein the US. Courts of Appeals reside).

Circuit

Judicial division of the United States or of an individual state.

Citation

A reference to a book or other source of legal authority. An order issued by a law enforcement officer requiring appearance in court to answer a charge. Bail is not accepted in lieu of appearance.

City Court

Courts that try persons accused of violating municipal ordinances. City courts may have jurisdiction over minor civil or criminal cases, or both.

Civil Action

Any court action against a consumer to regain money for someone else. Usually, it will be a wage assignment, child support judgment, small claims judgment or a civil judgment.

Civil Disorder

A violent public disturbance by three or more people, which causes danger, damage or injury to property or persons.

Claim Amount

The amount awarded in a court action.

Closed Date

The date an account was closed.

Co-Defendant

One of a group of two or more people charged in the same crime.

Coercion

The use of physical force or threats to compel someone to commit an act against his or her will.

Collection Container

A container into which the employee urinates to provide the specimen for a drug test.

Collection Site

A place selected by the employer where employees present themselves for the purpose of providing a urine specimen for a drug test.

Collector

A person who instructs and assists employees at a collection site, who receives and makes an initial inspection of the specimen provided by those employees, and who initiates and completes the CCF.

Co-Maker

A creditworthy co-maker is sometimes required in situations where an applicant's qualifications are marginal. A co-maker is legally responsible to repay the charges in the joint account agreement.

Compounding Crime

The receipt by an individual of consideration in exchange for an agreement not to prosecute or inform on someone who they know has committed a crime.

Concurrent Sentences

Two or more terms of imprisonment served simultaneously.

Conditional Discharge

A conviction. Court issues the discharge from the jail and requires defendant to comply with some conditions. Regardless whether defendant complies with rules or not, he/she is still convicted (GUILTY) and case can never be expunged.

Conditional Release

The release from a correctional facility before full sentence has been served which is conditioned on specific behavior. If conditions are not met, the individual may be returned to the facility.

Confirmation (or confirmatory) Validity Test

A second test performed on a urine specimen to further support a validity test result.

Confirmed Drug Test

A confirmation test result received by an MRO from a laboratory.

Consecutive Sentences

Multiple sentences, served one after the other.

Consent Decree – Conviction

This is found in New Mexico. It is designed as a disposition for juvenile cases in which the defendant pleads guilty and is placed on the decree / probation for six months.

Consortium/ Third-Party Administrator (C/TPA)

A service agent that provides or coordinates the provision of a variety of drug and alcohol testing services to employers. C/TPAs typically perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members. C/TPAs are not "employers" for purposes of this part.

Conspiracy

The coming together of two or more people for the purpose of committing an unlawful act or to commit a lawful act by unlawful means.

Consumer Credit Counseling Service

A nonprofit organization that assists consumers in dealing with their credit problems.

Consumer Reporting Agency (CRA)

A bureau that gathers and provides information about individuals - such as if they pay their bills on time or have filed bankruptcy - to creditors, employers, and landlords. Companies that perform pre-employment screening services are also considered CRAs and are governed by the FCRA, as are the employers that use background screening services.

Contempt of Court

An act committed which serves to obstruct the court in its administration or authority.

Continuance

A delay or postponement of a court hearing.

Continuing Education

Training for medical review officers (MROs) and substance abuse professionals (SAPs) who have completed qualification training and are performing MRO or SAP functions, designed to keep MROs and SAPs current on changes and developments in the DOT drug and alcohol testing program.

Controlled Substance

A drug whose availability is restricted by law.

Conversion

The unauthorized taking of another's property.

Conviction

Guilty verdict in a criminal trial.

Co-Signer

Person who pledges in writing as part of a credit contract to repay the debt if the borrower fails to do so. The account displays on both the borrower's and the cosigner's credit reports.

Cost-Per-Hire

A common measure used in human resources to evaluate the average costs incurred in recruiting and hiring new employees. Generally the equation is total recruitment costs divided by total number of new hires. Typical components of this measure include relocation costs, advertising/job board fees, interviewing expenses, referral bonuses, recruitment staff compensation, skills assessment and pre-employment screening.

Count/Charge

An offense named in a cause of action. A cause of action may contain multiple counts or charges, each relating to the others but identifying a separate offense.

Court of Limited Jurisdiction

Court that has authority to adjudicate cases of a certain kind or up to a limited amount, usually lesser offenses. (Opposite of Court of General Jurisdiction)

Court of Record

The court where the permanent record of all proceedings is held.

Credit Card Fraud

Use, or attempted use of a credit card to purchase goods or services with the intent to avoid payment of such.

Credit counseling

Generally refers to two events in individual bankruptcy cases: (1) the "individual or group briefing" from a nonprofit budget and credit counseling agency that individual debtors must attend prior to filing under any chapter of the Bankruptcy Code; and (2) the "instructional course in personal financial management" in chapters 7 and 13 that an individual debtor must complete before a discharge is entered. There are exceptions to both requirements for certain categories of debtors, exigent circumstances, or if the U.S. trustee or bankruptcy administrator have determined that there are insufficient approved credit counseling agencies available to provide the necessary counseling.

