

ELECTRONIC JUDICIAL NOTIFICATION IN CIVIL JUDICIAL PROCEDURES A STUDY IN JORDANIAN LEGISLATION

Mashal Mufleh Jarrah, College of Law/Private Law, Amman Arab University

ABSTRACT

The judicial notification stage is considered one of the most important stages that judicial cases go through, because the lawsuit can only be preceded after the parties to the case notify these judicial papers on the one hand, and on the other hand, judicial notifications fulfill the principle of confrontation between litigants. There are several methods for conducting judicial notifications. This study aimed to explain the methods and means of electronic judicial notifications in the Jordanian legislation and how to conduct them. The researcher used the descriptive and analytical approach by analyzing the legal texts related to the subject of the study. The researcher reached a number of conclusions and recommendations, one of the most important results, which is that the purpose of conducting judicial notifications is to achieve the principle of confrontation between litigants in the case in question and not merely knowing the existence of a case.

Keywords: Notification, Electronic Notification

INTRODUCTION

The Importance of the Study

Due to the technological development in the world and the spread of electronic means of communication and smart phones, means of communication have become easy among individuals. Therefore, the Jordanian legislator resorted to stipulating the use of modern means in civil judicial procedures, including judicial notifications, as the head of the Jordanian Judicial Council issued a circular requiring the heads of courts to use electronic means in notifications, and the Jordanian Ministry of Justice provided each lawyer with an electronic account. The Jordanian Bar Association required each lawyer to submit a signed declaration that includes information related to his phone numbers and his e-mail address, in addition to the notification procedures stipulated in the Jordanian Code of Civil Procedure.

The Jordanian Court of Cassation confirmed that the system of electronic judicial notifications applies to civil and not criminal procedures, as it ruled: (that this system applies to notifications by electronic means in civil judicial procedures only, and not to other cases) (2-Jordanian Penalty Discrimination No. (4074/2018)).

The Study Problem

The main problem of studying electronic judicial notification in civil judicial procedures in Jordanian legislation is the adequacy of the texts contained in the Jordanian Code of Civil Procedure and the system of using electronic means in the Jordanian civil judicial procedures to accommodate the various aspects of this topic and the adequacy of the solutions provided by these texts to the problems and questions that arise.

Study Questions

To answer the main question, which is the electronic judicial notification? Several questions arise, including:

- 1- What is meant by electronic judicial notification?
- 2- What are the methods of electronic judicial notification?
- 3- What are the conditions and effects of the electronic judicial notification?
- 4- What are the contents of the judicial notification paper?

Study Objectives

The study of the subject of electronic notification in civil judicial procedures in Jordanian legislation aims to achieve many goals, the most important of which are:

- 1- Indication of what is meant by electronic judicial notification.
- 2- Determine the methods of electronic judicial notification
- 3- An indication of the conditions and effects of the electronic judicial notification.

Previous Studies

There is no specialized study on the subject of (electronic notification in civil judicial procedures in Jordanian legislation). References to this matter have been briefly mentioned in some public literature, such as Dr. Awad Ahmed Al-Zoubi's brief book on the Code of Civil Procedures, and Dr. Mufleh Al-Qudah's book, The Principles of Civil Trials and Judicial Organization.

Study Method

In studying the subject of electronic judicial notification in civil judicial procedures in Jordanian legislation, the researcher will adopt an integrated approach, an integrated methodology, to create a clear and comprehensive framework for analysis. Among the most prominent of these approaches: The descriptive and analytical approach: This is done through the analysis of legal texts, especially those contained in the Jordanian Code of Civil Procedures and the system The use of electronic means in the Jordanian civil judicial procedures and any other texts related to the subject, and the analysis and description of these texts and a precise description of the aspects related to the variables of this study and its criticism.

Study Plan

To answer the various questions raised by the subject of electronic judicial notification in civil judicial procedures in Jordanian legislation, the researcher decided to divide this study as follows:

The First Topic: What are the electronic judicial notification and the means of its procedure?

