Scholarly Paper

The Impact of Civil Case Management on Achieving Complete Justice in Comparative Legal Systems

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Abstract: Civil case management (CCM) has become a key mechanism in modern legal systems, aiming to enhance litigation efficiency and achieve justice. This study examines the effectiveness of CCM in the United Arab Emirates (UAE) in comparison with the American legal system, which pioneered the concept. The research focuses on a hypothetical model based on the causal relationship between CCM and achieving complete justice. The model assumes that effective CCM generates interactions that improve the overall level of justice, provided it successfully fulfills its functions and objectives. This applied theoretical study is structured into three main sections. The first section examines the legal framework of the CCM and its connection to achieving justice. The second section analyzes the CCM's role in the litigation process. The third section presents findings from an applied field study conducted within the Emirati legal system, with comparative insights drawn from American law. The research evaluates the legal provisions introduced by the Emirati legislator in Civil Procedure Law No. (42) of 2022 and its predecessor, the amendment in Civil Procedure Law No. (10) of 2014, which established CCM in UAE courts. A comparison is drawn with the American Federal Civil Procedure Code, particularly since the United States was the first to implement CCM in its courts. The study's theoretical and practical hypotheses explore the relationship between CCM and justice, focusing on how its duties and tasks influence the conduct of civil cases and the speed of their resolution. The findings reveal that UAE law adopts a managerial approach by entrusting case management to court officials rather than judges, unlike American law, where a judge-led system is used. This difference reflects a limitation in the powers and tasks of case management in UAE courts. The applied field study confirms a significant connection between the effective performance of CCM and the achievement of justice under the civil procedure code. Based on these results, the study highlights the need for legislative amendments to enhance the efficiency and effectiveness of CCM in the UAE. **DOI:** 10.1061/JLADAH.LADR-1229.

Practical Applications: This study offers significant insights for legal practitioners and policymakers in the UAE. It emphasizes the need for reform in civil litigation management to enhance the efficiency and fairness of judicial procedures. By comparing the UAE's current system, where civil case management (CCM) is conducted by public employees, with the American model that empowers judges to oversee case management, the research highlights the potential benefits of adopting a judge-led system. Implementing such changes could streamline pretrial procedures, reduce delays, and ensure more thorough preparation of cases. Ultimately, these reforms would lead to quicker and more just outcomes. This research suggests specific legislative adjustments, such as granting judges the authority to manage civil cases. These changes could significantly improve the administration of justice in the UAE, aligning it more closely with international best practices.

Author keywords: Private law; Civil procedure law; Civil case management.

Introduction

In the civil and commercial procedures law, the legislator seeks to outline the legal path to achieving justice when resorting to judicial authority. This is done by establishing the necessary formal rules. These rules are concerned with organizing the judicial authority to enable it able to fulfill its function of adjudicating disputes, as defined by the Constitution and the laws regulating its work. Alternatively, the procedural legislator ensures the rights of the opponents (parties) in the case. This includes enabling the plaintiff to present their claim in a complete and undiminished form while also allowing the defendant to present their defense as determined by the law. All of this is conducted within the legal and formal framework established by the Civil and Commercial Procedures Law.

In addition to the necessity of fulfilling the functions of the judicial authority in adjudicating disputes presented to it, in accordance with the form and deadlines set by the law; what usually troubles the procedural legislator, and the judicial authority is finding the temporary balance point in deciding the dispute between achieving justice and the speed of deciding the case. The procedural legislator works to preserve the rights of litigants, by extending the claim for the plaintiff, presenting defenses for the defendant, and also enabling the court to consider the dispute fully. Alternatively, the legislator seeks to achieve this basic function—resolving the dispute—as quickly as possible, to prevent harm to the opponents, and to save the court's time and effort. This is called complete justice (Herian 2021; Ranjan 2019), which is why the procedural

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legislator always seeks to search for the best legal means and solutions that work to enable the court to decide the dispute as quickly as possible, while preserving the requirements for achieving justice.

To ensure the achievement of complete justice, the Emirati legislator introduced the concept of civil case management (CCM) in the Civil and Commercial Procedures Law No. (42) of 2022. This approach was implemented in Emirati courts starting March 1, 2015, following the decision of the Emirati Minister of Justice (Decision No. 104 of 2015). It applies when registering a civil or commercial case, as well as when filing appeals or cassations CCM. This approach is inspired by the American judicial system (Gensler 2010) and seeks to streamline litigation procedures. It focuses on expediting the process from the filing of a case or appeal to the commencement of trial sessions. This phase often involves procedural requirements mandated by law, which significantly influence the progression and outcome of the case. Delays during this stage frequently lead to extended disputes, which can hinder timely resolution case. Therefore, the Emirati legislator recognized the need for legislative intervention by establishing CCM. This system undertakes the process of legal procedures, starting from the moment the case or appeal is filed until the trial sessions begin. The aim is to enable the court to gain early control over the case and adversarial procedures. It also seeks to prevent any defects or delays in the procedures or preparation of the file, which could later negatively affect the smooth conduct of the dispute.

The idea of this study emerged to examine the legal system for managing civil cases in Emirati law, a system recently adopted by the Emirati legislator. It aims to evaluate its effectiveness in achieving complete justice compared with American law, from two perspectives. The first perspective is theoretical. It seeks to explain the legal aspects of this system, its role in fulfilling the judicial function, and its adequacy in ensuring the proper handling of judicial disputes. It also explores its effectiveness in achieving complete justice and offers suggestions for improvement in this regard. The second perspective involves applied field study. This study focuses on a sample of judges and lawyers in the Emirate of Abu Dhabi to assess the extent to which the CCM achieves its intended objectives.

Study Problem

The study aims to demonstrate the effectiveness of CCM in achieving complete justice under UAE law by addressing the legal provisions established by the Emirati legislator in the Civil Procedure Code, which introduced the concept of CCM in the UAE courts. It also aims to demonstrate the effectiveness of these legal texts in achieving the desired goals of CCM, in facilitating the dispute and speeding up its resolution, from a legal and applied perspective, and at the same time, making a legal comparison between Emirati law and American law in the case management system.