Credit Items

Information reported by current or past creditors.

Credit Limit/Line of Credit

In open-end credit, the maximum amount a borrower can draw upon or the maximum that an account can show as outstanding.

Creditor

A person to whom or business to which the debtor owes money or that claims to be owed money by the debtor.

Credit Report

Confidential report on a consumer's payment habits as reported by their creditors to a consumer credit reporting agency. The agency provides the information to credit grantors who have a permissible purpose under the law to review the report.

Credit Scoring

Tool used by credit grantors to provide an objective means of determining risks in granting credit. Credit scoring increases efficiency and timely response in the credit granting process. Credit scoring criteria is set by the credit grantor.

Creditworthiness

The ability of a consumer to receive favorable consideration and approval for the use of credit from an establishment to which they applied.

Crime Against Nature

Deviate sexual intercourse.

Criminal Nonsupport

Failure to pay child support in violation of court order.

Culpability

Blame, or degree of responsibility for a crime. This may be in degrees of purposeful, knowingly, recklessly or by negligence.

Cumulative Sentence

A sentence that takes effect after a prior sentence is completed for crimes tried under the same cause of action.

D

Dangerous Weapon

Something that is capable, though not designed to cause serious injury or death.

Date Filed

The date that a public record was awarded.

Date of Status

On the credit report, date the creditor last reported information about the account.

Date Opened

On the credit report, indicates the date an account was opened.

Date Resolved

The completion date or satisfaction date of a public record item.

Dead Docket – Non-Conviction

Often seen in Fulton, Georgia, there is not enough evidence that shows the defendant is guilty or that he is innocent. The case is set aside. If not brought back up, case is closed.

Deadly Weapon

A weapon designed to cause serious injury or death.

Debtor

A person who has filed a petition for relief under the Bankruptcy Code.

Declaratory Judgment

A judge's statement about someone's rights. For example, a plaintiff may seek a declaratory judgment that a particular statute, as written, violates some constitutional right.

Default Judgment

A judgment awarding a plaintiff the relief sought in the complaint because the defendant has failed to appear in court or otherwise respond to the complaint.

Defendant

A person who has been formally charge with committing a specific crime.

Deferred Adjudication of Guilt

The final judgment is delayed for a period of time. Can be likened to probation before a final verdict. If "probation" is completed without incident, the charges are usually dropped and the case is dismissed. During the "probationary period" the disposition is not necessarily considered a conviction.

De Novo

Latin for "anew" or "afresh". Usually used as Trial De Novo. New trial, or one that is held for a second time, as if there had been no previous trial or decision.

Deferred Discharge

Dismissed and considered a non-conviction.

Deferred Probation

The judge doesn't make a finding of guilt; he assigns probation. If probation is completed without incident, the charges are usually dropped.

Deferred Sentence

Postponement of the pronouncement of the sentence.

Defraud

Knowingly misrepresenting facts to cheat or trick.

Degree

(First, Second, or Third, A, B or C). Classification assigned to a crime, depending on circumstances, for purposes of determining punishment. First degree is considered most serious than third; A is more serious than C. Degrees may be assigned to the actual crime (IE. murder in the first or second degree) or the class of crimes (IE. felony or misdemeanor).

Delinquent

Accounts classified into categories according to the time past due. Common classifications are 30, 60, 90 and 120 days past due. Special classifications also include charge-off, repossession, transferred, etc.

Designated Employer Representative (DER)

An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of this part. Service agents cannot act as DERs.

Dilute Specimen

A specimen with creatinine and specific gravity values that are lower than expected for human urine. If a laboratory also marks the dilute box, the MRO reports the verified test result (i.e., either "Positive" or "Negative"), marks the dilute box, and informs the employer that the next time the donor is selected for a drug test the employer may require the specimen to be collected under direct observation because the specimen was dilute.

If it is believed that an individual has a "shy bladder," the employer must arrange to have the donor evaluated, as soon as practical after the attempted collection, by a licensed physician (e.g., the MRO, a physician acceptable to the employer, the employer's occupational health physician) to determine whether the donor's inability to provide a specimen is genuine or constitutes a refusal to provide a specimen.

Discharge

A release of a debtor from personal liability for certain dischargeable debts. Notable exceptions to dischargeability are taxes and student loans. A discharge releases a debtor from personal liability for certain debts known as dischargeable debts and prevents the creditors owed those debts from taking any action against the debtor or the debtor's property to collect the debts. The discharge also prohibits creditors from communicating with the debtor regarding the debt, including through telephone calls, letters, and personal contact.

Directed Verdict

A determination by a jury, made at the direction of the judge. A directed verdict happens in cases where there has been a lack of evidence, an overwhelming amount of evidence, or where the law is in favor of one of the parties.

Disclosure

Providing the consumer with his or her credit history as required by the FCRA.

Dismissal

Finally disposing of the cause without further consideration. May be voluntary or involuntary. When involuntary, there is usually lack of prosecution or failure to produce sufficient evidence.

Dismissal With Leave

The same as “Failure to Appear” where the DA closes the case until the defendant shows up in court. A new court date will then be set on calendar.