The Second Topic: The conditions for electronic judicial notification and its stirring.

Conclusion: Findings and recommendations.

The First Topic

What are the electronic judicial notification and the means of its procedure?

When enacting legislation, there must be a goal and an end for that, and accordingly, no action is put in place that has no benefit, otherwise the purpose will be removed from a position (Wali, 1997). This principle, which occupies an important position in the laws of assets (pleadings), it is at the same time one of the guarantees of validity of litigation (Abdel-Moneim, 1995). The Jordanian Law of Procedures of Proceedings No (24) for the year 1988

and its amendments was published in the Official Gazette No. (3545) on page (735) dated 2/4/1988. On the notification in Articles (4-16), it is necessary to explain the essence of the electronic judicial notification and the means of its procedure, and this will be dealt with through the following demands:

The First Requirement

The Concept of Electronic Judicial Notification

To find out the concept of electronic judicial notification, it is necessary to clarify what is meant by notification in language, regular judicial notification and electronic notification, and this will be dealt with through the following sections.

First Branch

Language Reporting

Communication in the language (it is said that the message has reached, the communication: reporting, and it is said that it was conveyed to the Hague, and the communication is said to him, which he conveyed, and the communication is what is communicated to him and reached the required thing, and the amount is the one who delivers the message, or salutation, etc. As the origin of the language goes, reporting comes to the meaning of delivery and is the source of their saying that the message has reached (Al-Razi, 1979).

The Second Branch

The Concept of Regular Judicial Notification

Defines the ordinary judicial notification as: (the delivery of a fixed order or incident to the knowledge of a specific person by one of the officers of the arrest warrant or one of the judicial agents, or by mail with a registered letter indicating the delivery, or the administrative method, and the goal is to ensure that the whistleblower is aware of the desired matter Inform him) (Fathy, 1999).

It was also defined as: (the official means by which the opponent informs a specific incident of seeing it) (Al-Sharqawi).

It was defined as: (the official means by which the opponent informs a certain incident, enabling him to view it and deliver a copy of it) (Mufleh, 2020).

Reporting from the researcher's point of view is sending judicial papers by an employee called a report to the person to whom they are required to be notified of those papers in order for this person to know those papers and to achieve the principle of confrontation between litigants in accordance with certain conditions stipulated in the Jordanian Code of Civil Procedure.

The Third Branch

The Concept of Electronic Judicial Notification

Article (5/2) of the Jordanian Civil Procedures provides that: (A- The court may verify the correctness of the address provided to it by the litigant to inform the other litigant or witnesses against him using electronic means determined by a system issued for this purpose)

In accordance with this article, the system for the use of electronic means in the Jordanian civil judicial procedures No. 95 of 2018 was published in the Official Gazette No.

(5600) No (5529) on 2/9/2018, and this system indicated the electronic judicial procedures as: (Procedures for recording cases and notification procedures)

According to this article, the parties to the case now communicate the judicial papers using electronic means. Electronic reporting is the use of electronic means of communication to send or deliver judicial papers to a person so that he can know about them.

The third article of the same regulation stated that electronic means are: (the means approved in accordance with the provisions of this system in civil judicial procedures)

The electronic means used for the electronic notification procedure, according to the same system, are: 1- E-mail, 2- Text messages by phone, 3- The electronic account created for the lawyer, 4- Any other means approved by the Minister, and those means or methods will be discussed through the second.

The Second Requirement

Means of Conducting Electronic Judicial Notification

The Jordanian system of using electronic means showed the methods of notification by electronic means, as Article (2) of the same system stipulated that. The electronic means in civil judicial procedures: They are the approved means in accordance with the provisions of this system, which are: e-mail, text messages *via* cell phone, the electronic account created for the lawyer and any other means approved by the minister. These means or methods will be addressed through the following:

First: Email

E-mail: is: (the service program that supervises the sending and use of messages and documents from one computer to another within the information network *via* the Internet and symbolized by E-Mail, which is the use of the network to send and receive messages - texts, notes, reports, pictures, sounds, video clips, etc.-, To anyone on the Internet anywhere in the world, at any time) (Khalil, 2009).