The problem of the study is to answer the main question, which is: *What is the adequacy of the legal texts introduced by the Emirati legislator in managing civil cases, and their effectiveness in achieving justice from a theoretical and practical perspective?*

The following subquestions branch out from the problem of the study:

1. What is the legal composition of the CCM, and what courts are established in it?
2. What is the relationship between CCM and justice?
3. What are the functions of CCM and its legal nature, whether managerial or judicial?
4. How does CCM facilitate litigation in registering cases and issuing judicial notifications?
5. What is the role of CCM in limiting the evidentiary evidence and its impact on focusing the dispute?
6. Does the CCM have a role in requests, defenses, urgent matters, and appeals?

Study Importance

The importance of this study stems from two aspects: theoretical and practical.

Theoretical: The theoretical importance of this study lies in the fact that the UAE legislator has incorporated a CCM system within the framework of the Civil Procedure Law, as outlined in the Civil and Commercial Procedure Law. Therefore, the civil case management system requires both theoretical and applied legal studies in the United Arab Emirates at this time. To assess the effectiveness of the provisions enacted by the Emirati legislator when adopting this system and their adequacy in achieving the desired goals of civil case management. Also, seek to evaluate the system's consistency with other provisions in the Civil and Commercial Procedures Law. Additionally, this system should be compared with the CCM system in American law, which is considered the origin of this approach. Most Arab legislation has drawn inspiration from the American system. Such a comparison would help determine the extent of the success of this experience in the American legal system.

Practical: The practical importance of this study lies in conducting an applied field study on a sample of judges and lawyers in the Emirate of Abu Dhabi. To assess the extent to which the CCM has achieved its intended goals within the judicial system. It also seeks to identify the positive aspects of this legal system in practical application, encouraging the Emirati legislator to strengthen these benefits. At the same time, the study highlights any defects, shortcomings, or deficiencies in legislation or its application. If such issues are found, the study provides a basis for addressing them through future legislative amendments.

Study Objectives

This study aims to explore and evaluate the role of CCM in enhancing judicial efficiency and achieving complete justice in the UAE legal system, with comparative insights from American law. The specific objectives of the study are

1. Identifying the legal structure, legal nature, and authority of CCM in judicial processes.
2. Explaining the relationship between CCM and justice, including its role in registering cases and judicial notifications.
3. Determining the functions, tasks, and powers of CCM, particularly in managing requests, defenses, and evidentiary evidence.
4. Analyzing the role of CCM in urgent and temporary matters, as well as in appeals and settlement proposals.
5. Evaluating the effectiveness of CCM in facilitating reconciliation and settlement between parties and in expediting judicial procedures.
6. Testing the study model, verifying the validity of applied hypotheses, and assessing the extent to which the UAE legislator has succeeded in regulating CCM.

Study Applied Model

A hypothetical model was designed, based on the causal relationship between (CCM and the achievement of complete justice). The model assumes that the effectiveness of the CCM generates

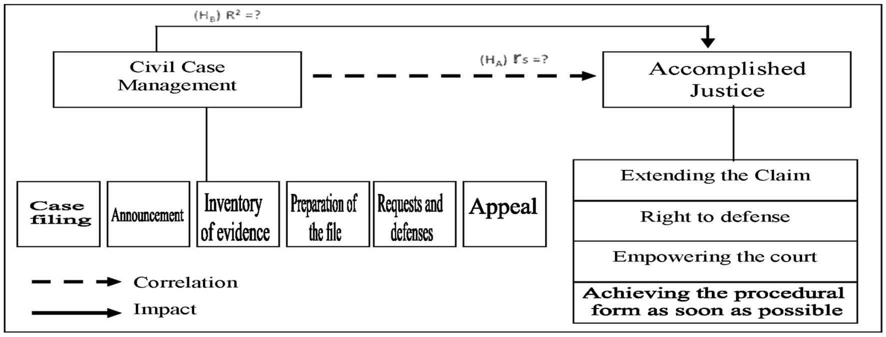

Fig. 1. Model of relationships and influences between CCM and complete justice theoretical.

interactions that lead to an improvement in the overall level of justice, ultimately achieving the goal of complete justice, provided that CCM successfully fulfills its functions and objectives (Fig. 1).

Study Hypotheses

Based on the literature review and conceptual framework, the following hypotheses have been formulated to guide the empirical component of the research:

1. The management of civil cases in UAE law is characterized by a managerial nature rather than a judicial nature. This contrasts with American law, where case management is regarded as having a judicial nature.
2. The CCM may contribute to shortening the procedures for filing the claim by the plaintiff and limiting the evidence.
3. The CCM may have an effective role in the judicial announcement and following up on its implementation, with the aim of speeding up the judicial procedure.
4. The CCM is considered to have an effective role in facilitating the dispute by preparing the case file.
5. There may be a fundamental role for the case management, in extending requests, presenting defense and formal defenses, and urgent requests.
6. The legal organization for managing civil cases in UAE legislation is considered to require some legislative amendments to achieve greater effectiveness in delivering justice as quickly as possible.
7. There may be a role for the CCM in presenting and documenting reconciliation.

Applied

The applied study is based on two main hypotheses, which aim to test the nature of the relationships and effects between (CCM), and the subvariables it contains, and (complete justice) and the subvariables it contains.

Hypothesis 1 (correlation): (HA) expects that there will be a statistically significant relationship between the presence of CCM and efficient justice, at the level of ($\alpha = 0.05$) in Abu Dhabi courts, so that case management contributes effectively to the speed of deciding cases, according to statistical indications.

Hypothesis 2 (impact): (HB) expects that there will be a statistically significant effect of CCM in achieving timely justice, at the level of ($\alpha = 0.05$) in Abu Dhabi courts, so that CCM clearly affects the pursuit of timely justice, according to statistical indicators.