Dismissal Without Leave After Deferred Prosecution

Charges dismissed after specified time (90 days to 1 year) provided certain conditions have been met such as participating in specified program of anger control or drug counseling or providing community service, etc.

Dismissed Creditor Judgment

When a consumer files a bankruptcy, the judge may decide to not allow the consumer to continue with the bankruptcy. If the judge rules against the petition, the bankruptcy is known as dismissed.

Disposed/Disposition

The final settlement in the matter. Examples of disposed cases are those with a finding of guilt (conviction), innocence, or acquittal.

Dispute

If a consumer believes an item of information on their credit report is inaccurate or incomplete, they may challenge, or dispute the item. Credit Bureaus will investigate and correct or remove any inaccurate information or information that cannot be verified.

Diversion Program

To set aside. A court direction which calls a defendant, who has been found guilty, to attend a work or educational program as part of probation. May include some type of anger management, drug rehab, etc. If the condition of program is met, charge may be considered non-conviction.

Diversity of Citizenship

A crime or claim which extends between citizens of different states. This is one of the grounds that can be used to invoke the jurisdiction of the US. Federal District Court.

Docket Record

A court’s official record of proceedings and calendar of upcoming cases.

DOT, The Department of Transportation

These terms encompass all DOT agencies, including, but not limited to, the United States Coast Guard (USCG), the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Research and Special Programs Administration (RSPA), and the Office of the Secretary (OST). These terms include any designee of a DOT agency.

Driving While Intoxicated

Operating a motor vehicle while under the influence of alcohol or drugs. Complete intoxication is not required. Individual state statutes specify the blood alcohol content at which a person is presumed to be under the influence of intoxicating liquor.

Drug Testing (DOT-Mandated)

The drugs for which tests are required under this part and DOT agency regulations are marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates.

Due Diligence

A reasonable and expected measure of attention taken for a particular action. Not measurable by an absolute standard, but dependent on the situation.

Due Process of Law

Procedures followed by law enforcement and courts to insure the protection of an individual's rights as assigned by the Constitution.

E

ECOA

Standard abbreviation for Equal Credit Opportunity Act.

Embezzlement

The taking of another's money or property by one entrusted with its possession, usually through employment.

Employee

Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under this part, the term employee has the same meaning as the term "donor" as found on CCF and related guidance materials produced by the Department of Health and Human Services.

Employer

A person or entity employing one or more employees (including an individual who is self-employed) subject to DOT agency regulations requiring compliance with this part. The term includes an employer's officers, representatives, and management personnel. Service agents are not employers for the purposes of this part.

End-User

The business that receives the report for decision making purposes that meet the permissible purpose requirements of the FCRA.

Equal Employment Opportunity (EEO)

A system of employment practices regulated by the EEOC under which individuals are not excluded from any participation, advancement, or benefits due to race, color, religion, sex, national origin, or any other action that cannot lawfully be the basis for employment actions.

Equal Employment Opportunity Commission (EEOC)

The federal agency responsible for administration of several statutes that prohibit discrimination; has power to subpoena witnesses, issue guidelines that have the force of law, render decisions, provide technical assistance to employers, and provide legal assistance to complainants.

Equifax

One of the three national credit reporting agencies, headquartered in Atlanta, Ga. The other two are Experian and TransUnion.

Ex parte

A proceeding brought before a court by one party only, without notice to or challenge by the other side.

eRecruiting

Recruiting methods that take place via the Internet.

Error Correction Training

Training provided to BATs, collectors, and screening test technicians (STTs) following an error that resulted in the cancellation of a drug or alcohol test. Error correction training must be provided in person or by a means that provides real-time observation and interaction between the instructor and trainee.

Evidential Breath Testing Device (EBT)

A device approved by NHTSA for the evidential testing of breath at the .02 and .04 alcohol concentrations, placed on NHTSA's Conforming Products List (CPL) for "Evidential Breath Measurement Devices" and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program.

Extended Workforce

The portion of a company's workforce made up of temporary employees, vendor employees and independent contractors.

Ex Parte

On one side only. When an act is one for one party only. For example, in an Ex parte proceeding, only one party to the case is heard.

Experian

One of the three national credit reporting agencies, with US. headquarters in Costa Mesa, CA. The other two are Equifax and TransUnion.

Expunge/Expunged

When a record of an offense is expunged it will not appear on a released criminal history. The record may be destroyed or sealed after a certain period of time. Records may be expunged in juvenile cases, or upon satisfactory completion of a court-ordered probation and/or class(s).

Extortion

Obtaining another's property by actual or threatened force, fear or violence.

Extradition

The surrender of an individual accused or convicted of a crime by one state to another.

F

Fair Credit and Charge Card Disclosure Act

Amendments to the Truth In Lending Act that require the disclosure of the costs involved in credit card plans that are offered by mail, telephone or applications distributed to the general public.

Fair Credit Billing Act

Federal legislation that provides a specific error resolution procedure to protect credit card customers from making payments on inaccurate billings.

Fair Credit Reporting Act (FCRA)

Federal legislation governing the actions of credit reporting agencies.

