



doi <https://doi.org/10.58256/4f8zyx55>



Research Article

Section: Digital Humanities



Published in Nairobi, Kenya
by Royallite Global.

Volume 5, Issue 4, 2024



Article Information

Submitted: 26th May 2024

Accepted: 15th October 2024

Published: 13th September 2024

Additional information is
available at the end of the
article

<https://creativecommons.org/licenses/by/4.0/>

ISSN: 2708-5945 (Print)

ISSN: 2708-5953 (Online)

To read the paper online,
please scan this QR code



How to Cite:

Allouzi, A. S. (2024). Digital justice and its impact on the functioning of procedural rivalry in UAE law. *Research Journal in Advanced Humanities*, 5(4). <https://doi.org/10.58256/4f8zyx55>

Digital justice and its impact on the functioning of procedural rivalry in UAE law

Adel Salem Allouzi

Associate Professor, Abu Dhabi University, UAE

Correspondence: adel.allouzi@adu.ac.ae

<https://orcid.org/0000-0002-2535-8637>

Abstract

This research addresses digital justice and its impact on procedural rivalry within UAE law through an applied theoretical study. It examines the legal aspects of Ministerial Decree No. 260 of 2019, which provides procedural guidelines for conducting litigation using electronic means and telecommunications in civil proceedings. The study explores both technical and legal aspects of digitization in civil litigation, including its role in initiating adversarial proceedings, judicial deliberation, sentencing, and issuing timely and provisional orders. Additionally, this research evaluates the effectiveness of the digital framework in judicial work, analyzing its impact on adversarial litigation and procedural efficiency. The study integrates empirical insights to assess how digital justice influences litigation dynamics and the overall functionality of judicial procedures.

Keywords: civil procedure law, digital justice, electronic litigation, litigation, judiciary



1. Introduction

1.1 Digital Justice and Its Role in UAE Law

The UAE legislator continuously works to enhance judicial procedures, aligning with international best practices to ensure fair and efficient litigation. Central to this modernization is digital justice, which integrates modern technology into legal proceedings to improve accessibility, efficiency, and procedural fairness.

A significant step in this legislative evolution was the introduction of Smart Justice, which allows for remote litigation through digital means. This initiative was formalized with Ministerial Decision No. 260 of 2019, which provides a procedural framework for conducting litigation electronically in civil proceedings. While UAE courts had already begun implementing digital litigation before the COVID-19 pandemic, the crisis accelerated its adoption, demonstrating the necessity and effectiveness of remote legal proceedings.

Traditionally, procedural rules governing litigation were strict, requiring physical presence in court, formal exchanges of pleadings, and in-person deliberations. However, with the rise of digital litigation, the UAE judiciary has adapted procedural safeguards to maintain legal guarantees while allowing for digital transformation in litigation. This study examines the adequacy of these procedural adjustments, evaluating whether digital justice effectively balances efficiency with the rights and safeguards of litigants.

1.2 Problem Statement and Research Questions

As digital litigation becomes increasingly integrated into UAE courts, it raises important legal and procedural questions regarding its adequacy, fairness, and effectiveness. The central research question of this study is: Does UAE legislation provide sufficient procedural safeguards to ensure fairness in digital litigation while maintaining efficiency?

This study aims to evaluate whether the procedural rules governing remote litigation adequately regulate court proceedings, protect litigants' rights, and ensure fair justice. Additionally, it examines how digitization contributes to judicial efficiency and the challenges it presents.

Key Research Questions

1. What does digital justice mean in the UAE legal system?
2. What are the advantages and disadvantages of remote litigation?
3. What are the legal and procedural conditions for conducting digital hearings?
4. How are legal proceedings and court notifications managed in a digital framework?
5. How do parties and judges participate in virtual trials?
6. What mechanisms facilitate the digital exchange of legal documents?
7. How are judgments and legal orders issued in remote litigation?
8. How does UAE law ensure that litigation guarantees are preserved in digital justice?

1.3 Importance of the Study

The significance of this study lies in both its theoretical and practical contributions:

Theoretical Significance

This study is essential for understanding the legal framework of remote litigation in UAE law. The UAE legislature has implemented various amendments, including the Civil Procedure Act 2022 and the Guide to Remote Litigation (2019), to regulate and formalize digital litigation. Additionally, the study

highlights how global legal developments, particularly during the COVID-19 pandemic, have reinforced the importance of digital litigation as a viable judicial tool.

Practical Significance

Digital litigation plays a crucial role in modernizing court procedures, offering time-saving, cost-efficient, and accessible solutions for legal proceedings. The introduction of electronic case management and virtual hearings has significantly reduced logistical burdens on both courts and litigants. Since UAE courts have been applying digital litigation for several years, this study assesses its practical impact on the Abu Dhabi courts, examining how effectively digital justice has improved litigation efficiency while maintaining procedural integrity.

