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The Role of Digital Transformation in Improving the Judicial System in Egyptian Council of State:

An Applied Study from Comparative Perspective

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**The Role of Digital Transformation in Improving the Judicial System in the Egyptian Council of State:
An Applied Study from a Comparative Perspective**

Dr. Karem Aboelazm

Abstract:

The purpose of this paper is to present the meaning of e-justice, the most important advantages of the e-justice system, and the challenges that face its application, the system in the Egyptian economic courts, and how can the challenges of the e-justice system be overcome from the reality of international experiences. The methodology of this paper depends on mainly two methods: the descriptive-analytical method and the analysis approach. Moreover, the paper reached the most important result that the judicial system generally can be improved by using an e-justice system, particularly in the Egyptian Council of State.

Keywords: Quick justice - electronic justice - electronic litigation management

دور التحول الرقمي في تطوير النظام القضائي في مجلس الدولة المصري:

دراسة تطبيقية من منظور مقارن

الدكتور/ كريم أبو العزم

الملخص:

تسعى هذه الورقة إلى تقديم تعريف للتقاضي الإلكتروني، والعرض لأهم مزايا نظام التقاضي الإلكتروني، والتحديات التي تواجه تطبيقه. كما تسعى هذه الورقة إلى التعرف بالنظام الجديد للمحاكم الاقتصادية المصرية، وكيف يمكن التغلب على التحديات التي تواجه نظام التقاضي الإلكتروني من واقع التجارب الدولية. كما اعتمدت هذه الورقة على منهجين أساسيين هما: المنهج الوصفي التحليلي ومنهج تحليل المضمون. كما توصلت هذه الورقة إلى نتيجة مهمة تتمثل في إمكانية تحسين النظام القضائي باستخدام نظام التقاضي الإلكتروني بصفة عامة، وفي مجلس الدولة المصري بصفة خاصة.

الكلمات الرئيسية: العدالة الناجزة - التقاضي الإلكتروني - الإدارة الإلكترونية

للدعاوى.

Introduction

The improvement of information and communication technology led to producing the international information network known as the Internet. This affected all elements of life at all levels of economic, political, administrative as well as social.

Moreover, information and communication technology has facilitated the interaction between legal persons, it facilitated the dealings of public law persons and private law persons alike they were natural or legal persons, as well as facilitated transactions between the people inside society. This led to the emergence of e-government thus the transition of most individuals' dealings with the government in all fields from a traditional transaction to a remote digital electronic technological transaction, and this appeared in many areas such as GFMIS⁽¹⁾, E- Payment⁽²⁾, E-Commerce⁽³⁾, E-Public Procurement⁽⁴⁾, and other areas relating to the interaction of individuals with the government.

Considering the remarkable development in the field of «e-government», he drew attention to the need for the judiciary in most countries of the world in general, and in Egypt in particular, to move from traditional to electronic dealing.

Moreover, achieving prompt justice is one of the most important issues raised in the international society, increasingly and unprecedented, given the slow pace of litigation procedures in many countries and the accumulation of cases in different courts, and the delay in adjudication, which may significantly affect social and security life, as it may result from Postponing and delaying the settlement of lawsuits leads to the emergence of some problems that

(1) Government Financial Management Information System.

(2) Electronic Payment.

(3) Electronic Commerce.

(4) Electronic Public Procurement, for more details in Electronic Public Procurement in South Korea, Italy, and Egypt, see: Karem Aboelazm, *Reforming Public Procurement System: An Applied Study from Comparative Perspective*, Cairo: Arab Administrative Development Organization, First Edition, 2020.

may lead some opponents to resort to violence, which directly leads to the emergence of crimes and the spread of corruption in high rates significantly.

In light of these repercussions, the matter has increased to demand the introduction of electronic and technological tools as a potential mediator in order to achieve prompt justice and eliminate the phenomenon of accumulating cases in the courts and delaying adjudication, which led to the intervention of the Egyptian legislator and the issuance of a legislative amendment that allows to use technology in the judicial system, but not on the level of all courts, but rather at the level of economic courts, and that was by issuing Law No. 146 of 2019 to amend some provisions of the Law on the establishment of Economic Courts Law No. 120 of 2008, which is hoped to create a system that greatly enjoys some principles of governance such as transparency and integrity, as well as achieving efficiency effectiveness in the litigation process, which helps in achieving many of the state's social and economic goals, such as reducing crimes and corruption rates, as well as attracting investment and achieving high growth and employment rates.

The main reason for attracting foreign investors to invest in any country is the extent to which the judicial system can finish disputes in the shortest possible time and the extent to which this system has sufficient guarantees that qualify it to implement this. Also, the electronic litigation system (E-Justice) is one of the most important tools of the modern and sophisticated judicial system that help to adjudicate lawsuits as quickly as possible in an effective manner that ensures the achievement of prompt justice.

E-Justice is characterized by many advantages and benefits, whether at the state level in general or at the level of the judicial administration itself. on the other hand, many challenges and barriers must be overcome to make

the e-Justice system successful, which is what this study will try to provide in addition to appropriate solutions and suggestions for trying to overcome.

The Research Questions

The main question is: How does the E-Justice contribute to achieving prompt justice in general? and in the economic courts of Egypt in particular? and how will the Council of State benefit from this system in the future?

The other questions are:

- 1) What is e-justice?
- 2) What are the most important advantages of the e-justice system and the challenges that face its application?
- 3) What is the system in the Egyptian economic courts?
- 4) How can the challenges of the e-justice system be overcome from the reality of international experiences? And the extent of the possibility of this assistance in developing the litigation system in the Egyptian Council of State considering the experience of the economic courts?

Methodology

In this research, the descriptive-analytical method was relied upon for monitoring and analyzing the concept of e-justice and identifying its most important advantages as well as the challenges facing the application of this system. The content analysis approach was also used in analyzing the legal framework governing the electronic litigation system in the Egyptian economic courts, according to law No. 146 of 2019 amending some provisions of the Law Establishing Economic Courts promulgated by Law No. 120 of 2008, and finally, reliance on the comparative approach to compare the cases of Malaysia, Singapore, China, France, and America in their use of the electronic litigation system.

The Outline

This paper is divided into five sections as follow:

Section One. What is the E-Justice?

Section Two. The advantages and disadvantages of the E-Justice.

Section Three. International experiences and practices in the field of applying the E-Justice.

Section Four. The application of the E-Justice in Egypt.

Section Five. The E-Justice and the future of the Egyptian Council of State.

Section One. What is the E-Justice?