Fair Debt Collection Practices Act (FDCPA)

Federal legislation prohibiting abusive and unfair debt collection practices.

Federal Courts

The courts of the United States.

Felonious

Describing an offense that is done with malicious, villainous criminal intent. ie; felonious assault.

Felony

A serious offense carrying a penalty of incarceration from one year to life in a state prison, to the death penalty.

Felony Conversion (Fraudulent Conversion)

Similar to embezzlement or theft. An example of felony conversion is if someone sold goods for a company, and kept the money instead of turning it in to the company. (North Carolina)

Finance Charge

Amount of interest. Finance charges are usually included in the monthly payment total.

Fixed Rate

An annual percentage rate that does not change.

Forcible Entry

Entering or taking possession of property with force, threats or menacing conduct.

Fraud

A broad term used to cover all kinds of acts. Generally, fraud is the commission of an act with the goal to benefit or gain advantage at another's expense. A purposeful misrepresentation with the intent to deceive.

G

Generation Identifier

Generation identifiers are Jr., Sr., II, III, IV, etc.

Geographical Code

This information is received from the Census Bureau and represents the state, Metropolitan Statistical Area, county, tract and block group of the reported address. This code is similar to a ZIP code.

Grace Period

The time period you have to pay a bill in full and avoid interest charges.

Grand Jury

A body of persons with the authority to investigate and accuse, but not to try cases. The grand jury will listen to and review evidence to see if there is sufficient grounds to bring an individual to trial.

Grand Larceny

The theft of property over a specified value. Dollar amounts vary by state.

Gross

Flagrant, out of measure.

Gross Misdemeanor

Serious misdemeanor.

Guarantor

Person responsible for paying a bill.

Guilt/Guilty

Final disposition. Having committed a crime.

H

Habeas Corpus

A proceeding where a prisoner challenged the lawfulness of his or her imprisonment; refers to the constitutionality of the imprisonment.

Habitual Violator

To have committed the same offense three times. Can also be charged as a habitual offender.

HHS

The Department of Health and Human Services or any designee of the Secretary, Department of Health and Human Services.

High Balance

The highest amount that you have owed on an account to date.

Hijacking

To take control of a vehicle by intimidation, force or threatened force. Also, the theft of goods while in transit, as when transported in trucks.

Homicide

The killing of another human being. "Justifiable homicide" occurs in cases such as during the enforcement of law, and/or occurs without evil intent. "Excusable homicide" may occur by accident or in self-defense. "Felonious homicide" is the killing of another without justification. This type has two degrees; manslaughter and murder, depending on circumstances or intent. See Manslaughter; Murder.

Hung Jury

A hung jury is one in which all jurors cannot reach a consensus required for a verdict.

I

Illicit

Prohibited or unlawful.

Incendiary

One who intentionally set fires, Arsonist.

Incorrigible

One who is incapable of reform.

Indictment

A formal, written accusation made by the grand jury.

Infraction

Violation of local ordinance or state statute usually resulting in a fine or limited period of incarceration. Term usually used in traffic offenses.

Initial Drug Test

The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Validity Drug Test

The first test used to determine if a specimen is adulterated, diluted, or substituted.

Injunction

A court order which prohibits a person from doing a specified act for a specified period of time.

Installment Credit

Credit accounts in which the debt is divided into amounts to be paid successively at specified intervals.

Intent

The frame of mind or attitude of the person at the time an act was committed. See Culpability.

Intoxicates, Intoxication

Reduction of physical or mental capabilities caused by the ingestion of an intoxicating substance such as alcohol or drugs.

Investigation Dispute

The process a consumer credit reporting agency goes through in order to verify credit report information disputed by a consumer. The credit grantor who supplied the information is contacted and asked to review the information and report back; they will tell the credit reporting agency that the information is accurate as it appears, or they will give us corrected information to update the report.

Investigative Consumer Reports

These are consumer reports that are usually done for background checks, security clearances and other sensitive jobs. An investigative consumer report might contain information obtained from a credit report, but it is more comprehensive than a credit report. It contains subjective material on an individual's character, habits and mode of living, which is obtained through interviews of associates.

Involuntary Bankruptcy

A petition filed by certain credit grantors to have a debtor judged bankrupt. If the bankruptcy is granted, it is known as an involuntary bankruptcy.

Involuntary Dismissal

Dismissed due to lack of prosecution or lack of evidence.

Item-Specific Statement

Offers an explanation about a particular trade or public record item on your report, and it displays with that item on the credit report.

J

Judgment Granted

The determination of a court upon matters submitted to it. A final determination of the rights of the parties involved in the lawsuit.

Judgment

The final decision of the court regarding a claim or case.

Jurisdiction

The power of a court to question facts, apply law, make decisions and judgments.

Jury Trial

The determination of a case by a jury.

K

Kidnapping

Taking and carrying away a person by force, fraud, threats or intimidation. Unlawfully confining a person for a substantial period of time in an isolated place.

L

Laboratory

Any US. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part. (The HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs are available on the internet at: <http://www.health.org/workplace/> or from the Division of Workplace Programs, 5600 Fishers Lane, Rockwall II Building, Suite 815, Rockville, MD 20857.)