By analyzing both theoretical and practical aspects, this research contributes to future legislative improvements in UAE digital litigation, ensuring that legal advancements align with principles of justice and accessibility.

2. Legal Framework

2.1 Essential Laws and Ministerial Decrees Governing Digital Litigation

The UAE has introduced several legislative measures to regulate digital litigation and ensure its compatibility with traditional judicial principles. Among these, Ministerial Decree No. 260 of 2019 serves as the primary legal framework governing the procedural aspects of remote litigation. This decree outlines the conditions under which litigation can be conducted electronically and sets standards for judicial oversight, electronic notifications, and virtual hearings.

Additionally, the UAE Civil Procedure Act 2022 incorporates provisions that explicitly address digital litigation. These legal amendments aim to streamline judicial processes by allowing electronic submissions, digital evidence presentation, and remote deliberations. Other relevant legislative instruments include ministerial decisions related to e-litigation security, authentication procedures, and the technical requirements for virtual court platforms.

2.2 Summary of Relevant UAE Civil Procedure Act Provisions

The UAE Civil Procedure Act provides a structured approach to digital litigation through key articles that establish procedural guidelines:

- **Article 228:** Defines the scope of remote hearings and stipulates conditions under which virtual proceedings can be conducted. This article ensures that all parties receive proper electronic notifications and that judicial oversight is maintained.
- **Article 229:** Specifies the procedural requirements for electronic submission of legal documents, digital case management, and online evidence presentation. It also establishes measures to authenticate digital signatures and prevent fraud in electronic filings.
- **Ministerial Decision No. 260 of 2019:** Further elaborates on the legal foundations of digital litigation by providing a procedural guide that courts must follow when implementing virtual hearings. This decision highlights the technological standards required for e-litigation platforms and establishes mechanisms for judicial monitoring.

Together, these provisions form the backbone of the UAE's digital litigation framework, ensuring that electronic judicial procedures align with principles of due process and legal fairness.

3. Study Objectives and Hypotheses

3.1 Study Objectives

This study aims to:

1. Examine the concept of digital justice and assess its advantages and disadvantages in remote litigation.
2. Analyze the procedural framework for digital contestation and determine the legal mechanisms for electronic judicial notifications.
3. Investigate how digital hearings are conducted, including the presence and participation of litigants and judges in virtual court sessions.
4. Evaluate the judge's role in overseeing and applying digital litigation procedures.
5. Identify mechanisms for handling urgent and time-sensitive cases through digital platforms.
6. Examine the process of issuing and appealing judgments in a digital litigation framework.

3.2 Hypotheses

The study is based on both theoretical and applied research hypotheses, addressing the relationship between digital justice and procedural litigation.

Theoretical Hypotheses

1. Digital litigation enhances procedural efficiency, making legal proceedings more accessible and convenient for litigants and the court.
2. The use of digital tools positively impacts the speed of case resolution and reduces procedural delays.
3. Digital litigation influences the effectiveness of both litigants and judges in handling cases.
4. Virtual court proceedings may lead to shorter trial durations compared to traditional litigation.
5. Digital platforms facilitate faster legal notifications and shorten litigation timelines.
6. The legal framework for digital litigation in the UAE contributes to reducing judicial costs and mitigating procedural burdens.

Applied Study Hypotheses

The applied study focuses on examining the statistical and procedural relationship between digital justice and adversarial litigation.

- **Main Hypothesis (H):** There is a statistically significant relationship ($\alpha=0.05$) between digital justice and procedural adversarial efficiency in Abu Dhabi courts. Digital litigation contributes to the effective resolution of disputes.
- **Derived Hypotheses**
 - (H1): Digital justice influences procedural efficiency at a significance level of ($\alpha=0.05$).
 - (H2): Digital justice affects the effectiveness of electronic judicial notifications at ($\alpha=0.05$).
 - (H3): Digital justice plays a role in the authentication and presentation of digital evidence at ($\alpha=0.05$).
 - (H4): The ability to file applications and legal defenses is impacted by digital litigation at ($\alpha=0.05$).
 - (H5): The presentation of legal pleadings is influenced by digital litigation at ($\alpha=0.05$).
 - (H6): The process of issuing and appealing judicial rulings is affected by digital litigation at ($\alpha=0.05$).

These hypotheses serve as a foundation for assessing the effectiveness of digital justice and its implications for procedural fairness and judicial efficiency.