E-mail has many types, some of which are direct, and it requires the sender to contact the receiver's modem, as the sender's modem converts the message from a digital language to pulses that respond to phone lines to the receiver's modem, and there is a special e-mail, and there is a type provider for open line services, and it is based on Provide the subscriber with a password that enables him to access the Internet and be through a local network connected to a larger network, so that each of them has a role in distributing or sending e-mail (Anees, 2020).

E-mail, by any means, can be used in judicial notifications, in accordance with the text of Article (7/A) of the Jordanian Electronic Means Use System for conducting judicial notifications. This is done by sending the judicial papers to be notified from regulations or memoranda, or any papers that require notification to the person concerned and to the person who sends these notifications, which is the Ministry of Justice if the Ministry created an email for it through which judicial notifications are made. It uses the record that performs the notification procedures.

Second: Text Messages *via* Cell Phone

One of the modern means of interpersonal communication is text messaging *via* cell phone. This is done by depositing the cell phone number of the applicant who is required to inform him, as well as the phone numbers of their agents, whether they are lawyers or others. And in order to use text messages in the application of judicial procedures, including notifications, as the head of the Jordanian Judicial Council stressed that it would not accept the registration of any case with the courts, except by mentioning the mobile phone number of the parties.

Text messages may be *via* what's App, regular messages, Messenger, or the e-mail of the parties to the lawsuit.

This is what the Irbid Court of First Instance of Rights took in its appellate capacity as it ruled: (The court of first instance notified her electronically with a text message on her cell phone, in accordance with the text of Article (7/1/A) of the Code of Civil Procedure, which authorized reporting by sending a brief notice of the subject matter of the notification to The appellant agent by cell phone or any electronic means determined by the electronic reporting system (The beginning of Irbid's rights in its appellate capacity No. (7081/2020)).

Third: The Electronic Account Created For the Lawyer

Article (5) of the Jordanian Electronic Means Usage Regulation states: (A- For the purposes of implementing the provisions of this system, every lawyer must submit to the Bar Association a declaration signed by him on the form prepared by the Ministry that includes his information related to his name, resident address, phone numbers, and electronic mail).

Article (6) of the same system stipulates: (The Ministry provides each lawyer with an electronic account on its electronic portal approved for the purposes of registering judicial and executive cases and requests, depositing regulations, a list of evidence and all correspondence, judicial and executive papers)

Through the two previous texts, the researcher finds that the Jordanian legislator obligated every Jordanian lawyer, according to the text of Article (5), to submit to the Jordanian Bar Association a permit that includes information related to him in terms of name, place of residence, phone numbers through which he practices a currency, as well as his email address and the response of the Bar Association For this system, if no application to join the Bar is accepted, as well as requests to renew the practice of the legal profession if the lawyer does not disclose this information, as well as at the risk of removing the lawyer from the register of practicing professors' lawyers, and the register of trained lawyers if the applicant for renewal is a trained lawyer.

In addition, the Jordanian Ministry of Justice, in accordance with the text of Article (6) of the system, has established an electronic account for each lawyer on its portal, through which he can record and follow up on his claims, in addition to conducting all reports *via* the site in the event that it is not conducted in accordance with the provisions mentioned in the Code of Civil Procedure Jordanian.