Study Approach

The problem of this study is addressed by following the descriptive and analytical approach and, conversely, the applied approach. It works to follow the descriptive and analytical approach, by examining the legal texts related to the management of the civil case, in the civil procedure code, and analyzing them, in the light of jurisprudence and the judiciary, to determine their effectiveness in achieving the desired goals of the case management. As for the applied approach, it will be in the field study that covers a highly important aspect of this study, in determining the opinion of judges and lawyers in the management of civil cases, and the extent to which they achieve the desired goals considering the new amended law.

Study Specifications

Objective: The study deals with the management of civil cases in the civil procedure code in the UAE, compared with American law, without addressing the management of criminal cases, or the management of civil cases in other Arab laws, unless the reference is necessary for interest.

Time: The study will be implemented for the period 2016 to 2023 in the UAE. The UAE legislator introduced the CCM in Amended Law No. (10) of 2014 and worked to implement it in the federal courts on March 1, 2015.

Spatial: The theoretical study is conducted in Emirati law compared to American law, and the applied study is conducted in the courts of the Emirate of Abu Dhabi.

Study Community and Sample

The courts in the Emirate of Abu Dhabi were selected as a community for the study. A random sample of (50) individuals will be selected equally from the judges and lawyers practicing in those courts, to survey their opinions on the effectiveness of case management in facilitating litigation and achieving timely justice, through a questionnaire prepared specifically for this purpose, and subjected to statistical tests to verify its validity and reliability.

Study Structure

The study is structured into three main sections, each addressing a distinct aspect of the research focus. This organization ensures a logical flow from theoretical foundations to practical application:

1. **Section I**: Legal composition of CCM and its relationship to complete justice:
   - Legal composition of CCM.
   - Relationship of CCM to complete justice.
2. **Section II**: Role of case management in the dispute:
   - Role of case management in the stage before the start of the trial sessions
   - Role of case management in urgent requests, intervention, entry, formal defenses, and appeals
3. **Section III**: Applied field study

Section I: Legal Formation of CCM and Its Relationship to Complete Justice

Legal Formation of CCM in the Emirati and American Legal System

Definition of CCM

Some Arab procedural laws—including the Emirati legislator—have recently adopted the term civil case management (CCM) in the procedural organization of the civil judiciary in the civil procedure code, instead of the previous organization with what is known as the court clerk's registry (Mohammad 2023).

The term case management is taken from the American term known as case management, with the aim of working to improve the conduct of the civil case in pretrial procedures, or preappeal procedures. Before examining the legal meaning of this term and its elements, it is necessary to explain the meaning of management and case independently, because the legislator combined the two terms into one meaning (Kononova 2022).

Management is defined linguistically as providing service to others, or arranging and organizing business administration, or organizing and managing public affairs (Al-Waseet Dictionary 1960). It is defined idiomatically as "directing the activity of a group of individuals toward a common goal and organizing and coordinating their efforts to achieve goals" (AlZaher 2010). It is also described as "the process of assembling various factors of production, including capital, labor force, and natural resources, and combining these factors effectively to achieve goals" (Abbas 2021).

The Emirati legislator did not provide a specific definition for a case. However, according to jurisprudence, a case is defined as "a legal authority granted to persons, through which they exercise the right to resort to the judiciary. This authority reflects a person's eligibility and will to obtain judicial protection" (Ragheb 2003; Wali 1986). The case is also known as "a means of obtaining judicial protection" (AlKetbi 2018; AlSarhan 2023; AlZoubi 2010; Mabrouk 2009).

The term CCM is a modern definition of Arab procedural legislation in general. The first thing known in Arab procedural laws was in the Jordanian Civil Procedure Code, amended No. (20) of 2005, where it adopted the case management system, from the American law system, from the phrase (case management) (Kuhl and Highberger 2023; Sage et al. 2002). The UAE legislator, in the Civil Procedure Law, adopted the term CCM in Amended Law No. (14) of 2015, and emphasized in Civil Procedure Law No. 42 of 2022 the CCM.

In fact, the term CCM was found in the procedural legal system, as an alternative to the term known in UAE law as the court clerk's registry (Mohammad 2023). It is the concerned authority, within the corridors of the courts, in following up on legal procedures regarding cases, outside the framework of the objective, jurisdictional, and formal work of the judge. Usually, this is the competent authority, to follow up on the registration of the case, notify the opponents, and verify the attachments related to the case, until the file is prepared, and the procedures are completed, to transfer the file to the judge who will hear the dispute. It is also specialized in registering and notifying appeals.

CCM has been defined as "a set of legal procedures that are carried out through early judicial supervision before the courts begin" (Kanakria and AlQatawneh 2003). It is also defined as "a set of legal procedures carried out by a specialized judge. Through these procedures, the parties are verified to be properly represented, the evidence is limited. And opportunity is created for all parties to determine the essence of the dispute. The process also aims to resolve the dispute either through reconciliation, alternative methods to litigation, or referring the file to the trial court" (AlRawashdeh 2010). It is also defined as "a set of procedures aimed at organizing the case, gathering evidence from the opponents, determining the essence of the dispute, discussing settlement, or using alternative means to trial in order to resolve the dispute as much as possible" (Judeh 2005). It has also been known as "that management that is concerned with organizing the progress of the case from the moment it is registered in the case register until it reaches the trial judge in terms of following up on the progress of the legal procedures carried out by the management judge, including following up on the validity of the notifications and the validity of the representation for both opponents and the evidence and offering to resolve the dispute after determining the essence of the dispute by finally referring it to the trial judge or one of the alternative methods to litigation" (Al Lozi 2007; AlManasrah 2012).

In American law, CCM means early judicial control of the case, with the aim of settling the dispute between the parties or identifying points of disagreement and agreement between the parties and determining the consideration of the case within a specific timetable for each procedure (Chan 2021; Kakalik et al. 1995). It can also refer to a judge to prepare the case file in the precourt stage and meet with the parties, with the aim of settling the dispute or agreeing on a timetable for hearing the case that the parties and the trial judge adhere to (McKenna et al. 2000).