Recently, the concept of e-justice became popular as one of the important changes in the legal and judicial field resulting from technological progress as well as the repercussions of the era of globalization⁽¹⁾. This system has emerged due to the desired positive repercussions of information technology in general and on the litigation system, through the optimal use of time by adopting advanced procedures characterized by speed, transparency, and integrity to achieve justice in the shortest possible procedures and the fastest ways as well, which is called It has the term “prompt justice”⁽²⁾.

Considering the pursuit of defining the nature of e-Justice, it is necessary first to define the e-Justice system, and then present the characteristics of this system through the following two points:

(1) The first experience of finding a settlement for disputes through electronic judiciary dates back to 1996 when the Judicial Law Institute, the American Arbitration Association, the National Center for Informatics Research and the Center for Law and Databases managed and supervised the Virtual Judge Program, and the main objective of it was to give quick solutions to Internet-related disputes through a mediator represented in: A neutral judge who is an expert in arbitration and the laws governing Internet activities or the Electronic Judicial Law, and this goal is achieved by sending the Internet user his complaint to that body by e-mail, after which the commission selects a neutral judge to decide the dispute, and the judge’s decision is devoid of legal value Unless the parties accept it, and this service is free of charge, see Saleh Al-Manzalawi, *The Law Applicable to E-Commerce Contracts*, Alexandria: Al-Dar El-Gamaya El-Gadida, 2008, pp. 163-164.

(2) Safwan Muhammad Shdeifat, *Remote Investigation and Criminal Trial via Videoconference Technology*, University of Jordan, Deanship of Scientific Research, Studies, Sharia and Law Sciences, Volume 41, Issue 1, 2015, p. 353.

1. The Conceptual Framework for E-Justice

The idea of e-justice is largely derived from the two ideas of e-government as well as e-governance⁽¹⁾, which relies on providing services to the community of beneficiaries through the Internet by using information technology, instead of the traditional way in which services are provided.

The most famous definition for e-justice is “An authority for a specialized group of statutory judges to consider the case and initiate judicial procedures - by electronic tools developed within the information system or systems integrated with all parties, adopting the approach of international interconnection technology (the Internet) and electronic files - by considering the case and adjudicating it and implementing the judgments to reach a quick settlement of the cases facilitating the litigants”⁽²⁾.

Also, e-justice defines as the “Use of ICT to improve citizens’ access to justice and effective judicial procedures, which consist of settling disputes in its various forms and ending with the imposition of criminal penalties”⁽³⁾.

There is another definition for e-justice which is “Using digital documents, images, recordings, computer animations, simulations, video evidence, audio, and video media hearings, as well as the electronic filing and copying system”⁽⁴⁾.

(1) For more details on e-government and e-governance, see:

Eman Abdel-Fattah, *The Restriction of Administrative Corruption Practices in the Light of E-Government Applications*, Annual General Conference: Towards a National Anti-Corruption Strategy, Cairo: Arab Administrative Development Organization, July 2010.

Alia Abdel Hamid Aref, *E-Government: Concept and Challenges with Application to the Egyptian Experience*, Journal of Administrative Research, Volume 25, Issue 2, April 2007.

Barry Abdel Latif, *The Role and Status of E-Government in the Most Important Arab Experiences*, Mohamed Khider University of Biskra, Faculty of Law and Political Science, Al-Fikr Magazine, Issue 9, May 2013.

(2) Hazem Muhammad Al-Sharaa, *Electronic Litigation, and Electronic Courts*, Jordan: Dar El-Thakafa, 2010, p. 57.

Ismat Abdel Majid Bakr, *Scientific Techniques in the Evolution of the Decade*, Beirut: Dar Al-Kutub Al-Ilmiyya, 2015, p. 514.

(3) Roza Liz Chamorro Ibarrola, *Analysis of ICT in the strategic Modernization Programme of the Paraguayan Supreme Court*, Thesis for the Degree of Master of Public Administration, South Africa, University of Stellenbosch, March 2012, pp. 47-50.

(4) Wan Satirah Wan Mohd Saman and Abrar Haider, *The Implementation of Electronic Records Management System: A Case Study in Malaysian Judiciary*, The Seventeenth Americas Conference on Information Systems, Detroit, Michigan, August 4th – 7th 2011, pp. 1-3.

Moreover, e-justice is “Obtaining judicial protection through the use of ICT throughout technical procedures that ensure the achievement of the principles and guarantees of litigation, in the light of legislative protection for those procedures following the general rules and principles in the civil and commercial procedures law, taking into account the special nature of electronic tools”⁽¹⁾.

Besides, e-justice is defined as “The process of electronically transferring litigation documents to the court via e-mail, where these documents are examined by the competent employee and a decision is issued regarding acceptance or rejection and a notification is sent to the litigants, noting what has been done regarding these documents”⁽²⁾.

This system is the authority of the competent judicial court to settle the dispute electronically before it through the international Internet and by relying on electronic systems and ultra-modern technical mechanisms to speed up the settlement of disputes and facilitate the litigants. It is a technical system that allows litigants to register their case, present their evidence, and attend court sessions in preparation for reaching and implementing the judgment, all through electronic tools of communication, which is part of an ICT system that enables judges to contact litigants without their presence and to initiate litigation and its procedures through this system, also this system is transparent and quick to obtain information⁽³⁾.

All these previous definitions agreed on the technological or technical aspect used in the litigation process, but they differed about what technologies will be used in judicial procedures.

In terms of technology, some are referring to use electronic tools without specifying what these tools are, and some have been exposed to this and

(1) Asaad Fadel Mandeel, Remote Litigation: A Legal Study, University of Kufa, College of Law, Kufa Journal of Legal and Political Sciences, Volume 7, Issue 21, 2014, p. 4.

(2) Khaled Mamdouh Ibrahim, Electronic Litigation: The Electronic Case and Its Procedures Before the Courts, Alexandria: Dar Al-Fikr Al-Jamii, 2008, p. 13.

(3) Asaad Fadel Mandeel, Op.Cit, p. 4.

decided to use the Internet in addition to these electronic tools, and others have added to these two means and referred to recorded videos, recordings, and animations.

In terms of judicial procedure, some refer in general to all kinds of procedures, and some specify the use of ICT in evidence, and some refer to the use of ICT in registering lawsuits, keeping files, and copying them electronically.

The e-justice can be defined as the judicial system that allows litigants to submit their case electronically through a secure system that accommodates all litigation procedures, starting from submitting, examining, and adjudicating the case, and ending with the implementation of the judgment issued in it electronically, based on ICT, without the need for the opponents or their lawyers to attend the different courtrooms.