The Second Topic

Conditions for Judicial Electronic Notification and Stirring

Article (7/b) of the regulation on the use of electronic means stipulated that: (b- When notifications are made by electronic means, the conditions and evidence that must be met in the judicial notifications stipulated in the law are taken into consideration) and based on the previous text, there are conditions and evidence that must be met in the electronic notification paper It is the same conditions and evidence stipulated in the Jordanian Code of Civil Procedure, in order to be considered valid and productive for its legal effects, and this will be addressed through the following demands:

The First Requirement

Conditions for Judicial Electronic Notification

With reference to the Jordanian Code of Civil Procedure, which stipulated notifications in Articles (4-16) and pursuant to the text of Article (7/b) of the system for the use of electronic means, the conditions and evidence that must be met in judicial notifications lie at

the time when the notification is made, and on the authority Authorized with the notification procedure, as well as the contents of the notification paper, and it will be dealt with through the following branches:

First Branch

The Time at Which the Notification is Made

Article (4) of the Jordanian Principles Law states: (It is not permissible to make any notification or execution before seven in the morning or after seven in the evening, or on official holidays, except in case of necessity and with a written permission from the court).

This text includes a rule and an exception. As for the rule, it is not permissible to conduct any notification between the hours of seven in the evening and seven in the morning, and any notification made during this period is considered null and the notification is repeated again and that the notification is on official working days, that is, from Sunday to Thursday of every week. Accordingly, notification that takes place on Fridays, Saturdays and religious holidays, such as the Eid al-Fitr holiday or the noble and official birthdays of the Prophet, such as Labor Day, is considered null, but this rule is given an exception, which is the permissibility of reporting on the official and official holidays and between the hours of seven in the evening and seven in the morning, with the availability of two conditions The first condition: the existence of a state of necessity, and the second: the written consent of the court whose matter is being notified. If these two conditions are met, notification may be made. As an exception to the general principle, it is written to inform the nightclubs that operate after seven in the evening and the end at seven in the morning.

In implementation of this, the Jordanian Court of Cassation ruled: (By referring to the notice of notification and the notification of notification of notification of the ruling issued by the Court of First Instance of Rights of Amman No. (3080/1985) addressed to the defendant, it becomes clear that the record did not indicate the time in which the notification was made by affixing and whether the notification was during the specified times Legally or not, so that our court can extend its control over the time of notification whether it was done according to the rules or not, and the report did not mention his full name on the deed of notification as required by Article (5) mentioned, so the notification in progress as mentioned above is null by virtue of Article (16) (Jordanian Rights Discrimination No. (1389/2016)).

It also ruled: (that the notification procedure is permissible on any day, except for official holidays in which it is not permissible to notify without written permission from the court) (Jordanian Rights Discrimination No. (7340/2018)).

The Second Branch

The Authority Authorized to Proceed with the Notification

Article (4) of the Jordanian Code of Procedure states: (1) Every notification is made by the bailiffs unless the law stipulates otherwise 3/a- Notification of judicial papers may be performed by one or more private companies approved by the Board Ministers based on a recommendation from the Minister of Justice. 3/B- The company employee who handles the notification process is considered a report within the meaning of this law)

From the reference to the previous text, the body authorized to conduct the notification is one of the judicial officers and the law called them the bailiffs. It is also permissible to conduct the notification by one or more private companies, but in order for the employees of this company to carry out the work of the bailiffs, two conditions must be met, namely the approval of the Minister of Justice and the assignment of this to the Cabinet, and the approval Cabinet on placement. In addition, the employee in the company that has been approved to make judicial notifications is considered a report within the meaning stipulated by the law in

accordance with the text of Article (6/3/B) of the Code of Civil Procedure. The system for reporting judicial papers by companies No. (39) for the year 2001 published in the official gazette No. (4494) on page (2518) on 7/1/2001 and this system indicated the companies that have the right to process the notification, the conditions for the notification procedures, the notification fees and the penalty incurred for Not observing the provisions of this bylaw, and two companies, namely, Aramex and Jordan Post, were approved to conduct notification, along with the employees of the judiciary, who were the attendants.