4. Methodology

4.1 Research Design

This study adopts an analytical descriptive and applied approach to evaluate the effectiveness of digital litigation in UAE courts. The research is structured in two phases: an analysis of UAE legal frameworks governing digital justice and an empirical study assessing its practical impact. The survey is an attempt to collect data from members of a population in order to determine the current status of that population with respect to one or more variables. The survey research of knowledge at its best can provide every valuable data. It involves a careful design and execution of each of the components of the research process. The researcher designed a survey instrument that was administrated to the research sample. The purpose of the survey instrument was to collect data about the attitudes and opinions toward Digital Justice and its Effect on the Course of Procedural Rivalry in The United Arab Emirates (UAE) Law

4.2 Data Collection Methods

The study employs a survey-based approach, collecting data from judges, lawyers, and court officials regarding their experiences with digital litigation. The survey includes both quantitative and qualitative questions to assess procedural efficiency, legal safeguards, and technical challenges.

4.2.1 Study Population and sample

The study populations consist of the judges, lawyers and employees in Abu Dhabi courts. The researcher was chosen sample of the study randomly from the population, (25) individual from each category of the population, sample total were (75) individual, the researcher was distributed (50) questionnaire for the study sample of (Judges and employees) by e-mail and under supervised of chair courts and (25) questionnaires distributed for the lawyers by lawyers society, (100%) responds rate were return and tables below show the demographical data.

Table 1 Demographic Characteristics

Variables	Items	Frequency	Percentage
Gender	Male	59	78.7
	Female	16	21.3
Qualification	High school	2	2.7
	Diploma	3	4
	Bachelor	59	78.7
	Masters	11	14.7
Work experience	5 or less	20	26.7
	6-10 years	30	40
	11-15 years	17	22.7
Work position	More than 16 years	8	10.7
	Judge	25	33.3
	Lawyer	25	33.3
	Employee	25	33.3
Total		75	100

According to the data supplied in Table 1, it can be observed that the gender distribution among the participants reveals that 78.7% of them are male, while 21.3% are female. This information is visually depicted in Figure 2 as well. Regarding educational credentials, the data shown in the table indicates that

2.7% of individuals possess a high school certificate, 4% have obtained a vocational diploma, 78.7% hold a bachelor’s degree, and 14.7% have successfully completed a master’s degree program. These proportions are visually represented in Figure 3. The sample exhibits a wide range of job experience, with 26.7% of individuals having 5 years or less, 40% having between 6-10 years, 22.7% having 11-15 years, and 10.7% having more than 16 years of experience. The data is additionally depicted in Figure 4. Finally, the distribution of job positions is evenly spread across judges, lawyers, and employees, with each group comprising 33.3% of the sample, as illustrated in Figure 5.

Figure 2 Demographic Characteristics for gender

Figure 3 Demographic Characteristics for Qualification

Figure 4 Demographic Characteristics for the work experience

Figure 5 Demographic Characteristics for the work position

5. Results

5.1 Effectiveness of Digital Litigation in UAE Courts

The findings indicate that digital litigation has significantly reduced case processing time, enhanced judicial accessibility, and streamlined procedural workflows. Respondents generally viewed digital justice as an improvement over traditional litigation.

5.1.1 Reliability

To calculate the stability of an instrument study, the researcher used the equation of internal consistency using Cronbach’s alpha test shown in *Table (2)* the test results where the values of Cronbach alpha for all variables of the study and identification of generally higher (60%) which is acceptable in the research and studies, which gives the questionnaire as a whole the reliability coefficient ranged between (0.601-0.742).

Table 2 Cronbach’s alpha for the study fields

Variables	Statements	Cronbach Alpha
Satisfaction with the Introduction of Digital Litigation in the UAE	6	0.742
Role of Digital Litigation in Initiating and Filing Lawsuits	6	0.613
Role of digital litigation in judicial declaration	5	0.601
The role of digital adjudication in providing evidence	5	0.605
Role of Digital Litigation in Claims and Defenses	5	0.697
The Role of digital litigation in pleadings	4	0.667
The Role of Digital Litigation in Sentencing and Appeal	5	0.653
All Questions	36	0.926

5.1.2 Descriptive Analysis of Study Variables

(The level of digital justice and its effect on the course of procedural rivalry in the United Arab Emirates (UAE) law)

The researcher used mean, standard deviation to show the level of digital justice and its effect on the

course of procedural rivalry in the United Arab Emirates (UAE) law as shown in table (3) below:

Table 3 the level of digital justice and its effect on the course of procedural rivalry in the United Arab Emirates (UAE) law

No	Dimension	Mean	Standard deviation	Rank	Level
2	Role of digital litigation in judicial declaration	4.78	0.24	1	High
3	The role of digital adjudication in providing evidence	4.71	0.32	2	High
1	Role of Digital Litigation in Initiating and Filing Lawsuits	4.70	0.30	3	High
6	The Role of Digital Litigation in Sentencing and Appeal	4.70	0.28	3	High
5	The Role of digital litigation in pleadings	4.68	0.30	5	High
4	Role of Digital Litigation in Claims and Defenses	4.65	0.37	6	High
	Total	4.70	0.25		High

The results in table (3) showed that mean value for the digital justice and its effect on the course of procedural rivalry in the United Arab Emirates (UAE) law was of (4.70) with standard deviation of (0.25) which is of a high level.