2. The Characteristics of the E-Justice System

The E-Justice system has many characteristics that distinguish it from the traditional system in litigation, and these characteristics can be presented as follows:

2.1. Shifting from the paper system to the electronic digital system (Paperless)

The E-Justice system is characterized by its non-use of paper files so that the electronic digital system is used in all procedures and announcements between the parties to the dispute, and this is of course consistent to create various electronic applications⁽¹⁾. Therefore, the e-media will permanently replace the paper system so that the e-mail message will become the legal document that is reliable between the two parties to the litigation if it arises, and it is also considered one of the most important pieces of evidence of electronic proof⁽²⁾.

(1) Khaled Mamdouh Ibrahim, Op.Cit, p. 36

(2) Hadi Hussein Al-Kaabi, Nassif Jassim Mohammed Al-Karaawi, The concept of remote litigation and its requirements, Al-Muhaqqiq Al-Hilli Journal for Legal Sciences, Year 8, Issue 1, 2016, p. 284.

2.2. Simplify litigation procedures

The E-Justice system contributes to simplifying litigation procedures and removing embarrassment from those who may face many difficulties in attending the litigation headquarters and confronting judges and litigants, in addition to the clarity of procedures on the e-portal dedicated to the litigation process, which contributes significantly great in overcoming the complex judicial procedures that exist in the traditional court system by moving from file-keeping rooms to the clerk's registry, then to the bailiffs' registry, then to the schedule and many other procedures that constitute a great burden at present due to the huge increase in the number of cases filed before the courts as well as the increase in the number of litigants Significantly and noticeably lately⁽¹⁾.

2.3. The quick of submitting lawsuits, submitting documents and memoranda, and responding to them

One of the most important objectives of the E-Justice system is quick of submitting and adjudicating cases, and this electronic system would save lawyers the time and effort spent in submitting the case by avoiding going to the court to submit the case, as it is sufficient for lawyers to enter the dedicated e-portal, Therefore, at any time during the week, there are no specific working hours for submitting cases according to this system, and therefore documents can be submitted to the court twenty-four hours a day and seven days a week, thus enabling litigants not to delay the consideration of their case due to holidays and vacations official⁽²⁾.

In addition to submitting the lawsuit on the electronic system designated for this, it is also possible to submit any documents related to the lawsuit

(1) Abdul Aziz bin Saad Al-Ghanim, *Electronic Court: A Comparative Rooting Study*, Riyadh: Naif University Publishing House, 2017, p. 206.

(2) Gary P. Johnston and David V. Bowen, *The Benefits of Electronic Records Management Systems: A General Review of Published and Some Unpublished Cases*, *Records Management Journal*, 2005, Volume 15, Issue 3, pp. 131-140.

through this system, especially defense memoranda and memoranda of response to the litigants and announcing each litigant of that through this electronic system, all without the need to transfer of the litigants or any of the parties to the case to the court⁽¹⁾.

2.4. Achieving efficiency and effectiveness⁽²⁾ in the judicial administration

The efficiency and effectiveness in the administration of justice or the judicial administration are to complete the cases in the shortest possible time and with the highest quality, if prompt justice is reached that does not take years in litigation, as well as that there are outputs of achievement represented in the few errors that can mar the litigation process, and that through the e-Justice system.

To achieve efficiency and effectiveness in the judicial administration, two main pillars ensure access to this, namely: reducing the process of handling and storing paper files of cases and thus reducing the places where these files are stored (court archive). And the high levels of preserving these files from theft, fraud or forgery, helps to refer to these files easily and with a process with a specific methodology, which helps to solve many problems related to preservation, registration, classification, and retrieval⁽³⁾.

(1) Zaiton Hamin, B. Pthman and Mohd Noor Ashiah, ICT Adoption by The Malaysian High Courts: Exploring the Security Risks Involved, International Conference on Innovation Management and Technology Research, 2012, pp. 285-289.

Roza Liz Chamorro Ibarrola, Op.Cit, pp. 99-103.

Rusnah Johare, Nurussobah Hussin and Adnan Jamaludin, Management of Cour Records: Functional Requirements Framework for Electronic Record Keeping System, Asia Pacific Conference Library & Information Education & Practice, 2011, p.482.

(2) The terms efficiency and effectiveness are the most important terms in management science generally in all its different branches and types. For more details on the previous two terms, see:

Attia Hussein Effendi, Principles of Management, Cairo University, Faculty of Economics and Political Science, third edition, 2011. Diana Marieta MihaiuAlin, Alin Opreana, Marian Pompiliu Cristescu, Efficiency, Effectiveness and Performance of the Public Sector, Romanian Journal of Economic Forecasting, January 2010, Volume 13, Issue 4, pp.132-147.

(3) Linh Thuy Nguyen, Paula M. C. Swatman and Bardo Fraunholz, Australian Public Sector Adoption of EDRMS: a Preliminary Survey, 19th Australasian Conference on Information Systems, New Zealand: Christchurch, 3rd – 5th December 2008, pp. 2-4.

Philipp Wilhem, An Evaluation of Moreqz in the Context of National EDRMS Standard Development in the UK and Europe, Record Management Journal, 2009, Volume 19, Issue 2, pp. 117-134.

Linh Thuy Nguyen, Paula M. C. Swatman and Duncan Holt, Achieved and Tangible Benefits: Lessons Learned from a Landmark EDRMS Implementation, Record Management Journal, 2009, Volume 19, Issue 1, pp. 37-53.

2.5. Raising the quality of services provided to the litigants

Delivering the judicial service electronically in all its stages means trying to reach the beneficiaries instead of forcing them to come to it. The cost of reaching the beneficiaries will become low due to the availability of this service to the public at the same time, which means that the beneficiaries' access to the litigation service will become faster and more convenient and the lowest cost for these beneficiaries⁽¹⁾. Moreover, one of the pillars of raising the quality of the litigation service among the beneficiaries is that it will pay the lawsuit fees electronically instead of the regular cash payment⁽²⁾.

The e-justice system helps reduce the problems of crowding of the public in the courts and raise the quality of service provided to the litigants, by reducing the space of file storage places in the courts, raising the efficiency and effectiveness of the work cycle, and linking case information between different courts, all of which would improve performance employees and increase their productivity, all through the presence of programs and electronic media that allow this⁽³⁾.