The Third Branch

Inclusions of the Notification Sheet

Article (5) of the Jordanian Civil Court Principles Law states the following: (1) the notification paper must include the following daughters: a- The date of the day, month, year and hour in which the notification took place. b- The full name and address of the applicant for notification and the name of his representative. c- The name of the court or the authority whose matter is being notified. d- The full name of the whistleblower and his address or his representative, if any. e- The name of the record in full and his signature on both the original and the copy. f- The subject of the notification. g- The name of the person to whom the notification was delivered, and his signature on the original receipt or proof of his failure and the reason for it).

In implementation of this, the Jordanian Court of Cassation ruled: (That is because the jurisprudence of the Court of Cassation has established that the memorandum for notifying the ruling notifications included the requirements of Article (5) of the Code of Civil Procedure, and the report proceeded with the notification procedures in the required sequence in accordance with the provisions of Articles (6, 7, 8 and 9) of the Law The principles of civil trials and complete explanations of all the notification data came in the presence of a witness, and that the notification was duly signed, so adopting them does not violate the law) (Jordanian Rights Discrimination No. (6599/2018)).

It also ruled: And from the extrapolation of the notification of the notification of the conciliation judgment, we find that it included the date of the day, month and year in which the notification took place, the full name and address of the applicant for notification, the name of the court whose matter was notified, the full name and address of the reporter and the name of the record in full, which makes this notification in compliance with the law and productive For its effects) (15).

Based on the foregoing, the contents of the notification paper will be dealt with in some detail through the following:

First: The date of the day, month, year and hour in which the notification took place.

That the notification paper does not include the day, month, year and hour in which the notification was made is considered valid, and the notification does not have an effect. That is because the text of Article Five is a mandatory text, and the court and the bailiffs must abide by it. Also, mentioning these data is important in determining the beginning and end of the dates of appeal, and in submitting the regulations and legal notes towards: the response regulations, which are to respond to the case list, the appeal regulations, the defense notes and the objections to the litigant's evidence, on the one hand, and on the other hand, not mentioning the day, the hour and the month that When the notification was made, it will lead to not knowing whether the notification was carried out according to the text of Article (3) of the Jordanian Principles Law, which was clarified in the first section, or not, on which depends on knowing the legality of the notification and whether it took place within the time stipulated by the law.

Second: The full name of the applicant, his address, and the name of his representative, if any.

The notification sheet must include the name of the applicant in full, meaning any of the four sections. If one of these sections is not mentioned, then the notification will not be approved. Likewise, the address of the prolonged notification in order to inform him of the papers to be submitted by the person to be notified, in order to achieve the principle of confrontation between the litigants, complete the notification procedures and proceed with the case in accordance with the law. Also, the notification sheet must include the name of the person who represents the applicant for notification in case he has a representative such as the agent, or guardian.

In implementation of this, the Jordanian Court of Cassation ruled: (From referring to Article (5/1) of the Code of Civil Procedure, it required that the notification paper include specific information, including the name of the applicant in full ...) (Jordanian Rights Discrimination No. (7083/2018)).

Third: The name of the court or the authority whose matter is being notified.

If the notification is issued by a court, the notification of a case list, for example, the name of the court requesting the notification must be mentioned in the notification sheet, such as the North Amman Magistrate's Court if the notification is issued by this court, or the Court of Appeal or Cassation if the notification is issued by them. However, if the notification paper was issued in the name of a party other than the court, such as a notary public, in the event that a judicial warning is notified, the name of the authority that issued or prepared the notification papers must be mentioned.

In application of this, the Jordanian Court of Cassation ruled: (Consequently, his notification of the case list and its attachments came in accordance with the provisions of Article (5/10) of the Code of Civil Procedure. We also find that the memorandum of this notification included all the requirements of the provisions of Article 5 of the same law, which included... .. and the name of the court...

Fourth: The full name and address of the whistleblower or his representative, if any.

This statement is contrary to what was mentioned in the second statement, since it must also include the name of the entity to be notified and this entity, whether it is a natural person such as a human being or a legal person such as a company or a sole proprietorship or an association, because notifications in the subsequent stages of the case will be made by attorneys, legal researchers, agents, guardians, and guardians who represent these bodies (Jordanian Rights Discrimination No. (3216/2018)).