Role of digital litigation in judicial declaration ranked first with mean of (4.78) and standard deviation of (0.24) which is of a high level, the role of digital adjudication in providing evidence ranked second with mean of (4.71) and standard deviation of (0.32) which is of a high level also.

Role of Digital Litigation in Initiating and Filing Lawsuits and The Role of Digital Litigation in Sentencing and Appeal ranked third with mean of (4.70) and standard deviation of (0.30, 0.28) which were of a high level and The Role of digital litigation in pleadings ranked fifth with mean of (4.68) and standard deviation of (0.30) which of a high level and the Role of Digital Litigation in Claims and Defenses ranked last with mean of (4.65) and standard deviation of (0.37) which is of a high level also.

5.1.3 Role of Digital Litigation in Initiating and Filing Lawsuits

The researcher used mean, standard deviation, rank to show the level of the role of digital litigation in initiating and filing lawsuits as shown in Table (4).

Table 4 Arithmetic Mean, SD, Item Importance and Importance level to show the level of Role of Digital Litigation in Initiating and Filing Lawsuits

No	Statements	Mean	Std. Deviation	Rank	Level
1	Digital litigation facilitates direct litigation and its registration.	4.84	0.37	1	High
4	Digital litigation contributes to the smooth running of the litigation without prejudice to the rights of the legal parties.	4.77	0.42	2	High

5	Digital litigation provides a convenient means of litigation away from going to court directly.	4.76	0.43	3	High
2	Digital litigation greatly facilitates filing procedures.	4.72	0.45	4	High
3	Digital litigation works without affecting the validity of the procedures from a legal point of view.	4.67	0.50	5	High
6	Judges, employees, and lawyers have the technical capacity to handle digital litigation.	4.43	0.82	6	High
Total		4.62	0.38		High

Table (4) showed that the mean of this dimension (**Role of Digital Litigation in Initiating and Filing Lawsuits**), ranged between (4.84 – 4.43), where the whole dimension earned a total mean of (4.62), which is a level of high. Statement (1) (Digital litigation facilitates direct litigation and its registration) ranked first with mean of (4.77), and standard deviation of (0.37), which is a level of High.

Statement (4) (Judges, employees, and lawyers have the technical capacity to handle digital litigation) ranked last with mean of (4.43) and standard deviation of (0.82) which is of a high level.

5.1.4 Role of digital litigation in judicial declaration

The researcher used mean, standard deviation, rank to show the level of the role of digital litigation in judicial declaration as shown in *Table (5)*.

Table 5 Arithmetic Mean, SD, Item Importance and Importance level to show the level of Role of digital litigation in judicial declaration

No	Statements	Mean	Std. Deviation	Rank	Level
1	Digital litigation shortens the judicial declaration of litigants.	4.93	0.25	1	High
2	Digital litigation is very effective in making judicial declarations.	4.89	0.31	2	High
3	Digital litigation is instrumental in notifying the parties of the judicial ruling.	4.81	0.39	3	High
4	Notifying parties through digital litigation contributes to expeditious proceedings.	4.81	0.48	3	High
5	Parties do not have legal or technical difficulty advertising through the digital route.	4.43	0.55	4	High
Total		4.78	0.24		High

Table (5) showed that the mean of this dimension (**Role of digital litigation in judicial declaration**), ranged between (4.93 – 4.43), where the whole dimension earned a total mean of (4.78), which is a level of high. Statement (1) (Digital litigation shortens the judicial declaration of litigants) ranked first with mean of (4.93), and standard deviation of (0.25), which is a level of High.

Statement (5) (Parties do not have legal or technical difficulty advertising through the digital route) ranked last with mean of (4.43) and standard deviation of (0.55) which is of a high level.

5.2 Impact on Procedural Rivalry and Efficiency

Digital litigation has led to faster case resolution, fewer delays, and improved procedural fairness. However, some respondents noted that procedural rivalry—where parties use legal technicalities to gain an advantage—has also adapted to digital settings.