It can be said that the previous definitions are based, in their entirety, on the role of case management in legal procedures, including registering the case, preparing the file, and restricting the evidence. In fact, these issues relate to the functions of CCM, without defining self-management. It is noted that these definitions are based on managing civil cases as a judicial function in general, and this is consistent with Jordanian and American law, which were addressed in the previous definitions, and this may conflict with what was stated in the UAE Procedural Law, which did not grant this function to a judge, as is the case in American law.

In defining case management, it is possible to link the general concept of management to the technical meaning of the case. This approach focuses on the structural aspects and objectives of this legal system, particularly within UAE law. CCM in UAE law is defined as "a managerial body within the judicial authority. This body organizes, directs, and improves the proper conduct of civil case procedures, which occur outside the authority of the trial judge. Its objective is to ensure judicial procedure are conducted in accordance with the proper procedural form as efficiently as possible."

Through this definition, it can be said that the elements of CCM and composition are based on the following issues:

1. CCM is part of the departments operating within the UAE courts, and it exercises its powers and functions in accordance with the Civil and Commercial Procedures Law, without interfering with the powers of the trial judge in consideration of the judicial dispute. It is a department (office) and represents work

supporting procedural judicial work (Federal Decree-Law No. (42) of 2022 Promulgating the Civil Procedure Code, 2022).
2. CCM seeks to carry out its work and functions in accordance with the principle of achieving procedural work according to the form prescribed by law, with high efficiency, according to the dates set by law, as quickly as possible, to achieve complete justice (Cabral 2023).
3. CCM is responsible for organizing the case file before the trial begins and preparing it for referral to the trial judge. This process is carried out without infringing on the judge's powers, such as imposing judicial oversight on the procedures performed by CCM.CCM For example, it may involve excluding evidentiary evidence presented by the parties or invalidating a procedure conducted by CCM, such as declaring the invalidity of a notification. Additionally, CCM organizes the appeal file and handles related notifications before submitting the appeal to the court for a decision.

Nature of CCM

The purpose of this section is to determine the nature of the work of the CCM, whether it is managerial or judicial in the UAE legal system, compared to the American legal system.

In UAE Law

Article (45) of the Civil Procedure Code stipulates that (1) An office shall be established at the headquarters of the competent court called the Case Management Office. (2) The Case Management Office shall be composed of a president and a sufficient number of court employees, including legal professionals and others, under the supervision of the president of the competent court, a judge, or more).

Through this text, the study notes that the Emirati legislator, in the first paragraph of Article (45), stipulated the establishment of an office for managing civil cases in the competent courts within the country without specifying these courts. This means establishing a case management office in all federal courts. The Civil Case Management Office (CCMO) practically replaced the clerk in the duties previously assigned to it before the amendment to the law in 2014.

The second paragraph of Article (45) stipulates that the case management office shall be composed of public employees in the court, whose inherent competence may or may not be the law, provided that their work is under the supervision of the president of the court or one or more judges (AlKetbi 2018; AlSarhan 2023; Mabrouk 2015).

Returning to the distinction between judicial work and managerial work, to know the nature of the work of the case management office in UAE legislation, the modern trend in judiciary and jurisprudence is to adopt the formal and objective standard in distinguishing between judicial and managerial work. If the action was issued by a judge or related to a judicial dispute, it falls within the framework of judicial work, while if it was issued by a public employee or outside the framework of a judicial dispute, it falls within the managerial work (AlTamawi 1991; Mabrouk 2015).

The Emirati legislator did not assign the work of managing case to a judge, as seen in the American and Jordanian legislators. Instead, this work was entrusted to managerial employees affiliated with the Ministry of Justice. In this context, the formal standard, which distinguishes managerial work from judicial work based on the person performing it, can be excluded. It cannot be argued that managing civil cases should be given a judicial character, because the UAE legislator has assigned this responsibility to public employees. The statement that the management of the case is carried out under the supervision of the President of the Court in accordance with Article (45) cannot be relied upon, because the President of the Court does not practice the management of the civil case as a judge to manage the case itself, but rather in his capacity as the President of the court in which the Office of the Case Management is located, and is responsible for all managerial and judicial procedures within the court.

As for the objective standard, which is based on the nature of the work, if it is related to an existing dispute, the work is considered judicial work, regardless of the person carrying it out. This makes us look at the task of managing the civil case within the court. Paragraph (3) of Article (45) stipulates that the CCM exercises the jurisdiction to prepare and manage the case file, register and announce the case, exchange notes, documents, and expert reports. It is also responsible for registering appeals, making announcements, and receiving notices of response. The functions are inherently part of the legal procedures related to judicial litigation. These functions form a core aspect of the judicial authority's responsibilities, carried out through its agents (AlZoubi 2010; Musa 2019). Even when performed by an employee within the court, the functions relate directly to judicial litigation and the procedural requirements for resolving disputes, as mandated by procedural law. As such, these functions are considered judicial in nature according to the objective standard. CCM is regarded as performing tasks of a judicial nature within the court due to its direct connection to judicial disputes, thereby granting it a judicial character in this context.

Alternatively, regarding the purely managerial work of the employees of the CCM, in terms of appointing employees, transferring them, their administrative powers, and their affiliation to the Ministry of Justice, these functions do not fall under the objective standard. This is because these tasks are not related to judicial litigation or litigation procedures, making their nature in this aspect administrative rather than judicial (Mabrouk 2015).

American Law

In the last thirty years, the federal rules in the federal civil procedures of the United States of America have relied on the management of civil litigation to work to reduce the cost of resorting to the courts and the unnecessary delay in prolonging the duration of judicial disputes (Sime 2022). CCM in the American judicial system is considered one of the best means of reducing costs, shortening procedures between parties, and mitigating the risks of resorting to the courts in terms of prolonging the conflict (Gensler 2010; Kuhl and Highberger 2023).