In application of this, the Jordanian Court of Cassation ruled: (And in this we find that the benefit of articles (7/1, 8 and 9) of the Code of Civil Procedure is that they relate to informing the person required to be notified before he assigns a lawyer if he has appointed a lawyer to start hearing the case on his behalf in accordance with the requirements of the two articles (63 and 64) of the same law, the notification of the necessary documents in the case must be made to the attorney and he shall refrain from directing or communicating them to the person required to be notified. Whereas it is established that the knowledge and notification of the notification of the legal judgment number numbered has been communicated to the defendant through him his wife residing with him and not to his attorney who He was represented before the court of first instance under a legal power of attorney preserved in the file, in contradiction to the provisions of the articles referred to above, so what is based on this is that the notification of the judgment notification to the defendant is an illegal notification and not producing its effects (see Discriminatory Decision No. 47/2016 dated 05/19/2016) (Jordanian Rights Discrimination No. (284/2019)).

Fifth: The name of the record in full and his signature on both the original and the copy.

The person who conducts the notification in accordance with the provisions of Article (6) of the Jordanian Civil Procedure Law must mention his name in the notification sheet in full, whether this person is an employee of the court or an employee of a private company that has the approval of the Prime Minister to carry out the notification procedures, which is permissible for it to conduct Reporting is legal.

The notification paper must also include the signature of the record on the original and the copy, but if the notification is done by pasting, a witness must be brought to attest that this notification was done by pasting and mentioning the name of the quartet in the notification sheet and the record shall write a name in the notification sheet in support of the text of Article (9) of the same Law.

In implementation of this, the Jordanian Court of Cassation ruled: (Since this notification was devoid of the name of the reporter who clearly communicated it, and it was not mentioned through the annotations that he had come to the address of the appellant's agent (distinguished) at different times, and therefore this notification is contrary to the provisions of Article Five E/of the Code of Civil Procedure, which requires the presence of the record's name in full and his signature, which results in the invalidity of this notification in accordance with the provisions of Article 16 of the Code of Civil Procedure, and it has no effect on it (19).

Sixth: The subject of notification.

The subject matter of the notification is of importance to the parties to the dispute and because the judicial papers that are notified to the person concerned are different, including a case list, an appeal sheet, a criminal notice, a document folder ... etc. Accordingly, the type of these papers to be communicated must be mentioned in the notification sheet in order for the notification to be valid and produce an excitement, because not mentioning them leads to the invalidity of the notification.

In implementation of this, the Jordanian Court of Cassation ruled: (In this, we find that the jurisprudence has stabilized, and in many decisions of the Court of Cassation, that the validity of the notification paper requires mentioning the name of the report in full, his signature, the subject matter of the notification, the name and signature of the person to whom the notification was delivered and his signature (Cassation Decision 2001/2018 and Decision 1548/200). And since the Court of Appeal went in this direction, so its decision is in accordance with what was established by the judicial stress, and these reasons do not respond to it, which must be rejected) (Jordanian Rights Discrimination No. (711/2016)).

Seventh: The name of the person to whom the notification was delivered and his signature on the original of receipt or proof of his abstention and the reason for it.

Among the important data also that must be mentioned in the notification paper is the name of the person to whom the notification was delivered and signed, because the notification may take place in a number of ways, towards: the very notification, that is, the delivery of the papers required to be notified to the person concerned and he receives them and signs them or refuses to receive them, through an intermediary, which is the notification of a person who is not the one concerned. A person accustomed to cohabiting with the person required to be notified, or his agent or employee, his wife, parents, one of his sons or brothers whose apparent evidence indicates that they have reached legal age, so that notification is made by other means in the event of rejection, such as reporting by affixing according to the text of Article (9) of the same law, as well as Notification by publication according to the text of Article (12) of the same law, and by diplomatic means according to the text of Article (-) of the Jordanian Code of Civil Procedure.