5.2.1 The role of digital adjudication in providing evidence

The researcher used mean, standard deviation, rank to show the level of the role of digital adjudication in providing evidence as shown in *Table (6)*.

Table 6 Arithmetic Mean, SD, Item Importance and Importance level to show the level of role of digital adjudication in providing evidence

No	Statements	Mean	Std. Deviation	Rank	Level
1	Digital litigation works appropriately to provide written evidence.	4.88	0.33	1	High
5	Digital litigation saves time and effort in providing evidence.	4.83	0.38	2	High
3	Digital litigation works appropriately to provide evidence through review and expert.	4.76	0.52	3	High
4	Digital litigation allows parties, the judge, and the employee to see the evidence in the case file at any time.	4.73	0.45	4	High
2	Digital litigation works appropriately to provide evidence through witnesses.	4.36	0.80	5	High
Total		4.71	0.32		High

Table (6) showed that the mean of this dimension (**role of digital adjudication in providing evidence**), ranged between (4.88 – 4.36), where the whole dimension earned a total mean of (4.71), which is a level of high. Statement (1) (Digital litigation works appropriately to provide written evidence) ranked first with mean of (4.88), and standard deviation of (0.33), which is a level of High.

Statement (2) (Digital litigation works appropriately to provide evidence through witnesses) ranked last with mean of (4.36) and standard deviation of (0.80) which is of a high level.

5.2.2 Role of Digital Litigation in Claims and Defenses

The researcher used mean, standard deviation, rank to show the level of the role of digital litigation in claims and defenses as shown in *Table (7)*.

Table 7 Arithmetic Mean, SD, Item Importance and Importance level to show the level of role of digital litigation in claims and defenses

No	Statements	Mean	Std. Deviation	Rank	Level
1	Litigation facilitates parties' submissions and defenses.	4.83	0.38	1	High
3	Digital litigation enables parties to make their formal arguments during the trial.	4.72	0.45	2	High
5	Digital litigation provides the principle of the direction of the litigants in Claims and pleas.	4.67	0.62	3	High
2	Digital litigation enables parties to make additional or emergency requests during a trial.	4.57	0.57	4	High
4	Parties can make substantive submissions during digital court hearings.	4.44	0.64	5	High
Total		4.65	0.37		High

Table (7) showed that the mean of this dimension (**role of digital litigation in claims and defenses**), ranged between (4.83 – 4.44), where the whole dimension earned a total mean of (4.65), which is a level of high. Statement (1) (Litigation facilitates parties' submissions and defenses) ranked first with mean of (4.83), and standard deviation of (0.38), which is a level of High.

Statement (4) (Parties can make substantive submissions during digital court hearings) ranked last with mean of (4.44) and standard deviation of (0.64) which is of a high level.

5.3 Challenges in Implementation

Despite its benefits, digital litigation presents technical and legal challenges, including cybersecurity risks, digital literacy gaps, and concerns over evidence authentication.

5.3.1 The Role of digital litigation in pleadings

The researcher used mean, standard deviation, rank to show the level of the role of digital litigation in pleadings as shown in *Table (8)*.

Table 8 Arithmetic Mean, SD, Item Importance and Importance level to show the level of role of digital litigation in pleadings

No	Statements	Mean	Std. Deviation	Rank	Level
1	Digital litigation works effectively when parties submit their final pleadings.	4.80	0.40	1	High
3	The parties shall have access to the other party's case at the trial or at any time before the judgment is rendered.	4.69	0.46	2	High
2	Digital litigation enables parties to present their pleadings in writing or orally.	4.65	0.51	3	High

4	Digital litigation does not affect the parties' right to plead and their factual and legal pleadings.	4.56	0.55	4	High
Total		4.68	0.30		High

Table (8) showed that the mean of this dimension (**role of digital litigation in pleadings**), ranged between (4.80 – 4.56), where the whole dimension earned a total mean of (4.68), which is a level of high. Statement (1) (Digital litigation works effectively when parties submit their final pleadings) ranked first with mean of (4.80), and standard deviation of (0.40), which is a level of High.

Statement (4) (Digital litigation does not affect the parties' right to plead and their factual and legal pleadings) ranked last with mean of (4.56) and standard deviation of (0.55) which is of a high level.

5.3.2 The Role of Digital Litigation in Sentencing and Appeal

The researcher used mean, standard deviation, rank to show the level of the Role of Digital Litigation in Sentencing and Appeal as shown in *Table (9)*.