Case management in the American judicial system is based on trying to find the best ways to take early control of the case in the stage before the start of the trial, preparing the file for the trial judge, and trying to set a timetable for the case, to avoid legal problems that may occur before the start of the trial, as a result of errors in the court's formal procedures (Gensler 2010).

According to Paragraph (A) of Article (16) of the US Federal Civil Procedure Code, the court may summon the parties and their lawyers to pretrial sessions. The aim of this provision is to accelerate procedures and establish early control over the case. This helps to avoid delays in pretrial procedures and prevents procrastination by the parties. Pretrial sessions also focus on accurately preparing the case to improve the quality of the trial, facilitate the possibility of settlement between the parties, and establish a timetable for the court to consider the case and its procedures.

American law relies on early judicial control to manage cases from the moment they are registered (Lande 2008). Case management is conducted through a judge appointed specifically for this purpose. This judge oversees all pretrial procedures required by law, including notifying the parties and receiving documents, in accordance with proper legal procedures. The case file is prepared under the supervision of the judge, who meets with the parties to attempt a settlement, identify points of agreement and disagreement, and organize the case file before referring it to the trial judge. Additionally, a timetable for the case procedures is established in agreement with the parties (Gensler 2010; Kuhl and Highberger 2023).

In American law, appointing a judge to manage the civil case gives the CCM a judicial character, through the formal standard, unlike UAE law, so that whoever carries out the work and tasks of managing the case is a judge. The objective standard also applies to the work of CCM, as it relates to litigation.

The position of American law, which assigns the task of managing civil litigation a judge, is considered more appropriate compared to Emirati law, which entrusted this responsibility to ordinary administrative employees, as was the case previously in the court clerks' registry. This opinion is justified by stating:

1. The primary goal of establishing the CCM in UAE law is to improve, expedite, and facilitate litigation procedures, in the precourt stage or the preappeal stage, because this stage usually witnesses procrastination in the procedures by the opponents, and assigning this task to a judge will be more able to apply the proper legal procedure in a timely manner (Kandeel and Khalil 2022).
2. The practice of procedures stipulated in the civil procedure code, carried out before the start of the trial by administrative employees who lack the legal expertise of a judge, may have serious implications for the judicial dispute. This could affect the proper conduct of the case or the validity of its procedures (Lohoyda 2023). For instance, the invalidation of a declaration, registration, appeal, or other procedures undertaken by the parties before the start of the dispute could lead to procedural invalidity. Such invalidity might significantly impact the entire dispute, including the invalidation of the lawsuit declaration. Consequently, a judge is better equipped to exercise early control over these procedures compared to public officials.
3. The Emirati legislator changing the name of the court clerks' registry to the case management office is not sufficient on its own. This change must be accompanied by a transformation in how the tasks of this body are managed. Early judicial oversight of the case between the parties should be extended and carried out by a judge assigned to this role. The nature of this management itself should also have been altered. Introducing a stage before the start of the trial or the appeal, under the authority of a competent judge, would ensure more effective oversight and better preparation of the case.
4. The ordinary administrative employee, in the case management office, cannot meet with the opponents, with the aim of concluding any settlement related to the dispute, or setting a timetable for considering the dispute before the trial judge, as the employee does not have any judicial powers in this regard. It cannot be argued that the conciliation and reconciliation committees, as stipulated in the law establishing these committees in the federal courts, are responsible for the possibility of concluding a settlement between the parties. This is because the conciliation and reconciliation committees in UAE law are responsible for settling the dispute before the case is registered. After the case is registered, the conciliation and reconciliation committees do not have any powers related to it (Al Lozi 2012). Also, if the parties desire reconciliation or settlement, they must refer it to the trial judge.
5. The judge is more capable than the administrative employee in identifying and inventorying the documents and evidence related to the case, before referring it to the trial judge. First of all, the preparation of the case file by a judge will be much better than a file that the employee prepares, because the judge is more familiar with the cases and their merits, and what can contribute to improving and accelerating the process of the judicial dispute before the trial judge (Di Martino et al. 2024).

Relationship between CCM and Complete Justice

This research deals with an explanation of the relationship between the management of civil cases and the complete justice in judicial work. Explaining this relationship requires first examining what complete justice is, then the aspects of achieving complete justice through the management of civil litigation.

What Is Complete Justice?

Justice means in its linguistic sense from its source just, and justice between disputants means fairness, avoiding injustice and unfairness, and giving each person his right (Al-Waseet Dictionary 1960). The legal meaning does not differ much from the linguistic meaning, as justice is giving each person his right (Mays and Ruddell 2012).

Procedural justice, especially as applied in the courts or in the job in general, means the behavior, processes and procedures used in making decisions in the workplace, which lead to the distribution of outputs among employees (Khouan 2015).

The highest function of the existence of judicial authority is to settle disputes between litigants. However, achieving this function alone is not sufficient. Adjudication between disputants must be based on justice and include the protection of the oppressed from the injustice of the oppressor, grounded in rights established in accordance with legal rules. Justice in its general sense is achieved within the legal framework, which is represented by creating the appropriate legal climate for resolving disputes between individuals. Justice is based on three basic axes (Kamalian et al. 2010), which are

Axis 1: The Integrity and Validity of Legislation and Its Achievement of Legal Protection. One of the most important legislative goals is to establish procedures that ensure the proper functioning of the courts. This is particularly true for the Civil and Commercial Procedures Law, which holds significant importance in achieving procedural compliance to secure judicial protection. Procedural law plays a crucial role in achieving justice by allowing individuals to seek judicial protection. However, these procedures must be highly effective and efficient in achieving procedural compliance. At the same time, they must not compromise the essential rights of the parties, including the right to defense or confrontation (Dong and Zhang 2023).

Axis 2: Preparing the judicial personnel, including judges and court staff, to effectively implement procedural law within the stipulated legal timeframes. This also involves coordinating with lawyers to ensure their active participation in facilitating the process in the most efficient and effective manner possible.