Section Two. The advantages and disadvantages of the E-Justice

There are many advantages to the e-justice system, which motivates many countries to adopt and issue the laws and applications necessary to work with this system. On the other hand, this system may have some defects, which those in charge of applying, implementing, and operating the e-Justice system must have to avoid and treat these defects, but also to put guarantees to ensure that they do not fall into them, and considering this, the most important advantages and disadvantages of the e-Justice system will be presented through two points as follows:

(1) Alia Abdel Hamid Aref, Op.Cit, p. 115.

(2) Osmani Laila, The Electronic Litigation System as a Mechanism for the Success of Development Plans, Al-Fikr Journal, No. 13, p. 218.

(3) Hadi Hussein Al-Kaabi, Nassif Jassim Mohammed Al-Karaawi, Op.Cit, p. 288.

1. Advantages of applying the e-Justice system

The application of the e-Justice system in many countries has shown many advantages that have greatly helped to improve the judicial system and the administration of justice in these countries. These advantages are the following:

1.1. Reduce time and simplify procedures

Using electronic litigation technology saves time and effort for litigants, lawyers, as well as court employees, by taking the necessary action through the computer. There is no need to go to court to file a lawsuit and follow it up, or in most cases travel from one city to another to attend the hearings of the case, in addition to avoiding closing the court's doors in the event of failure to attend the scheduled sessions, which naturally leads to blocking the way for providing fictitious excuses to gain time and procrastination and for the consideration of the case, which helps greatly in reducing the overcrowded cases in the courts and reduces quarrels between opponents⁽¹⁾.

1.2. Increasing the ease of improvement, development, and control of the courts

Using electronic litigation technology leads to an increase in the possibilities of amendment in-laws and regulations based on the information that is analyzed and reaching certain results. Therefore, tracking the case and its progress, moment by moment, and periodic and detailed reports contribute to raising the efficiency and effectiveness of the judicial oversight bodies (judicial inspection) on judicial work, as well as all employees of the judicial system from employees and judges, which greatly helps in enhancing the citizen's confidence in the judiciary and the national judicial system, but also enhance the confidence of the foreign investor in the internal judiciary and its

(1) Safaa Otani, Electronic Court: Concept and Application, Damascus University, Damascus University Journal of Economic and Legal Sciences, 2012, Volume 28, Issue 1, p. 180.

system, concerning the element of a speedy settlement of disputes and cases and relying on modern management methods and achieving the principles of transparency, integrity and information disclosure policies And the freedom to exchange data, which greatly helps in achieving the principles of governance in the field of judicial administration⁽¹⁾.

1.3. Improving the working environment in the courts

The electronic litigation system, archiving cases and papers in the courts and storing them electronically helps to dispense with the huge judicial archive in the courts and replace it with hard disks, which enable making backup copies of the papers on it, in addition to its breadth of all information, and all of this takes up only a small space of this hard disk. Instead of large storage rooms needing large places, this is one side. On the other hand, the electronic registration of lawsuits and documentation of the litigants' defenses and allegations by entering the system themselves and writing their defenses in their own words without any interference from the court or its assistants, has an effective impact on the validity of the perception of lawsuits and the resolution of these lawsuits quickly⁽²⁾.

The electronic litigation system would also reduce a large part of the judge's effort, which he wastes in calming the litigants at times, as well as reducing the effort he makes by informing them of his requests and in many cases by making them understand this, especially if these litigants proceed with their lawsuit themselves without appointing a lawyer. In addition, this system saves the judge and court employees the trouble of reviewing the handwriting on paper documents and the great difficulty in many cases in reading them, especially from secretaries and clerks in the courts, as most of the time the appointment of these people is of medium qualifications and a large part of them are not able to write properly⁽³⁾.

(1) Hatem Jaafar, The Role of Electronic Litigation in Supporting and Developing Justice, Judicial Environment Supporting Investment Conference, Alexandria, 2015, pp. 4-5.

(2) Abdul Aziz bin Saad Al-Ghanim, Op.Cit, p. 54.

(3) Hadi Hussein Al-Kaabi, Nassif Jassim Mohammed Al-Karaawi, Op.Cit, p. 308.

1.4. Maintaining information security and confidentiality

The automation of litigation procedures and electronic file archiving contribute to making court records more secure, as electronic documents and documents are considered more credible and trusted than paper documents and documents. As it is easy to detect any change or tampering with electronic copies, unlike paper copies that often need experts at a high level of competence and professionalism. Moreover, electronic archiving of lawsuit files provides complete confidentiality in the circulation of these files, which leads to the preservation of the information contained in them, which the parties to the litigation or dispute fear disclosing to the public, especially personal status cases⁽¹⁾.

2. Disadvantages of applying the e-Justice system

Although the e-justice system has many advantages that constitute elements and incentives to push countries to implement it, there is an aspect of legal jurisprudence that strongly criticized this system and defended the traditional paper-based system significantly. We considered it a matter of consideration and should be considered when adopting any of the electronic litigation systems. These disadvantages are the following:

2.1. Rescind the spirit of the law

Since this system would resort to the machine and the absence of the spirit and the human element, the electronic litigation system from their point of view constitutes a violation of the principle of the judge's freedom of conviction, as the data and analysis stored on the system. Not only this but also this system affects another aspect is the right of defense, by reducing the opportunities for lawyers to benefit from substantive and procedural defenses⁽²⁾.

But this argument or this flaw is rejected from more than one side. If the

(1) Abdul Aziz bin Saad Al-Ghanim, Op.Cit, p. 55.

(2) Safaa Otani, Op.Cit, p. 183.

principle of the judge's conviction and freedom in this is greater in criminal trials, it is different in administrative and civil cases, where in most cases the judge's conviction is formed through papers only, and the litigation system The electronic one does not prejudice that, on the contrary, it enhances it by providing a large amount of time for the judge to study the case or case and decide on it. As for the violation of the right of defense, this can also be answered with the same argument, which is that it has no room in administrative and civil cases and disputes, but that many of the procedural defenses that appear in this field aim to suspend the settlement of the case and nothing more, and therefore there is no breach the right to defend in this area.

2.2. Infringement of fair trial guarantees

Opponents of the electronic litigation system defend the traditional litigation system because it is feared that the guarantees and the right of the accused to a fair trial will be compromised, and these principles are represented in public, verbal, and confrontational. The veracity of the trial sessions means that the doors of the court remain open to all, as the trial is attended by whoever it wants from the public without discrimination, as this audience is the watchdog over the work of the judicial authority, and the public has the right to be informed of everything that is happening in this trial⁽¹⁾.

The other principle defended by opponents of the electronic litigation system is the principle of trial orality, which requires that judgments be based on the judge's conviction, and this conviction is derived only from the elements of the facts that are presented before the judge.