Larceny

The unlawful taking of another person's property. Larceny is commonly classified as "petty" or "grand" depending on the value of the property. Dollar values to establish classifications of "petty" and "grand" may vary from state to state.

Last Reported

On the credit report, the date the creditor last reported information about the account.

Legal Malice

An act, committed without just cause or excuse, intended to inflict harm or cause death.

Lewd and Lascivious

Obscene, indecent.

Liability Amount

Amount for which you are legally obligated to a creditor.

Libel

Defamation of another person through print, pictures, or signs.

Lien

Legal document used to create a security interest in another's property. A lien is often given as a security for the payment of a debt. A lien can be placed against a consumer for failure to pay the city, county, state or federal government money that is owed. It means that the consumer's property is being used as collateral during repayment of the money that is owed.

Line of Credit

In open-end credit, the maximum amount a borrower can draw upon or the maximum that an account can show as outstanding.

Lis Pendens

A pending suit.

Location Number

The book and page number on which the item is filed in the court records.

M

Magistrate

Public officials, including judicial officers who have limited jurisdiction in criminal cases and civil causes.

Mail Fraud

The use of the mail system to commit a fraud.

Malice Aforethought

Planning to commit an unlawful act without just cause or excuse.

Manslaughter

The unpremeditated killing of a person. Can be voluntary or involuntary, determined by circumstances. The feature distinguishing involuntary manslaughter from voluntary is the absence of intent to cause death or commit an act that might be expected to produce death or harm. Voluntary manslaughter is homicide that is committed during an act in the heat of passion.

Mayhem

The intentional infliction of injury on another which causes amputation, disfigurement or impairs the function of any part of the body.

Medical Review Officer (MRO)

A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.

Merged

Judgment is merged into another related charge/judgment.

Misdemeanor

A crime that is less serious than a felony for which the punishment is usually imprisonment for one year or less.

Mistrial

A trial which is terminated or declared invalid. Reasons for mistrial include misconduct on the part of the jury, defense team or the court, or illness on the part of the judge, jury or defendant. May be followed by a retrial on the same charges.

Mortgage Identification Number (MIN)

Indicates that a loan is registered with Mortgage Electronic Registration Systems Inc., which tracks the ownership of mortgage rights. This number will follow the homeowner throughout the mortgage.

Most Recent Date

The date of the recent account condition or payment status. This date is also the balance date.

Murder

Unlawful killing with malice aforethought. Murder is willful, deliberate and premeditated, or done during the commission of a crime. This classification of crime is generally divided by degrees, murder in the first degree and murder in the second degree, for the purpose of imposing penalties.

N

Negative Drug Test Result

The MRO makes a "Negative" determination, completes Step 6 on Copy 2 of the CCF, and reports the "Negative" result to the employer. If a laboratory also marked the dilute box, the MRO verifies the test result as "Negative," marks the dilute box, and informs the employer that the next time the donor is selected for a drug test the employer may require the specimen to be collected under direct observation because the specimen was dilute. Note: A comment indicating that the specimen was dilute does not affect the validity of a "Negative" test result.

Negligence

Flagrant and reckless disregard of the safety of others. Willful indifference.

Negotiated Plea

See Plea Bargain.

No Bill or No True Bill

The decision by a grand jury that it will not bring indictment against the accused on the basis of the allegations and evidence presented by the prosecutor.

No Contest

A plea in which the defendant does not contest the charge. This has the same effect as a guilty plea except the conviction cannot be used against the defendant in a civil suit.

No Papered

Charges were not pursued. (This is a legal term in Washington, D.C.)

No Probable Cause

There was not sufficient reason to bring case to trial.

Nolle Pros or Nolle Prosequi

Latin phrase used by the district attorney or plaintiff when they do not wish to prosecute or proceed with the action. The defendant can be re-indicted and prosecuted again.

Nolli Illigimi Carborundum

Latin phrase loosely translated, "Hang in there."

Nolo Contendre

Latin phrase used by a defendant to say "I do not wish to contest." This plea in a criminal case has the legal effect of pleading guilty. See No Contest.

Nonsuit

A judgment ordered by the court against a plaintiff who fails to proceed to trial.

Notice of Results

If your investigation results in information being updated or deleted, you may request that we send the corrected information in your credit history to eligible credit grantors and employers who reviewed your information within a specific period of time. If your investigation does not result in a change to your credit history, results will not be sent to other lenders.

O

Obsolescence

A term used to describe how long negative information should stay in a credit file before it's not relevant to the credit granting decision. The FCRA has determined the obsolescence period to be 10 years in the case of bankruptcy and 7 years in all other instances. Unpaid tax liens may remain indefinitely, although most Credit Bureaus remove them after 15 years.

Obtain Property under False Pretense

The misrepresentation of the value of something. Passing a bad check.

Office of Drug and Alcohol Policy and Compliance (ODAPC)

The office in the Office of the Secretary, DOT, that is responsible for coordinating drug and alcohol testing program matters within the Department and providing information concerning the implementation of this part.