Axis 3: Introducing information technology into judicial functions, such as registering cases and announcing cases, informing experts, and submitting expert reports, and computerizing judicial work in an integrated manner, to facilitate judicial work at all stages of litigation.

In fact, justice in itself is not sufficient, sometimes, as this justice may be marred in some cases by impurities, which lead to it not being fully achieved. Delaying the resolution of disputes affects justice. Slow justice is sometimes unfair. It is unthinkable for a person to obtain his rights, after many years of conflict and procrastination from the other opponent, as a result of some legal texts that may help in such a delay. Therefore, justice must be effective (Rubin and Weinberg 2016).

Complete justice is not only achieved when the right holder obtains their right but also when this right is obtained as quickly as possible (Wong 2014). Complete justice can be described as the achievement of justice after applying procedural law in the most effective manner, in accordance with legal requirements. This is realized through the implementation of legal procedures outlined by the civil procedure code in the best way and as quickly as possible. This must be done without violating the principle of confrontation or the right to defense, avoiding delay, procrastination, or laxity in applying legal procedures. Such issues may arise from the parties involved, their representatives, the judge, or court employees (AlKilani 2016; AlRawashdeh 2010; Kanakria and AlQatawneh 2003).

Complete justice can be defined as "giving everyone his right, as quickly as possible, after applying the procedural law in the most effective manner, while maintaining the principle of confrontation and defense, and ensuring full judicial oversight of the case."

Complete justice is based on two basic elements:

Element 1: adjudicating between disputants based on fairness and giving each party his right. Meaning that leaning in favor of one of the litigants, in any formal procedure or substantive right, will lead to the breaking of the stick of justice between the litigants, and the image of the judicial authority will be shaken.

Element 2: deciding between litigants as quickly as possible, through the proper application of procedural law to the best of its ability, without unfairness to any of the litigants. This application will be effective in achieving the purpose of the judicial procedure, without delay or procrastination, as quickly as possible.

Aspects of Achieving Complete Justice through CCM

They are the aspects that the CCM seeks to achieve in procedural law, which works to try to achieve complete justice in judicial procedures, in which the work of the CCM intervenes.

Aspects Related to Disputants

The CCM works, in accordance with the provisions of Article (45) of the UAE Civil Procedure Law, to establish the CCM in the competent courts, to register and manage the case. That is, the CCM, according to this text, must ensure the validity of the personal authority of the person registering the case. If the principal is in cases in which it is not required to appoint a lawyer, the case management must verify his identity through the relevant supporting documents. However, if the person registering the case is an agent or representative of the opposing party other than a lawyer, then the CCM must verify the power of attorney, its authenticity and validity, in filing the case based on the power of attorney. However, if the agent is a lawyer, the CCM must verify his capacity as a lawyer, his legal agency in the case, and his fulfillment of the legal requirements for filing the case.

CCM also ensures the validity of the dispute when the elements of legal prosecution—whether conventional, legal, or judicial—are present. For instance, when the case is brought by a guardian, custodian, or warden, CCM requests the necessary documents to prove this capacity. This process ensures the validity of the dispute in situations where the principal in the case cannot file it directly (AlKetbi 2018; AlSarhan 2023; Musa 2019).

CCM also works, in the same context, to ensure the validity of the defendant's dispute, and the extent to which the legal conditions for judicial dispute are met, especially when submitting a memorandum of response or defenses, and the validity of representation if acting as a representative or agent. It also evaluates the eligibility of the defendant to proceed with judicial litigation procedures, either personally or through an agent. Under the fifth paragraph of Article (42 bis), if the dispute is interrupted due to the death of one of the litigants, the loss of capacity to litigate, or the absence of capacity while the case is with the CCMO, the case must be referred to the judge of the matter in its current state for a decision. The judge may return the case to the CCMO after resolving the issue.

This legal procedure ensures the accuracy of representation in the case, thereby avoiding potential legal problems that may arise in the future regarding this aspect. It contributes to preventing disruptions in the case due to issues with legal representation and its integrity. At the same time, it preserves the full authority of the trial judge to oversee the validity of the dispute between the parties, particularly regarding personal capacity.

Regarding American law, in addition to carrying out all the previous legal procedures in accordance with Article (16) of the Federal Civil Procedure Law, the powers of the CCM judge in relation to the opponents are greater than those under Emirati law. Along with ensuring the validity of the dispute and representation, the judge managing the civil case may sit with the opponents, either in the presence of lawyers or without legal representation, to discuss the case presented. The judge may also invite any party deemed relevant to facilitate a proper discussion of the case between the parties (Chan 2021; Gensler 2010).

The proper application of the legal texts related to the dispute, the status of the opponents, and their legal representation, whether during case registration or at the stage of exchanging pleadings before trial procedures begin, significantly facilitates the trial court's consideration of the case. This includes verifying documents related to representation and attaching the relevant papers. Such practices greatly influence the proper delivery of justice. The absence of correct representation procedures or the necessary supporting documents inevitably leads to the disruption of judicial procedures.

Aspects Related to Procedural Form

The work of the CCM is based—for the most part—on the formal aspect of the case, especially in the stage before the start of the trial or appeal, so that the CCM is responsible for the following formal aspects:

1. Extending the claim: Article (44) of the UAE Civil Procedure Law stipulates: "The case shall be filed with the court at the request of the plaintiff, by depositing his statement of claim with the case management office, or by registering it electronically or on paper in accordance with what is applicable in the court." CCM, in accordance with Article (45/3), registers the case in the relevant register, either on paper or electronically. It verifies the claim statement, the number of its papers, and the signature of the authorized. It also reviews any attached private or public agency documents related to the case. Additionally, CCM prepares the case file by organizing the necessary papers and documents, attaching them to the case file, and preparing copies for both the plaintiff and the defendant.

   Article (47/1) also stipulates: "After collecting the fees, the Case Management Office shall register the case in the relevant register—electronically or on paper—provided that the date of registration is recorded in it and the plaintiff's knowledge of the hearing is recorded. In this case, the case shall be considered registered and effective from the date of submission of the statement, provided that the fee is paid within a period not exceeding (3) three working days from the day following notification of payment; otherwise, the registration shall be considered null and void."