The wisdom of the principle of orality is to apply the principle of confrontation between the opponents so that each of the parties to the dispute is allowed to confront and hear his opponent and respond to him, and it is also allowed for him to know what the opponent has of evidence, sayings and

(1) Jean Pradel, Procédure pénale, Paris: Cujas, 20e édition, 2019, p. 248 et suiv.

evidence, and so that the judge hears and forms the conviction that leads to the settlement of the dispute according to this conviction⁽¹⁾.

As for the third principle, it is the principle of the presence or the principle of confrontation, which means that all litigants attend the work of the final investigations and that all of them hear the pleadings and statements of witnesses and their right to discuss witnesses as well as any statements or information provided by the litigants⁽²⁾.

But even if acknowledge the validity of the opinion of the opponents in this field, but this matter should not expand, as all these arguments and justifications can be contextualized within the scope of criminal trials, as has been said, but they cannot be said in the scope of administrative and civil cases.

2.3. Risking data confidentiality and privacy of the justice entity

The e-justice system may pose a threat to the justice entity, as penetrating this system electronically would jeopardize the privacy of individuals and their confidential data, especially considering the growth and intensification of information and electronic crimes, which may open the door for criminals and litigants to manipulate evidence and change it in their interest⁽³⁾. But this can be faced by paying attention to electronic security and tightening penalties for electronic crimes, especially those related to the justice facility. Not only this, working to establish a judicial body specialized in maintaining and protecting the privacy and security of the electronic litigation system may significantly limit and make it difficult to penetrate this system.

Section Three. International experiences and practices in the field of applying the E-Justice

In the context of our topic about the e-justice system and the extent to which

(1) Safaa Otani, Op.Cit, p. 184.

(2) Asaad Fadel Mandeel, Op.Cit, p. 107.

(3) Hadi Hussein Al-Kaabi, Nassif Jassim Mohammed Al-Karaawi, Op.Cit, p. 308.

it helps in accessing prompt justice, many countries have fully implemented this system in many fields and this has achieved multiple advantages and these countries have become pioneering and exemplary models in this field, which is what prompted to present of these experiences and practices before presenting the Egyptian experience, which is very recent in this field, as the experiences of the countries of (Malaysia, China, Singapore, France, America) will be presented as follows:

1. Malaysia

The Malaysian government has taken a proactive approach in adopting the ICT approach to achieve justice in legal or personal status cases and has continued since 2002 and over ten years to develop this system⁽¹⁾.

Where electronic files were created, allowing electronic documents to be deposited and stored 24 hours a day, taking a serial number for them, and paying fees electronically (e-payment). The lawyer's side, with these lawyers receiving electronic notifications of the status of the case, which saves them time and effort, then all these papers and processes are recorded and saved, which led to the saving of nearly six million Malaysian ringgits, equivalent to twenty million Egyptian pounds⁽²⁾.

The Malaysian government has issued several laws and procedures to strengthen and enhance the e-justice system. These laws and procedures are as follows:

- The E-Government Activities Act 2007.
- Government sector data dictionary for 2002.
- Information and Communication Technology Security Policy for 2010.
- Government biometric guidelines for government sector agencies for 2009.
- Information technology instructions for 2007.

(1) Wan Satirah Wan Mohd Saman and Abrar Haider, Op.Cit, p. 257.

(2) Ibid, pp. 259-262.

- Guidelines for the management of information and communication technology security in the Malaysian government sector for the year 2002.
- General Government Circular No. 3 of 2000 (Information and Communications Security Policy Framework).
- The Malaysian government's interoperability framework for open-source programs for 2006.

All these procedures and laws have led to the adoption of the electronic litigation system at the level of Sharia courts in the Malaysian states through a secure and organized system to do so.

2. China

China has established in the city of Zibo - one of the cities in the center of Shandong Province, east China, with a population of about four million five hundred thousand people - the so-called e-court, where it depends on a sophisticated computer program, this computer saves the laws, the applicable legal precedents, the aggravating circumstances of the penalty as well as the mitigating circumstances, in addition to the circumstances of a possible conviction, and this court has issued more than two thousand judgments so far according to the mechanism of using this program⁽¹⁾.

The judge here is an e-judge and not a human judge. This program enters into it certain information and facts and then issues its rulings. The case here begins with the defense submitting all its requests and defenses, after the criminal, civil or disciplinary claim is presented to its data and requests on CDs, then this data is entered into the program designed for the electronic litigation process, which decides on the case directly. Despite that, this program can request the opinion of the human judge regarding some details of a special nature that may relate to humanitarian aspects before the judgment

(1) Safaa Otani, Op.Cit, p. 189.

is issued and the imposition of penalties⁽¹⁾.

This means that the principle is that the case papers are decided upon through an e-computer program, and this is the principle. In some cases, requested by this program, the human judge is resorted to, and accordingly, according to this system, the role of the human judge is limited to only those cases in which it is requested, and the meaning This is because the e-computer program is the one who decides on the case, and this is what is called at present the term “Artificial Intelligence”⁽²⁾.

3. Singapore

In the last quarter of 2000, Singapore established the first electronic litigation court. This court has an arbitral character and specializes in adjudicating and settling two types of disputes⁽³⁾:

(1) Ibid, p. 190.

(2) For more details on AI and its role in court proceedings and legal work, see:

Kerikmäe T., Hoffmann T. and Chochia A., *Legal Technology for Law Firms: Determining Roadmaps for Innovation*, Croatian International Relations Review, May 2018, Volume 24, Issue 81, pp. 91-112.

Cath C., Wachter S., Mittelstadt B., Taddeo M. and Floridi L., *Artificial Intelligence and the ‘Good Society’: the US, EU, and UK approach*, Science and Engineering Ethics, April 2018, Volume 24, Issue 2, pp. 505-528.
Kevin D. Ashley, *Artificial Intelligence and Legal Analytics: New Tools for Law Practice in the Digital Age*, 2017, Cambridge University Press.

by Giovanni Sartor, Monica Palmirani, Enrico Francesconi and Maria Angela Biasiotti (Editors), *Legislative XML for the Semantic Web: Principles, Models, Standards for Document Management (Law, Governance and Technology Series Book 4)*, 2011 and Kindle Edition, Springer.