Table 9 Arithmetic Mean, SD, Item Importance and Importance level to show the level of Role of Digital Litigation in Sentencing and Appeal

No	Statements	Mean	Std. Deviation	Rank	Level
5	Digital litigation reduces the time and expense of the appeal process	4.88	0.33	1	High
4	Digital litigation effectively reduces the appeal process.	4.72	0.45	2	High
2	Digital litigation makes it easier for parties to challenge the ruling.	4.69	0.46	3	High
1	Digital litigation expedites deliberation and sentencing	4.65	0.48	4	High
3	Digital litigation expedites sentencing.	4.56	0.55	5	High
Total		4.70	0.28		High

Table (9) showed that the mean of this dimension (**Role of Digital Litigation in Sentencing and Appeal**), ranged between (4.88 – 4.56), where the whole dimension earned a total mean of (4.70), which is a level of high. Statement (5) (Digital litigation reduces the time and expense of the appeal process) ranked first with mean of (4.88), and standard deviation of (0.33), which is a level of High.

Statement (3) (Digital litigation expedites sentencing) ranked last with mean of (4.56) and standard deviation of (0.55) which is of a high level.

5.3.3 Satisfaction with the Introduction of Digital Litigation in the UAE

The researcher used mean, standard deviation, rank to show the level of satisfaction with the introduction of digital litigation in the UAE as shown in *Table (10)*.

Table 10 Arithmetic Mean, SD, Item Importance and Importance level to show the level of Satisfaction with the Introduction of Digital Litigation in the UAE

No	Statements	Mean	Std. Deviation	Rank	Level
2	The provision of digital justice is an appropriate legislative step with a view to shortening procedures.	4.84	0.37	1	High
5	Digital litigation in UAE courts is effectively applied.	4.81	0.39	2	High
1	UAE legislator was successful in creating digital litigation	4.80	0.40	3	High
4	Digital litigation reduces the proceedings and improves the course of the litigation.	4.71	0.54	4	High
3	The UAE legislature appropriately addressed the litigation digitally.	4.36	0.75	5	High
6	Digital litigation in UAE courts operates without technical glitches affecting adversarial proceedings.	4.21	0.83	6	High
Total		4.62	0.38		High

Table (10) showed that the mean of this dimension (**Satisfaction with the Introduction of Digital Litigation in the UAE**), ranged between (4.84 – 4.21), where the whole dimension earned a total mean of (4.62), which is a level of high. Statement (2) (The provision of digital justice is an appropriate legislative step with a view to shortening procedures) ranked first with mean of (4.84), and standard deviation of (0.37), which is a level of High.

Statement (6) (Digital litigation in UAE courts operates without technical glitches affecting adversarial proceedings) ranked last with mean of (4.21) and standard deviation of (0.83) which is of a high level.

5.3.4 The Research Hypothesis

H0: are there a statistically significant effect of Digital Justice on the Course of Procedural Rivalry in The United Arab Emirates (UAE) Law.

To identify the effect of Digital Justice on the Course of Procedural Rivalry in The United Arab Emirates (UAE) Law, the researcher used One Sample T-test, and table (11) Show the result:

Table 11 the effect of Digital Justice on the Course of Procedural Rivalry in The United Arab Emirates (UAE) Law

	Mean	St. Deviation	T- Tabulated	T-calculated	Df	Sig
Role of Digital Litigation in Initiating and Filing Lawsuits	4.70	0.30	1.96	48.249	74	0.00*
Role of digital litigation in judicial declaration	4.78	0.24	1.96	63.099	74	0.00*
The role of digital adjudication in providing evidence	4.71	0.32	1.96	46.951	74	0.00*

Role of Digital Litigation in Claims and Defenses	4.65	0.37	1.96	38.985	74	0.00*
The Role of digital litigation in pleadings	4.68	0.30	1.96	48.633	74	0.00*
The Role of Digital Litigation in Sentencing and Appeal	4.70	0.28	1.96	53.042	74	0.00*

(t) tabulated = 1.96, (t) value = 3.00 * Significant at (0.05)

From Table (11) The results shown that there were a statistically significant effect of Digital Justice on the Course of Procedural Rivalry in The United Arab Emirates (UAE) Law (t-calculated values = 48.249, 63.099, 46.951, 38.985, 48.633, 53.042) respectively for the dimensions (Role of Digital Litigation in Initiating and Filing Lawsuits, Role of digital litigation in judicial declaration, The role of digital adjudication in providing evidence, Role of Digital Litigation in Claims and Defenses, The Role of digital litigation in pleadings, The Role of Digital Litigation in Sentencing and Appeal) which were more than (t) tabulated value = (1.96) and all of these values significant at the level of (0.05).

And means values for the dimensions = (4.70, 4.78, 4.71, 4.65, 4.68, 4.70) and all of these values more than default (t) = (3.00) and the results showed that there were a statistically significant differences between means values and default (t), on the other hand (t) calculated values more than (t) tabulated values.