The same is true in American law. Under Article (16) of the Federal Civil Procedure Law, the CCM extends its early oversight of the case, from the moment it is registered in court, so that the CCM works to register the case and verify the attached documents, to impose early control on the case, and to ensure the legal representation of the parties (Gensler 2010).

In this procedure, the CCM has the full role in supervising the plaintiff, in extending his claim through the case and its attachments and ensuring that the filing of the claim is in accordance with the legal texts, which relate to this in the procedural law, and is completely compatible with the legal texts, which govern this aspect of the claim. This gives greater effectiveness to the court's oversight, through the management of the civil case, over the legal procedures at the stage of extending the claim, so that it is consistent with the law, and leads, as a result, to the integrity of the legal procedures, in extending the claim between the parties. Any future problems between the parties that may hinder the progress of the case and lead to prolonging the conflict between the parties will be avoided (AlYahyai 2023).

2. The right to defense: According to the amended Article (48/2) "the defendant must submit electronically or in paper a memorandum of his defense and copies of his documents signed by him within (10) ten working days from the date of his notification of the case."

   The plaintiff must submit his response memorandum and documents to the CCMO within ten days of being notified in the claim newspaper. The defendant may also submit any formal payment to the Case Management Office or submit an urgent request or a third-party request before the CCM. Here, CCM must refer the case to the trial judge to consider the payment or request. The trial may return the case to the Case Management Office after addressing the payment to complete the legal procedures.

   For any substantive defenses or pleadings of inadmissibility, CCM includes these in the case file after ensuring they meet the legally prescribed form. The defenses or pleadings are registered with the case and referred, along with the file, to the trial judge after completion of the required legal procedures.

   The CCM, in American law, also works to receive defense memos and pleadings related to the case. Article (26) of the American federal law stipulates that the defendant must submit the defense memorandum and pleadings to the CCM, but the CCM in the American system, under Article (16), has the right to decide on some formal or substantive defenses and exclude them. This fact does not contradict the fact that, in American law, the management of civil cases is under the authority of a judge who investigates the file between the parties. Therefore, there is no need to refer the case to the trial judge, to decide on any plea, urgent request, or request for the inclusion of a third party if it is presented in the case. It is unlike UAE law, where employees of the CCMO cannot decide on this, because they do not have judicial authority. This supports the argument that the management of the civil case in UAE law should be under the authority of a court judge. This would allow the judge to decide on certain requests and defenses directly related to the case, without requiring referral to the trial judge. This will be reflected in the speed of the case, without prejudice to the right of the defense or the authority of the court to extend its oversight over the case.

3. Empowering the court and achieving formality: The CCM works, by preparing the case file and following up on all legal procedures that precede holding the trial sessions, to empower the court to process the case, in a way that facilitates its consideration by the trial judge, far from entering into legal problems related to following up on some improper legal procedures that may occur during the pretrial period. Meaning that the work of the court is more focused on examining the dispute and deciding on it between the parties, especially since the legal procedures, including registration, announcement, exchange of memorandums, defenses, and requests, were carried out properly before the case management. A complete case file facilitates the judge's work in the eyes of the judicial dispute.

   American law also goes beyond preparing the case file and extending legal oversight over pretrial procedures. It grants the CCM judge the authority to meet with the parties to settle the dispute or attempt to resolve it. The judge also works to identify points of agreement and disagreement between the parties. This ensures that the trial judge focuses only on the points of disagreement during the trial. In the American legal system, accordance to Article 16 of the American Federal Law, the judge managing the civil case typically works with the parties to establish a timetable for examining the dispute. This timetable specifies the legal procedures for each session and is signed by the parties before the managing judge, making it binding. The trial judge, to whom the case is referred, usually adheres to this schedule to prevent unnecessary delays in the procedures (Chan 2021).

   Such procedures, which prepare the case file before the CCM, will enable the court to file the case, away from the legal controversy, which may arise in procedural issues, which usually prolong the dispute. The complete file of the case, in terms of the claim statement, papers, documents, notices of claim, expert reports, and defenses, which were made under the legal supervision of the court, makes the judge's main job focus on examining the subject of the dispute and issuing a ruling on it in the shortest possible time.

Section II: Role of Case Management in the Dispute

Role of Case Management in the Pretrial Stage

Role of Case Management in Pretrial Procedures in UAE Law

The procedural role of the CCM, in UAE law, is from the moment the case is registered with the court, until the case file is referred to the trial judge. The Office of the CCM is responsible for registering the case, announcing the case, receiving defense memorandums and pleas, and referring the file to the trial judge.

Article (44/1) of the civil procedure code stipulates that the case must be filed with the competent court, with the Case Management Office, manually or electronically. The CCMO must work to ensure that the formal conditions stipulated in Article (44/2) are met, in terms of the formal data that must be available in the claim statement, which are:

1. The plaintiff's name, surname, identification number, a scanned copy thereof, or any equivalent documents issued by government agencies proving his identity, profession, job, domicile, place of work, mobile, fax, or e-mail. If the plaintiff does not have a domicile in the country, a chosen domicile must be appointed, along with name of the legal representative, title, ID number, profession or job, place of work, fax, or e-mail address.
2. The defendant's name, surname, identification number, a scanned copy thereof, or any equivalent documents issued by government agencies proving his identity, profession, job,

domicile, place of work, mobile, fax, or e-mail. If the defendant or the representative does not have a domicile in the state, a chosen domicile must be designated, along with the name of the legal representative, title, identification number, profession or job, place of work, fax, or e-mail address.
3. The court before which the case is filed.
4. The date of filing the claim statement in the case management office.
5. The subject of the case, the requests, and their support.
6. The signature of the plaintiff or his representative, after verifying the identity of each of them.