Hacker, P., Krestel, R., Grundmann, S. et al. Explainable AI under contract and tort law: legal incentives and technical challenges. *Artif Intell Law* 28, 415–439 (2020). <https://doi.org/10.1007/s10506-020-09260-6>

Miron, M., Tolan, S., Gómez, E. et al. Evaluating causes of algorithmic bias in juvenile criminal recidivism. *Artif Intell Law* 29, 111–147 (2021). <https://doi.org/10.1007/s10506-020-09268-y>

Sadeghian, A., Sundaram, L., Wang, D.Z. et al. Automatic semantic edge labeling over legal citation graphs. *Artif Intell Law* 26, 127–144 (2018). <https://doi.org/10.1007/s10506-018-9217-1>

Shulayeva, O., Siddharthan, A. & Wyner, A. Recognizing cited facts and principles in legal judgments. *Artif Intell Law* 25, 107–126 (2017). <https://doi.org/10.1007/s10506-017-9197-6>

Sileno, G., Boer, A. & van Engers, T. Reading agendas between the lines, an exercise. *Artif Intell Law* 25, 89–106 (2017). <https://doi.org/10.1007/s10506-017-9196-7>

Suksi, M. Administrative due process when using automated decision-making in public administration: some notes from a Finnish perspective. *Artif Intell Law* 29, 87–110 (2021). <https://doi.org/10.1007/s10506-020-09269-x>

Van Opijnen, M., Santos, C. On the concept of relevance in legal information retrieval. *Artif Intell Law* 25, 65–87 (2017). <https://doi.org/10.1007/s10506-017-9195-8>

Verheij, B. Proof with and without probabilities. *Artif Intell Law* 25, 127–154 (2017). <https://doi.org/10.1007/s10506-017-9199-4>

(3) Mustafa Mohamad Musa, *Criminal Investigation of Electronic Crimes*, First Edition, Police Press, Cairo, 2009, pp. 64-66.

3.1. Disputes related to e-commerce on the Internet

The reason for establishing this court is largely due to the nature of electronic commerce in the first place, which is completely different from commerce in the traditional concept, which is distinguished by the geographical distances between dealers from companies and individuals and traders between them and customers or between them and each other.

3.2. Disputes related to the ownership of the so-called Domain⁽¹⁾ (URLs)

These disputes are largely related to e-intellectual property, and everything related to these rights on the Internet. The work of this court begins with the plaintiff entering the website designated by the court for such disputes, submitting his claim and immediately obtaining and registering the case number and then notifying the defendant within three days of registering his claim and registering it on the website, by sending it to an e-mail for the court to consider the case, it is required that the defendant respond and accept litigation before this court within four weeks of receiving all the documents and papers related to the case.

This means that the electronic litigation process is an optional process that requires the acceptance of the second party for this path, which is what made some people call it the term “rapid arbitration.” Recourse to arbitration is optional and depends on the consent of the two parties. As for litigation before the national judiciary, it does not depend on the consent of the two parties. It is sufficient for one of them to by submitting the case and hear it by the court, even if the defendant did not agree or did not attend.

(1) It is a distinct subset of the Internet that contains addresses that share private words or are under the control of a particular organization or individual.

4. France

In light of the many developments witnessed by many countries starting from the third millennium and their use in various fields in general and in the field of litigation in particular, the French legislator adopted an amendment to the French Code of Procedure in Article (748) - after the conclusion of the first national agreement between the Ministry of Justice According to the decree issued on December 28, 2005, which entered into force on January 1, 2009, according to which electronic communication technology can be used in judicial announcements and submission of memos, reports, and warnings of all kinds through e-mail⁽¹⁾.

Moreover, all appeals before the French Court of Cassation have shifted from the traditional paper-based system to the electronic system, by submitting appeals remotely and digitally by e-mail on the court's dedicated website, and all files at the Court of Cassation have been transformed from paper files to digital files⁽²⁾.

Additionally, the French legislator also adopted another amendment to the Pleadings Law, whereby it amended Article (930/1) by Decree No. 1524 issued on December 9, 2009, which obligated anyone who submits any papers to the Court of Appeal to submit them electronically, otherwise the court will not accept The appeal spontaneously, that is, even if none of the litigants requested it, as the legislator noted that this electronic system could be disrupted for any reason, and allowed in the event of this happening that the appeal is submitted on paper, but after the appellant proves that his failure

(1) Ibrahim Mohamed Al-Saadi, A legal Vision for the Modernization of Electronic Courts in Egypt: An Applied Study on the Electronic Litigation Procedures Stated by Law No. 146 of 2019 and a Comparison with the French Civil Procedure Code and its Amendments, South Valley University, Faculty of Law, the First International Scientific Conference entitled "Electronic Administration Between Theory and Practice", Hurghada from 10-12 September 2019, pp. 14-15.

(2) Ibrahim Mohamed Al-Saadi, The Role of Technology in Overcoming the Slow Phenomenon of Litigation Procedures before the Civil Court in Egypt, Ain Shams University, Faculty of Law, Law and Technology Conference, the period from 9-11 December 2017, p. 12.

to send the procedural work by the way The email was for a foreign reason that he had nothing to do with⁽¹⁾.

Consequently, electronic litigation procedures in France have become mandatory for all litigants before the courts of appeal, and therefore failure to follow the procedure to be followed in the electronic form leads to a ruling that the appeal is not accepted⁽²⁾.

5. United States of America

The first version of electronic litigation that appeared in the United States of America was related to the settlement of electronic commerce disputes using the Internet in 1996, and this step was the nucleus of the so-called electronic arbitration⁽³⁾. The US Congress has organized the electronic litigation process at the federal level, followed by several states within each state. Considering this, the organization of the electronic litigation process in the United States of America will be addressed at the federal and local levels for each state, as follow:

5.1. Federal (Centralized) Level

The idea of shifting from the paper-based system to the electronic system within the corridors of American courts has crystallized since the nineties of the last century by relying on the transformation of work systems within the courts, which were known as paper filings of case files and lawsuits in American courts, which were archived in the form of official papers to a new system It relies on electronic filing of documents as well as keeping them in the same way. The emergence and beginning of the application of the idea of electronic litigation at the federal level, where the rules of federal civil

(1) Mohamed Saeed Abdel Rahman, *Facilitating Litigation Procedures in Civil and Commercial Matters and Personal Status Matters: Its Requirements and Manifestations - A Comparative Study in Egypt, France, and Lebanon*, Cairo: Dar Al-Nahda Al-Arabiya, 2013, pp. 136-137.

(2) Heba Badr, *Electronic Arbitration Ruling between Reality and Hope*, Cairo University, Faculty of Law, *Journal of Law and Economics*, 2015, No. 88, p. 64.