Opt In

The ability of a consumer who has opted out to have their name re-added to prescreened credit and insurance offer lists, direct marketing lists and individual reference service lists. Consumers who have previously opted out of receiving prescreened offers may have their names added to prescreened lists for credit and insurance offers by calling 1 888 5OPTOUT (1 888 567 8688).

Opt Out

The ability of the consumer to notify credit reporting agencies, direct marketers and list compilers to remove their name from all future lists. Consumers may opt out of prescreened credit and insurance offer lists by calling 1 888 5OPTOUT (1 888 567 8688).

Original Amount

The original amount owed to a creditor.

P

Pander

To provide products or services that cater to the sexual gratification of others. To entice another into prostitution.

Parole

To release from confinement after serving part of a sentence, usually with terms and conditions provided in the parole order.

Parole Violation

An act that does not conform to the terms of parole.

Payment Status

Reflects the previous history of the account, including any delinquencies or derogatory conditions occurring during the previous seven years. (i.e., Current account, delinquent 30, current was 60, redeemed repossession, charge-off – now paying, etc.)

Perjury

Intentionally making a false statement under oath.

Permissible Purposes

There are legally defined permissible purposes for a credit report to be issued to a third party. Permissible purposes include credit transactions, employment purposes, insurance underwriting, government financial responsibility laws, court orders, subpoenas, written instructions of the consumer, legitimate business needs, etc.

Personal Information

Information on your personal credit report associated with your records that has been reported to us by you, your creditors and other sources. It may include name variations, your driver's license number, Social Security number variations, your date or year of birth, your spouse's name, your employers, your telephone numbers, and information about your residence.

Personal Statement

You may request that a general explanation about the information on your report be added to your report. The statement remains for two years and displays to anyone who reviews your credit information.

Petition

If a consumer files a bankruptcy, but a judge has not yet ruled that it can proceed, it is known as bankruptcy petitioned.

Plaintiff

One who initially brings legal action against another (defendant) seeking a court decision.

Plea Bargain

A plea of guilt to a lesser offense in return for a lighter sentence.

Plea

The defendant's formal answer to a charge.

Positive Drug Testing Result

The MRO interviews the donor. If the donor is unable to provide a valid alternative medical explanation, a positive laboratory test result is determined as a "Positive" by the MRO. If the donor provides a valid alternative medical explanation, the MRO reports the test result as "Negative." The MRO completes Step 6 on Copy 2 of the CCF and reports the appropriate result to the employer.

Potentially Negative Items

Any potentially negative credit items or public records that may have an effect on your creditworthiness as viewed by creditors.

Prayer for Judgment, 1st Offense (NC)

Asking the court to give leniency. No finding of guilt by the court.

Pre-Sentence Investigation (PSI)

Usually conducted by a probation officer after a plea or verdict of guilt. Done before sentencing and includes information about the defendant's criminal history and personal background.

Pretrial Intervention

An extensive background check to help determine if charges will be pressed.

Primary Specimen

In drug testing, the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section.

Probable Cause

Degree of proof needed to arrest.

Probation Before Judgment (PBJ)

Violation of probation terms may result in an entry of a conviction.

Probation

Relief of all or part of a sentence on the promise of proper conduct.

Public Record Data

Included as part of the credit report, this information is limited to tax liens, lawsuits and judgments that relate to the consumer's debt obligations.

Q

Qualification Training

The training required in order for a collector, BAT, MRO, SAP, or STT to be qualified to perform their functions in the DOT drug and alcohol testing program. Qualification training may be provided by any appropriate means (e.g., classroom instruction, internet application, CD-ROM, video).

Quash/Quashed

Declined to prosecute but with the option to reopen the case.

R

Racketeering

An organized conspiracy for the purpose of committing crimes of extortion or coercion.

Rape

Sex without consent. May be forcible or by intoxication, with a person who is underage and unable to give consent, or with a person with diminished mental and/or physical capabilities.

Recent Balance

The most recent balance owed on an account as reported by the creditor.

Recent Payment

The most recent amount paid on an account as reported by the creditor.

Reckless Endangerment

An act that does or could cause injury to another, not necessarily with intent.

Refresher Training

The training required periodically for qualified collectors, BATs, and STTs to review basic requirements and provide instruction concerning changes in technology (e.g., new testing methods that may be authorized) and amendments, interpretations, guidance, and issues concerning this part and DOT agency drug and alcohol testing regulations. Refresher training can be provided by any appropriate means (e.g., classroom instruction, internet application, CD-ROM, video).

Refused

Charges were not accepted by the District Attorney's Office.

Released

This means that a lien has been satisfied in full.

Remand

To return an individual to custody pending further trial, or to return a case from an appellate to a lower court for further proceedings.

Reported Since

On the credit report, the date the creditor started reporting the account to the Credit Bureaus.

Repossession

A creditor's taking possession of property pledged as collateral on a loan contract on which a borrower has fallen significantly behind in payments.