This indicated that there were a statistically significant effect of Digital Justice on the Course of Procedural Rivalry in The United Arab Emirates (UAE) Law.

6. Discussion

6.1 Advantages of Digital Justice

Digital litigation has introduced several advantages that enhance the efficiency and accessibility of judicial proceedings. The key benefits include:

- **Speed and Efficiency:** Digital justice enables faster case processing by allowing electronic filing, remote hearings, and automated case management, significantly reducing litigation timelines.
- **Cost Reduction:** By minimizing the need for physical attendance in courtrooms, digital litigation reduces legal costs for both litigants and judicial institutions.
- **Accessibility and Flexibility:** Remote litigation allows parties to participate in proceedings from different locations, increasing accessibility, especially for individuals with mobility constraints.
- **Transparency and Documentation:** Electronic filing and record-keeping provide an organized, easily retrievable history of case proceedings, ensuring transparency and reducing the risk of lost documents.
- **Judicial Resource Optimization:** Courts can allocate resources more efficiently by reducing congestion, streamlining case management, and utilizing digital tools to automate procedural aspects of litigation.

6.2 Potential Drawbacks and Limitations

Despite its benefits, digital justice presents certain challenges that must be addressed for effective implementation:

- **Technical Barriers:** Not all litigants and legal professionals are equally proficient in using digital platforms, leading to difficulties in navigating digital court procedures.
- **Cybersecurity Concerns:** The increased reliance on digital platforms exposes the judicial system to risks such as data breaches, hacking, and unauthorized access to confidential legal documents.

- **Evidence Authentication Issues:** Digital litigation raises concerns regarding the verification and authenticity of electronically submitted evidence, which may impact the fairness of proceedings.
- **Limited Human Interaction:** Virtual courtrooms may reduce the effectiveness of oral advocacy, making it challenging for judges to assess credibility and demeanor.
- **Potential for Digital Divide:** Individuals without access to stable internet connections or appropriate digital tools may face difficulties in fully participating in legal proceedings.

6.3 Recommendations for Improving Digital Litigation Systems

To enhance the effectiveness of digital justice, several improvements are recommended:

- **Enhancing Digital Training:** Providing training programs for judges, lawyers, and litigants to improve their proficiency in using digital litigation platforms.
- **Strengthening Cybersecurity Measures:** Implementing advanced encryption, multi-factor authentication, and secure data storage to protect sensitive legal information.
- **Improving Digital Evidence Regulations:** Establishing clearer guidelines for the admissibility and authentication of electronic evidence to ensure procedural integrity.
- **Ensuring Technological Accessibility:** Expanding digital infrastructure to ensure that all litigants, regardless of location, have equal access to remote litigation services.
- **Hybrid Litigation Model:** Implementing a system where digital litigation is used where feasible, but traditional in-person hearings remain available for cases requiring physical presence.

7. Conclusion and Recommendations

7.1 Summary of Findings

This study has examined the impact of digital justice on procedural efficiency, accessibility, and fairness in UAE litigation. The findings reveal that digital litigation offers significant benefits, including reduced case processing times, cost savings, and improved case management. However, challenges such as cybersecurity risks, technical barriers, and limitations in evidence authentication remain areas of concern. The study emphasizes the need for continued improvements in digital infrastructure, legal regulations, and user training to ensure the effectiveness of digital justice.

7.2 Policy and Legal Recommendations

Based on the study's findings, the following policy and legal recommendations are proposed to enhance the effectiveness of digital justice in UAE courts:

1. **Legislative Revisions:** Amending existing laws to address gaps in digital evidence regulations, procedural fairness, and cybersecurity provisions.
2. **Judicial Training and Capacity Building:** Introducing specialized training programs for judges and legal professionals on digital litigation tools and best practices.
3. **Enhanced Security Measures:** Strengthening encryption, data protection laws, and authentication protocols to ensure the security of digital litigation platforms.
4. **Public Awareness Campaigns:** Educating litigants on their rights and responsibilities in digital litigation, ensuring equitable access to justice.
5. **Periodic Evaluations and Upgrades:** Conducting regular assessments of digital litigation systems to identify areas for improvement and integrate emerging technological advancements.

By implementing these recommendations, UAE courts can enhance the effectiveness, fairness, and security of digital justice, ensuring its sustainability in the long term.