(3) Ibrahim Mohamed Al-Saadi, *Op.Cit.*, p. 13.

procedures were amended to develop a new legal framework to include the work of the federal courts electronically in 1996, and the federal courts have all activated the laws that have been amended and the lawsuit is submitted electronically as well as The ability of litigants to obtain the information they want and summaries of judgments throughout the United States of America by entering to the court website and submitting a request to get that⁽¹⁾.

5.2. Local (Decentralized) Level

Many US states have worked on the electronic system in their courts but at different levels. Colorado State is considered one of the advanced states in the field of electronic litigation, as all its courts - 63 courts - in 2001 switched to working with electronic programs in civil and family cases⁽²⁾.

Article (121) of the Colorado State Rules of Civil Procedure stipulates in section (2) of its electronic filing that: “The process of transferring documents to the clerk of the court, and from the court itself should be through the electronic filing system”.

Generally, all US states that allow the electronic system in their local courts have adopted several guidelines and guidelines outlining the procedures that must be followed in filing (filing) the case electronically, as it must be registered in the electronic filing programs of the court⁽³⁾.

Section Four. The application of the E-Justice in Egypt

The Egyptian government has approved many different electronic systems in various fields to improve and develop the services it provides to the citizens from the beginning of the third millennium until now, whether in the dealings of state agencies among them (public law persons) or the dealings of private law persons (natural or legal persons) among themselves, as well as the dealings of public law persons with private law persons.

(1) Abdul Aziz bin Saad Al-Ghanim, Op.Cit, p. 160-162.

(2) Ibid, p. 163.

(3) Michael Griese, Electronic Litigation Filing in the USA, Australia and Germany: A Comparison, Murdoch University Electronic Journal of Law, December 2002, Vol. 9, No. 4, p. 6.

The government has developed its services and raised its performance rates and quality of service provided to the citizens in many areas such as real estate, marriage, and divorce covenants, death, and birth, not only, but the Egyptian government has implemented an electronic system for financial and budgetary transactions, which is known as (GFMIS) and has achieved pioneering success. In this field, it has become a distinguished experience at the Arab and regional levels.

In the context of this trend and despite this boom in the field of modern administration, the judicial administration “the administration of justice” continued to operate in the traditional system - even though the Egyptian state had established many government websites to provide electronic services in addition to electronic portals to view judicial rulings and principles For the Constitutional Court, the Court of Cassation, as well as the Supreme Administrative Court⁽¹⁾ - until the Egyptian legislator intervened in the second half of 2019 and approved Law No. 146 of 2019, according to which stakeholders have the right to file their lawsuit electronically.

In the context of presenting the experience of Egypt and how to benefit from it in generalizing this experience to the various fields of litigation in Egypt, the most important definitions that were contained in this law concerning electronic litigation will first be shown, and then the procedures and provisions for filing a case before the court and the court’s work mechanism will be presented. In this regard, as follow:

1. The Conceptual Framework of Law No. 146 for 2019

This legislative amendment, in Article (13) of it, presented many relatively recent concepts to Egyptian legislation, and they will be addressed as follow:

E-Record: The record prepared electronically by the economic courts to record the data of the persons and entities stipulated in Article (17) of this law,

(1) Sahar Abdel Sattar Imam, *The Reflections of the Digital Age on the Values and Traditions of the Judiciary*, Cairo: Dar Al-Nahda Al-Arabiya, 2018, p. 38.

and the means of communication with them that enables the person wishing to announce to notify the litigants of the lawsuit, interlocutory requests, or the preliminary rulings issued therein.

The chosen e-address: the domicile specified by the persons and entities specified in this law to notify them of all lawsuit procedures filed electronically, whether it is represented in their e-mail, phone number, or other technological means.

E-Filing: The means of filing and recording the claim statement, as well as interlocutory requests, entry and intervention, and memoranda, which are made through the court's designated website.

Website: a website for the competent economic court, which is designated for filing, recording, and announcing lawsuits electronically.

E-Submitting documents: Uploading documents and memoranda submitted by the parties to the lawsuit on the website of the competent economic court with the ability to save, retrieve, view, and copy them in preparation for attaching them to the lawsuit file.

E-document or e-paper: a data message that includes information created, combined, stored, sent, or received, in whole or in part, by electronic, digital, optical, or other similar means.

E-Payment: The means provided by banking and non-bank financial institutions to pay all fees for using the electronic litigation service in economic courts, judicial fees, and stamps prescribed for filing a lawsuit, including prepaid cards (debit and credit cards), and bank transfers.

Copied Image: the printed image from the electronic editor that is deposited in the lawsuit file.

E-case progress: initiating the legally prescribed litigation procedures through the website designated for this purpose.

E-announcement: the announcement and notification of the parties to the lawsuit of any legal action taken during its establishment and its progress, via e-mail or at the chosen e-mail address.

Methods of protecting the re-submitting and conduct of the lawsuit: procedures to protect the lawsuit documents filed electronically, which aim to avoid, change, or destroy their files, whether this was done intentionally or unintentionally.

Relevant entities: the entities concerned with running the electronic litigation system in the economic courts, including the Ministry of Justice, the Ministry of Communications and Information Technology, the Ministry of Investment and International Cooperation, the General Authority for Investment and Free Zones, the Financial Supervisory Authority, the Egyptian Stock Exchange, the Central Bank of Egypt, and the Commercial Registry.

After reviewing the previous definitions and concepts included in the article (13) of Law No. 146 of 2019, the law was devoid of some concepts such as “e-appealing judgments”⁽¹⁾, and «e-judgment»⁽²⁾.

2. The mechanism of work of the electronic litigation system in the economic courts considering the provisions of Law No. 146 of 2019

The legislator was interested in electronic announcing and singled out several articles for it, namely Articles No. (16), (17), (18) of Law No. 146 of 2019. Announcing the litigants shall be on the chosen electronic address, whether it is an email, telephone number, or any other electronic can serve as a chosen address electronic under the text of Article (13) of the same law.

Article (16) stipulates how the litigants are notified. The litigants are notified with the claim statement and their incidental requests, and the entry is made to the chosen electronic address, whether it is an email address for them, a telephone number, or other modern technological means through which the

(1) Ibrahim Mohamed Al-Saadi, A legal Vision for the Modernization of Electronic Courts in Egypt: An Applied Study on the Electronic Litigation Procedures Stated by Law No. 146 of 2019 and a Comparison with the French Civil Procedure Code and its Amendments, Op.Cit, p. 31.