In application of this, the Jordanian Court of Cassation ruled: (And in this we find that the respondent was notified of the judicial notice referred to above in particular and received and refused to sign, according to the annotations of the record written on the notification note issued by the notary public and in contrast to what was stated in this reason, which necessitates his dismissal) (Jordanian Rights Discrimination No. (5199/2018)).

The Second Requirement

Effects of Electronic Judicial Notification

The question arises: when is the judicial electronic notification a product of its legal effects?

If the person requested to be notified is informed of any means of electronic notification, which are the approved means in accordance with the provisions of the system for the use of electronic means, which are: e-mail, text messages *via* cell phone, the electronic account created for the lawyer, any other means approved by the minister. The reporting becomes the producer of the excitement, but from when does it become the producer of the stir? Is it from the date of sending the notification or from the date of its arrival or knowledge of it and by referring to the text of Article (7/b) of the system for the use of electronic means, we find that when making notifications by electronic means, the conditions and evidence that must be met in the judicial notifications stipulated in the Jordanian Code of Civil Procedures are taken into consideration. By referring to the text of Article (16) of the Code of Civil Procedure, it decided to nullify the notification in which the conditions and procedures contained in Articles (4-15) of the same law were not observed.

The court may, in accordance with the provisions of Article (14) of the principles, search for the notification papers for which a report has been returned according to the methods of notification provided for. If it finds that the notification is in accordance with those texts, then it decides to approve the notification and consider it as a product of its effects, but if the notification contravenes those articles, it considers the notification void and then decides to return it. Report again. (Al-Qudah, Mufleh: Principles of Civil Procedures and Judicial Organization)

If the notification is made in accordance with articles (4-15), it is considered a product of excitement from the date of sending the notification by electronic means, when it is proven that this notification was sent by that means, since the person concerned has to declare his phone number and email address when submitting any paper to the court or attending any. This is what the Jordanian Court of Cassation went to in many of its jurisprudence, including: According to the provisions of the law (Jordanian Rights Discrimination No. (2776/2020)) And by analogy with those materials and the jurisprudence and by referring to the system of using electronic means, the electronic notification is considered the product of provocation from the date of sending those notifications to the person concerned by any of the methods approved for the aforementioned electronic communication. And the person concerned, if the notification was not delivered to him, shall appeal by reporting in accordance with the provisions of the law by submitting a request to invalidate the notifications or object to them before the competent court.

CONCLUSION

After studying the electronic judicial notification in civil judicial procedures, a study in Jordanian legislation, the researcher came to a set of conclusions and recommendations.

First: Results

- 1- The conditions and evidence that must be met when notifications are made by electronic means are the same that must be met in the judicial notifications stipulated in the Jordanian Code of Civil Procedure.
- 2- The purpose of conducting judicial notifications is to achieve the principle of confrontation between litigants in the prosecution case and not merely knowing the existence of a case.
- 3- That the contents of an electronic notification paper are the same that must be found in a regular notification paper.

Second: Recommendations

- 1- The researcher hopes for the Jordanian legislator to amend the provisions of the Code of Civil Procedure by developing legal texts that clarify the procedures and conditions for electronic judicial notifications.
- 2- The researcher recommends not resorting to electronic reporting except in the event that notification is not possible by regular means and by a decision of the competent court.
- 3- The researcher recommends considering the time at which notification by electronic means is considered legal, which is the date of receipt of the electronic message by the concerned person, by sending it to the e-mail and phone authorized in the case to the person required to be notified.