Request an Investigation

If you believe that information on your report is inaccurate, we will ask the sources of the information to check their records at no cost to you. Incorrect information will be corrected; information that cannot be verified will be deleted. Credit Bureaus cannot remove accurate information. An investigation may take up to 30 days. When it is complete, we'll send you the results.

Request for Your Credit History

When a credit grantor, direct marketer or potential employer makes a request for information from a consumer's credit report, an inquiry is shown on the report. Grantors only see credit inquiries generated by other grantors as a result of an application of some kind, while consumers see all listed inquiries including prescreened and direct marketing offers, as well as employment inquiries. According to the Fair Credit Reporting Act, credit grantors with a permissible purpose may inquire about your credit information prior to your consent. This section also includes the date of the inquiry and how long the inquiry will remain on your report.

Responsibility

Indicates who is responsible for an account; can be single, joint, cosigner, etc.

Restitution

Payment made by a defendant to victim as reimbursement for monetary losses incurred as a result of the crime.

Restraining Order

An order prohibiting a specified action until such time that a hearing on an application for an injunction can be held.

Retired (as to Disposition)

The case can be brought up within the next year if the individual is arrested for anything. It is the judge's decision and only he can take action. If the individual remains "clean," then the case can be dismissed.

Revolving Account

Credit automatically available up to a predetermined maximum limit so long as a customer makes regular payments.

RICO Act

Racketeer Influenced and Corrupt Organizations Act.

Risk Scoring Models

A numerical determination of a consumer's creditworthiness. Tool used by credit grantors to predict future payment behavior of a consumer.

S

Satisfied

If the consumer has paid all of the money the court says he owes, the public record item is satisfied.

Screening Test Technician (STT)

A person who instructs and assists employees in the alcohol testing process and operates an ASD.

Secreting Lien Property

Hiding property that has a lien filed against it.

Secured Credit

Loan for which some form of acceptable collateral, such as a house or automobile has been pledged.

Security Alert

Statement that is added once Credit Bureaus are notified that a consumer may be a victim of fraud. It remains on file for 90 days and requests that a creditor request proof of identification before granting credit in that person's name.

Security

Real or personal property that a borrower pledges for the term of a loan. Should the borrower fail to repay, the creditor may take ownership of the property by following legally mandated procedures.

Sedition

Advocating the overthrow or reform of a government by unlawful means.

Sentence

A judgment of punishment for a criminal act.

Serious Misdemeanor

Having a more severe penalty than other misdemeanors.

Service Agent

Any person or entity, other than an employee of the employer, who provides services specified under this part to employers and/or employees in connection with DOT drug and alcohol testing requirements. This includes, but is not limited to, collectors, BATs and STTs, laboratories, MROs, substance abuse professionals, and C/TPAs. To act

as service agents, persons and organizations must meet the qualifications set forth in applicable sections of this part. Service agents are not employers for purposes of this part.

Service Credit

Agreements with service providers. You receive goods, such as Electricity, and services, such as apartment rental and health club memberships, with the agreement that you will pay for them each month. Your contract may require payments for a specific number of months, even if you stop the service.

Settle

Reach an agreement with a lender to repay only part of the original debt.

Shipping Container

A container that is used for transporting and protecting urine specimen bottles and associated documents from the collection site to the laboratory.

Shy Bladder

Occasionally, a donor for drug testing is unable to provide a specimen upon arrival at the collection site because he or she either urinated recently or has a "shy bladder." Generally, the term "shy bladder" refers to an individual who is unable to provide a sufficient specimen either upon demand or when someone is nearby during the attempted urination.

The examining physician shall determine, in his or her reasonable medical judgment, that a medical condition has or, with a high degree of probability, could have precluded the employee from providing an adequate amount of urine (e.g., a urinary system dysfunction or a documented preexisting psychological disorder). An evaluation must include a review of any pertinent medical records and may include evaluative testing such as blood chemistries for kidney function or other physiologic factors likely to affect urine output.

Unsupported assertions of "situational anxiety" or dehydration are not considered valid reasons for a donor's failure to provide an adequate amount of urine when sufficient time has elapsed and fluid volume has been ingested and shall be regarded as a refusal to take a test.

The examining physician shall provide to the MRO a brief written statement describing his or her conclusion and the basis for it. The written statement shall not include detailed information on the medical condition of the donor. Upon receipt of the written statement from the examining physician, the MRO shall report his or her conclusions to the employer in writing.

Slander

Defamation verbal communication. Making false and malicious statements about another.

Solicitation

Asking, urging or enticing.

Source

The business or organization that supplied certain information that appears on the credit report.

Specimen Bottle

The bottle that, after being sealed and labeled according to the procedures in this part, is used to hold the urine specimen during transportation to the laboratory.

Split Specimen

In drug testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

Stand-Down

The practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result.

Status Closed

No further action will occur on this case; cannot be reopened at later date.

Status

On the credit report, this indicates the current status or state of the account.

Statutory Rape

Sexual activity by an adult with a person under the age of consent.

Stet

An entry on the roll in the nature of a judgment of a direction that all further proceedings shall be stayed. Suit is terminated by an act of the party, rather than by judgment.

Stricken

To eliminate or expunge.