(2) Sayed Ahmed Mahmoud, Towards electronic UAE civil judiciary under the Civil Procedures Law No. 11 of 1992 and its Amendments and Evidence in Civil and Commercial Transactions No. 10 of 1992, Ain Shams University, Faculty of Law, Law and Technology Conference, the period from 9-11 December 2017, p. 352-353.

notification can be received in the statement of claim, and if it is not possible to announce this The road can be announced by the traditional way, according to what is stipulated in the Civil and Commercial Procedures Law.

In case of the absence of both the plaintiff and the defendant at the trial sessions, the court may rule to strike off the case or decide the case if it is valid for judgment. If the defendant attends any session or submits documents and memoranda electronically through the website designated for that, the judgment shall be considered in his presence.

Section Five. The E-Justice and the future of the Egyptian Council of State

In light of the Egyptian legislator's adoption of legislative amendment No. 146 of 2019, which decided on electronic litigation procedures before economic courts, demands are increasing to generalize this experience and this new system to the various other judicial systems in the Arab Republic of Egypt, especially those whose nature is consistent with this new system, and from our point of view, we find The courts of the State Council of various degrees are among the most appropriate judicial systems in which the electronic litigation system can be applied, given the nature of the procedures for filing a case, submitting appeals, preparing reports of commissioners, and adjudicating the case, which often does not require the presence of the plaintiff in person before the judiciary of the State Council.

Within the framework of the electronic litigation system applicable in the economic courts under Law No. 146 of 2019, the future vision of the electronic litigation system for the courts of the State Council can be addressed through two main points, as follow:

1. Regarding the nature of the work of the Council of State Courts

The nature of the work of the Council of State in all its departments, in general, is an ideal nature for the application of the electronic system in litigation, especially the judicial section, which is what concerns us in this

field. The judicial section includes the Supreme Administrative Court, the Administrative Court, the Administrative Courts, the Disciplinary Courts, and the State Commissioners Authority.

For the Supreme Administrative Court, it has jurisdiction to adjudicate appeals against rulings issued by the Administrative Court or the disciplinary courts in some cases, and these cases do not require the presence of any of the plaintiffs in person, in most cases, their attorneys are the ones who attend on their behalf and therefore the application of litigation. The electronic submission of documents and electronic submission of documents will not affect the litigation process and the course of appeals before the Supreme Administrative Court.

The Administrative Judicial Court and the Administrative Courts are also specialized in adjudicating various administrative disputes, challenging administrative decisions, citizenship claims, elections, and requests for compensation for administrative decisions and disputes related to administrative contracts. The electronic litigation system will not find for it a more suitable field and climate than this one for its application. The same applies to the nature of the work of the disciplinary courts, as well as the nature of the work of the State Commissioners Authority, which prepares a report on the case in preparation for the court to decide on the case.

2. Regarding the procedures for submitting a lawsuit, announcing, appearing, and submitting documents

Most of the disputes and lawsuits filed before the various courts of the State Council are related in one way or another to the administrative authority. The state's administrative authorities have a technological structure that allows them to receive electronic messages, including e-mail, as well as the State Litigation Authority, which specializes in defending the government

and its administrative apparatus and its affiliated interests, and therefore there will be no problems related to the arrival of lawsuit announcements and any memoranda through the e-mail that allocates from the administrative authorities for this reason.

On the other hand, most governmental employees own an official e-mail belonging to their employer, and if some do not have it, legislation can be issued that obliges them and their employers to do. So that this e-mail is the official address that is addressed to it if there is Anything that requires it.

Hence, it can be suggested that an electronic portal be created like the Economic Court, in which the lawsuit is submitted and registered, a serial number for the lawsuit is taken, and the fees are also paid electronically through the capabilities that are allocated on the website.

It can also be suggested that the announcement of lawsuits - which are submitted against the administrative authorities from their employees, or which are established by the employees on their workplaces - through the e-mail designated for this, and thus there is a saving in the trouble of going to court as well as the bailiffs and the difficulty of making sure that the announcement reaches the stakeholders.

Before that, an electronic signature can be registered for all lawyers registered in the Bar Association, which will facilitate the verification of the lawyer's identity and link it to the electronic power of attorney, which facilitates many procedures for detecting forgery in agency documents submitted by litigants.

Each litigant can also send the documents he wants to submit via e-mail in addition to the site designated by the Council of State for this. Lots of problems with saving files, loss of papers, and suspicions of corruption may occur in some cases.

Conclusion

In this paper, we dealt with the concept of electronic litigation and its applications in some countries, and we saw that it is not fiction, but rather an informational and administrative solution, which aims to complete judicial transactions electronically, by optimizing the elements of technology, communication network systems, and electronic connectivity to the Internet, to improve the efficiency of work in Equity facility, raising the level of quality of performance, and shortening time, effort, and money.

The characteristics of electronic litigation and the most important features that distinguish it from the traditional system in litigation and the advantages and disadvantages that can result from the electronic system and the challenges that can hinder its work and how they can be overcome were also discussed. The current situation of the electronic litigation system in Egypt was also discussed through exposure to law No. 146 of 2019, which is a real nucleus in the application of an electronic litigation system through a secure system for electronic litigation. The future of the administrative judiciary in Egypt was also discussed considering the technological and legislative development and the legalization of the electronic litigation process.

By the end of this study, several important results have been reached, **which can be presented in the following points:**

- The claim to preserve the justice entity and protect its sanctity by abandoning electronic systems and relying on the traditional method, and adherence to the different social conditions and technological and material capabilities between countries, is a ploy that is unable to keep pace with the world in its development and acceleration towards the beneficial and the better. The justice entity will remain slow due to the traditional litigation mechanism, the illiteracy of the courts (modern illiteracy), the lack of judges, and the poor equipment of the courts. If we do not keep pace with the global civilizational progress, by making

use of all modern technology in the judicial field, we must record a delay in keeping pace with development and modernization.

- The innovation recorded for electronic litigation lies in the introduction of electronic means to the judicial entity, and in conducting litigation procedures, intending to develop, simplify, and qualitatively transfer the judicial work from paper-based manual frameworks to advanced electronic technical frameworks.
- The electronic litigation saves time and effort and contributes significantly to the achievement of quick justice, especially since most of the time and effort is wasted inside the various courtrooms from administrative work related to the case to the treasury to pay the fees that are decided to the archiving office to obtain copies of the minutes of the sessions or documents offered by opponents.

Finally, it can be recommended to generalize the experience of electronic litigation - which was adopted in the economic courts under Law No. 146 of 2019 - to the courts of the State Council of all levels, through the issuance of legislation that allows this in addition to training human resources from administrators and judges on this system, in addition to the necessity of cooperating with the Bar Association to train lawyers on this new system.

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