References

- Abouhiba, N. (2004). *Electronic Signature* (First). Arab Renaissance House.
- About Wafa, A. (1977). *Civil and Commercial Arguments*. Al-Ma 'raf Facility.
- Al Marzouki, A. (2022). Electronic Litigation (Smart Litigation), and Electronic Litigation (Smart Judiciary): A Comparative Study of UAE Legislation with Certain Arab and Foreign Systems. *Sharjah University of Legal Sciences Journal*, 18(2), 244–273. <https://doi.org/10.36394/jls.v18.i2.7>
- al-Aboudi, A. (1997). Judicial Report on the Power of Electronic Communications and its Role in the Determination of Civil Proceedings. *Journal of Rights Rafidain*(3).
- al-Karawi, N. J. (2017). *Remotely Litigation: A Comparative Study*. Halabi Publications.
- AL-Obeidi, O. L. (2017). Electronic Litigation and Application Mechanism Comparative Study. *University of Tikrit Law Journal*, 1(3). <http://tujr.tu.edu.iq/index.php/t/article/view/132>
- al-Quthami, I. (2021). Remotely Litigation, Applied Jurisprudence to the Saudi System. *Journal of Shari'a Sciences and Islamic Studies, Umm Al-Qura University*(84).
- Al-Rastawi, M. (2019). *Electronic Judiciary between Theory and Practice in the Light of the Experience of Egyptian and UAE Legislator*. Arab Renaissance House.
- Al-Sarhan, B. (2022). *Explanation of the UAE Civil Procedure Law*. Hafiz House.
- al-Shamsi, M. (2022). *System of Remote Litigation in accordance with the UAE Civil Procedure Law* [Master's thesis]. Emirates University, UAE.
- Al-Shara, H. M. (2010). *Electronic Litigation and Courts* (1st ed.). Culture Publishing and Distribution House.
- Al-Tarsawi, M. I. (2013). *Judicial Proceedings in Electronic Courts*. Arab Renaissance House.
- Baim, Y., & al-Dalimi, A. (2009). litigation in civil litigation, applied analytical study. In *The First Annual Legal Conference*. Journal of the Faculty of Law.
- Emirates News Agency (20-Jun-2021). Ministry of Justice aims to have 80% of cases heard remotely. WAM. <https://wam.ae/ar/details/1395302945495>
- Emirates News Agency (22-Mar-2022). The Judicial Department reviews its achievements during 2021 in a media forum. WAM. <https://wam.ae/ar/details/1395303025742>
- Fahmi, W. R. (1986). *Principals of Civil Justice*. Arab House of Thought.
- Fateima, H., & Hroual, H. N. (2021). Electronic Litigation System Between Improving the Quality of Judicial Work and the Challenges of Digital Space. *Journal of Comparative Legal Studies, Yahya Fares University in Medea, Algeria*, 7(1).
- Hindi, A. (2014). *Electronic Litigation, Use of Electronic Means in Litigation: a comparative study*. New University Publishing House.
- Ibrahim, K. M. (2007). *Electronic Litigation: The Electronic Case and Its Procedures Before the Courts*. Dar Al-Fikr Al-Jamii.
- Ismail, M. (2010). *Electronic Evidence, Specialized Legal Encyclopedia* (First). Arab Encyclopedia Authority.
- Ismail, O. N. (1999). *Mediator, Civil and Commercial Procedure Law*. New University Publishing House.
- Khalil, A. (2001). *Civil Procedure Voices*. Halabi Publications.
- Larqatt, F., & Hwam, A. (2021). Electronic Litigation. *RCBL (Journal of Research in Contracts and Business Law)*, 6(4), 183–199. <https://www.asjp.cerist.dz/en/article/171366>
- Mamdouh, K. (2019). *Procedures for Remote Litigation in Civil and Criminal Subjects*. Al Fiker University house.
- Musallam, A. (1977). *Origins of Proceedings, Judicial Organization, Procedures and Judgements in*

Civil, Commercial and Personal Materials. Dar al-Arabi al-Thawr.

Qandil, M. (2015). Al-Wajeez in the judiciary and litigation according to the Civil Procedure Law of the United Arab Emirates and its complementary and related legislation (2nd). Bright Horizons.

Suleiman, D. H. (2015). The legal framework for civil litigation via the Internet - a comparative analytical study. House of Culture for publication and distribution.

Suleiman, M. M. (2011). *Electronic Arbitration*. New University House.

Tursman, N. (2019). Electronic Litigation Mechanism in the Digital Environment. Journal of Legal Studies, Laboratory of Sovereignty and Globalization, Yahya Faris University, Medea, 1(2).

UAE Ministry of Justice. (2019). *Directory of Electronic Litigation*. <https://www.moj.gov.ae/ar/services/esystems/e-filing-system.aspx>

Yusuf, A. F. (2014). *Electronic Courts and Electronic Litigation*. Modern Arab Office.