Laws:

- 1- Jordanian Code of Civil Procedure No. (24) for the year 1988 and its amendments.
- 2- The system for the use of electronic means in civil judicial procedures No. (95) Of 2018

Jurisprudence:

- Publications decisions

ENDNOTES

- Dr. mashal mufleh jarrah, assistant professor, college of law/private law, amman arab university.
 Jordanian Penalty Discrimination No. (4074/2018) on December 31, 2019, the publications of your decision.
 Wali, F. (1997): Civil and commercial pleadings, Dar Al-Nahda Al-Arabiya, Cairo, Egypt. P. 106.
]\ El-Sharkawy, Abdel-Moneim (1995): Al-Wajeez in the law of civil and commercial procedures, Egyptian University Publishing House, Cairo, Egypt. P. 267.
 - Al-Razi, Muhammad bin Bakr bin Abdul Qadir (1979): Mukhtar As-Sahha, 1st Edition, Arab Book House, Beirut, Lebanon, p.63.
 Wali, F. (1999): Mediator in Civil Law, Dar Al-Nahda Al-Arabiya, Cairo, Egypt. P. 188.
 Al-Sharqawi, Abdel Moneim: Al-Wajeez in the civil and commercial procedure law, previous reference. P. 267.
 Al-Qudah, M. (2020): The Principles of civil trials and judicial organization, edition 4, house of culture for publishing and distribution, Amman, Jordan, p. 252.
 Al-Shdeifat, K. (2009): The international information network, the internet, 1st edition, Al-Moataz Publishing House, Amman, Jordan, p. 73.
 Al-Mansour, A. (2020): Explanation of the provisions of the Jordanian evidence law according to the latest amendments, ed. 3, 156-157 - and also refer to Al-Shdeifat, Khalil, global information network, the Internet, previous reference, p. 73 onwards.
 The beginning of Irbid's rights in its appellate capacity No. (7081/2020), dated 9/11/2020, publications of your decision.
 JORDANIAN rights discrimination no. (1389/2016) dated 7/11/2016 publications of your decision.
 Jordanian rights discrimination no. (7340/2018) on 1/5/2019 the publications of your decision, and see also rights discrimination no. (2176/2017) on 6/4/2017, rights discrimination no. (4055/2015) on 3/2/2016.
 Jordanian rights discrimination no. (6599/2018) on 12/17/2019, the publications of your decision.
 Jordanian rights discrimination no. (6585/2019) on december 31, 2019, the publications of your decision.
 Jordanian rights discrimination no. (7083/2018) on 7/3/2019, the publications of your decision.
 Jordanian rights discrimination no. (3216/2018) on june 27, 2018, the publications of your decision.
 Jordanian rights discrimination no. (284/2019) on 4/24/2019, the publications of your decision.
 Jordanian rights discrimination no. (6934/2019), dated 02/23/2020, the publications of your decision.
 Jordanian rights discrimination no. (711/2016) dated May 31, 2016, publications of your decision.
 Jordanian rights discrimination no. (5199/2018) on 11/13/2018, the publications of your decision.
 Al-qudah, mufleh: principles of civil procedures and judicial organization, previous reference, 269.
 Jordanian rights discrimination no. (2776/2020), dated 12/21/2020, the publications of your decision.

REFERENCES

- Al-Shdeifat, K. (2009). *The worldwide information network, the internet, (1st edition)*. al-moataz publishing house, Amman, Jordan.
 Al-Razi, Muhammad bin B.B.A.Q. (1979). *Mukhtar As-Sahah, (1st Edition)*. Arab book house, Beirut, Lebanon.
 El-Sharkawy, A-M. (1995). Al-Wajeez in the law of civil and commercial procedure. Egyptian university publishing house, Cairo, Egypt.
 Al-Qudah, M. (2020). *Principles of civil trials and judicial organization, (4th edition)*. House of culture for publishing and distribution, Amman, Jordan.
 Al-Mansour, A. (2020). Explanation of the provisions of the Jordanian evidence law according to the latest amendments.
 Wali, F. (1997). *Civil and commercial pleadings*. Dar Al-Nahda Al-Arabiya, Cairo, Egypt.
 Wali, F. (1999). *Mediator in civil law*. Arab renaissance house, Cairo, Egypt.