Stricken Off Leave (SOL)

Stricken from docket with leave to reinstate or dismiss; Non conviction (legal term used in Illinois).

Substance Abuse Professional (SAP)

A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

Substituted Specimen

A drug testing specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

Suspended Sentence

Deferment of punishment usually over a period of probation.

T

Terms

This refers to the debt repayment terms of your agreement with a creditor, such as 60 months, 48 months, etc.

Theft of Services

Obtaining services without consent through deception, threat, tampering, etc.

Theft/Unauthorized

Theft by using someone else's information, credit card, check, or something similar.

Third-Party Collectors

Collectors who are under contract to collect debts for a credit department or credit company; collection agency.

Tradeline

Entry by a credit grantor to a consumer's credit history maintained by a credit reporting agency. A tradeline describes the consumer's account status and activity. Tradeline information includes names of companies where the applicant has accounts, dates accounts were opened, credit limits, types of accounts, balances owed and payment histories.

Transaction Fees

Fees charged for certain use of your credit line – for example, to get a cash advance from an ATM.

TransUnion

One of three national credit reporting agencies. The other two are Experian and Equifax.

Truncated Files

Destroyed or partially destroyed. Unable to obtain any more information.

Truth in Lending Act

Title I of the Consumer Protection Act. Requires that most categories of lenders disclose the annual interest rate, the total dollar cost and other terms of loans and credit sales.

Type

This refers to the type of credit agreement made with a creditor; for example, a revolving account or installment loan.

U

Under the Influence of Intoxicating Liquor or Drugs

Any condition where the nervous system, brain or muscles are impaired to an appreciable degree by an intoxicating substance.

Unlawful Entry

Entry without force and without permission by means of fraud or other wrongful act.

Unsecured Credit

Credit for which no collateral has been pledged. Loans made under this arrangement are sometimes called signature loans; in other words, a loan is granted based only on the customer's words, through signing an agreement that the loan amount will be paid.

Usury

Charging more interest than is permitted by law for a loan of money.

Uttering

To forge another's name.

V

Vacate (Judgment)

To make void; to cancel.

Variable Interest Rate

An annual percentage rate that may change over time as the prime lending rate varies or according to your contract with the lender.

Vehicular Homicide or Manslaughter

Death of another caused by the intentional, unlawful or negligent operation of a motor vehicle.

Venue

The geographic area where the case or claim occurred, within which a court with jurisdiction can hear and determine a case. A change of venue, or the moving of a case from one court to another may be granted for such reasons as when the court does not think the defendant can get a fair trial in that area or for the convenience of the parties in a civil case.

Verdict

The formal, final decision or finding made by a jury or judge.

Verification

Verifying whether data in a credit report is correct or not. Initiated by consumers when they question some information in their file. Credit reporting agencies will accept authentic documentation from the consumer that will help in the verification.

Verified Test

A drug test result or validity testing result from an HHS-certified laboratory that has undergone review and final determination by the MRO.

Victim Statement

A statement that can be added to a consumer's credit report to alert credit grantors that a consumer's identification has been used fraudulently to obtain credit. The statement requests the credit grantor to contact the consumer by telephone before issuing credit. It remains on file for 7 years unless the consumer requests that it be removed.

Voluntary Bankruptcy

If a consumer files the bankruptcy on his own, it is known as voluntary bankruptcy.

Voluntary Dismissal

The court or district attorney dismisses the charges against an individual.

W

Wage Assignment

A signed agreement by a buyer or borrower, permitting a creditor to collect a certain portion of the debtor's wages from an employer in the event of default.

Waiver by Magistrate

Charges are waived after the defendant agrees to pay a fine. The defendant is not prosecuted on this charge.

Waiver of Jury

The right to a jury trial is waived and the judge makes the decision of guilt or innocence.

Wanton, Reckless & Malicious

Without regard for the rights of others, indifferent to consequences to health, life or the reputation of another. Usually done without intent, but an act so unreasonable the perpetrator should know that harm would result.

Warrant

Court order authorizing a law enforcement official to arrest or perform search and seizure.

Warrant Invalidated

A warrant issued on the individual has been ruled invalid.

Weapons Offenses

The unlawful sale, distribution, manufacture, alteration, transport, possession or use of a deadly or dangerous weapon.

With Specifications

When W/S is listed after a charge, it is usually followed with a description of violence involved with the charge.

Withdrawn

This means a decision was made not to pursue a bankruptcy, a lien, etc. after court documents have been filed.

Withheld

Adjudication withheld.

Writ

A written court order, or a judicial process.

Writ of Replevin

Legal document issued by a court authorizing repossession of security.

Wrongful Entrustment

Allowing an unlicensed driver to operate a motor vehicle.

Y

Youthful Offender

Classification of youths and young adults, generally older than juveniles. In the 18 to 25 year age group, these individuals are sometimes given special sentencing consideration for the purpose of rehabilitation, sometimes through education and counseling.

Youthful Training Act

Usually a non-conviction. Used for juvenile first-time offenders. It may be reported on a criminal record. If the juvenile complies with the sentence, the case will be dropped from the record when the offender reaches adulthood.