

Abdelhafid Boussouf University Center – Mila

Faculty Of Law & Political Sciences

Departement Of Laws

Lectures On : Civil Procedure Law

Addressed To 2Nd Year Laws Students – Second Semester

By Teacher: Mekhtout Oumaima

Academic Year 2023-2024

Title: Overview of Civil Procedure Law

Introduction:

Civil procedure law governs the process by which civil cases are handled within the legal system. It sets out the rules and procedures for resolving disputes between individuals or entities. This lesson provides an overview of civil procedure law, focusing on key aspects of the Algerian legal system.

Jurisdiction and Venue:

Jurisdiction (الاختصاص) refers to the authority of a court to hear and decide a case.

Venue (المحل) determines the appropriate location where a case should be heard.

Algerian civil procedure law defines the criteria for determining jurisdiction and venue, ensuring that cases are heard in the proper court.

Pleadings and Pretrial Proceedings:

Pleadings (الدعاوى) are formal written documents filed by the parties in a civil case.

Pretrial proceedings (الإجراءات القبلية للمحاكمة) may include motions, discovery, and other procedures aimed at preparing the case for trial.

Algerian civil procedure law outlines the requirements and procedures for filing pleadings and conducting pretrial proceedings.

Trial Process:

The trial process (عملية المحاكمة) in civil cases involves presenting evidence and arguments to a judge or jury.

Parties have the opportunity to present witnesses, documents, and other evidence to support their claims or defenses.

Algerian civil procedure law ensures that trials are conducted fairly and impartially, with parties having the right to be heard and to present their case.

Judgments and Appeals:

Judgments (الأحكام) are decisions issued by the court at the conclusion of a civil trial.

Parties aggrieved by a judgment have the right to appeal (الاستئناف) to a higher court.

Algerian civil procedure law provides procedures for filing appeals and sets out the grounds upon which an appeal may be based.

Enforcement of Judgments:

Once a judgment is issued, it must be enforced (تنفيذ) to ensure that the prevailing party receives the relief awarded by the court.

Enforcement mechanisms may include garnishment, attachment of property, or other means of collecting the judgment.

Algerian civil procedure law governs the enforcement of judgments and ensures compliance with court orders.

Conclusion:

Civil procedure law is essential for ensuring the fair and efficient resolution of civil disputes within the Algerian legal system. Understanding the procedures and principles outlined in civil procedure law is crucial for individuals and entities involved in civil litigation.

Key words :

Jurisdiction - الاختصاص

Venue - المحل

Pleadings - الدعاوى

Trial Process - عملية المحاكمة

Judgments - الأحكام

Appeals - الاستئناف

Enforcement of Judgments - تنفيذ الأحكام

Evidence - الأدلة

Judge - القاضي

Fairness - العدالة