The CCMO, in accordance with Article (47) of the Civil Procedure Law, collects the legally prescribed fees for the case and registers these in the relevant register. This process is carried out in the presence of the plaintiff or the plaintiff's representative, who is informed of the session date. The plaintiff or the representative signs to indicate acknowledgment of the next session (Alhadidi 2008; AlKetbi 2018; AlSarhan 2023; Musa 2019).

The CCMO then works to notify the defendant of the claim statement, through the plaintiff himself, or through a company, or a special advertising office, in accordance with the text of Article (6) of the Procedure Code. According to Article (8) of the Civil Procedure Law, the announcement paper must include certain data. The CCM must verify this data before sending the announcement paper, which are

1. The day, month, year and hour in which the announcement occurred.
2. The name of the person requesting the advertisement, along with the title, profession, or job, domicile or chosen domicile, and place of work, as well as the name of the representative, title, profession, or job, domicile, and place of work—if employed by another party—must be provided.
3. The name, title, profession, job, domicile, or chosen domicile of the person notified; If his domicile was not known at the time of announcement; his last home and place of work.
4. The name of the person making the advertisement, along with the position, the entity to which they belong, and the signature on both the original and copy, must be provided.
5. The subject of the advertisement.
6. The name and title of the person to whom the announcement was delivered, his surname, signature, seal, or thumbprint on the original receipt, or proof of his refusal and the reason for it.

Article (45/3) also emphasized the role of the case management in the announcement, as it stipulated: "The case management office is entrusted with preparing and managing the case, before referring the case to the competent court, including registering and announcing it, and exchanging memorandums, documents, and expert reports between the litigants. Article (49) stipulates that "1. In cases where technical means and remote communication are not used, the case management office must deliver a copy of the claim document, along with the accompanying images, papers, and documents, to the authority responsible for making the announcement. This delivery must occur no later than the day following the registration of the claim document. The announcement is conducted using the form prepared and saved for this purpose. If the file is electronic, the judicial authority enables the opponents to access it through the system, or it is sent electronically or by another technical means.2. The statement of claim must be announced electronically or in paper within (10) ten working days from the date of its delivery to the person who served the notice, and if a session is scheduled to consider the case during this period, then the announcement must be made before the session. 3. The invalidity does not result from failure to observe the period specified in clauses (1) and (2) of this article."

The CCM, upon returning the declaration paper from the defendant, must ensure that the declaration has been made to the person who may legally announce it, in accordance with the text of Articles (9 and 10) of the civil procedure code. The CCM must ensure that the declaration paper meets these legal conditions, to prevent the declaration paper from being invalidated later, which affects the conduct of the judicial dispute, and the CCMO must ensure that the announcement is made as quickly as possible (AlKilani 2016).

According to these legal texts, one of the duties of the CCMO is to verify the availability of the legal form of the claim statement, the availability of the legal data required by the legislator, collect the legal fees for the case, and attach the relevant receipt to that. It is also necessary to ensure that the plaintiff, or his representative, is notified of the date of the next hearing, and his knowledge of it is recorded (AlManasrah 2012).

These legal duties, related to registering the case, and verifying it in the proper legal form, in a manner consistent with the correctness of the law, lead to limiting the prolongation of the litigation period, which may result in the invalidation of the case registration procedures or the announcement procedures (AlSarhan 2023).

After completing the announcement, and on the legally prescribed dates, the Case Management Office receives the defense memorandum, or any defenses, or requests during the period of exchanging papers, and the Case Management Office must ensure that the defense memo completes the data related to the case, and the signature of the defendant, or his representative (AlSarhan 2023).

The CCMO, after submitting the defense memorandum, must invite the parties; To complete any documents or papers related to the case, or expert reports, if this does not exceed a period of one month from the date of filing the case, otherwise the case must be referred to the trial judge.

The management office works to ensure the readiness of the case file, all papers and documents related to it, and that there are no deficiencies in the file. It then refers the file to the competent trial judge to consider the case. Referral may be available, in accordance with the text of Article (45), in any of the following cases:

1. Completion of all legal procedures, including registering the case, announcing it, submitting defense memorandums and pleas, or any urgent requests, entry, or intervention.
2. In the event that the defendant fails to appear, after notifying him in person, and does not submit the defense memorandum within the legally prescribed time.
3. If a formal defense is submitted, or an urgent request, or a request for the admission of a third party, or the progress of the dispute is interrupted due to death, loss of eligibility, or loss of capacity, the case is referred to the trial judge, who also has the right to return it to the CCMO, to complete the procedures after the completion of the procedure in question.
4. A period of one month has passed from the date of filing the case, without the procedures being completed by the CCM, after an attempt to complete the procedures by the case manager.
5. If the parties intend to settle the merits of the case, the case manager must refer it to the trial judge.

One of the tasks of managing the case is meeting with the parties. According to the text of Article (45/4), the supervising judge has the right to identify the points of agreement and disagreement, and determine the essence of the dispute, according to the form prepared for the requirements of the circumstances of the case. This function is subject to consideration from several aspects, according to the researcher's point of view. Listing the points of disagreement and agreement after filing the case and convening the dispute (Mohammad 2023) is tantamount to judicial confirmation (AlRawashdeh 2010; Kanakria and AlQatawneh 2003), regarding the points of agreement in particular, which are completed before the court in a disputed dispute. The conditions for judicial approval are met in this case, so it is not permissible to reexamine it after that, and the case manager (employee) in UAE law is granted this authority. This violates the conditions for judicial confirmation, which stipulates that the confession must be made before a judge. Conversely, examining points of disagreement and agreement relates to the substantive right itself, and this of course relates to the judicial function, and is not one of the functions of the court's administrative employees. None of the court's employees are authorized to examine the subject of the dispute. Supporting this view is the fact that the Minister of Justice's decision explicitly stipulates that the case must be referred to the trial judge if the parties are inclined to settle. The reality of identifying points of agreement and disagreement is a form of settlement, especially those related to agreement. It will be a partial settlement. Therefore, it is recommended that the UAE legislator cancel this power. The influence of Emirati law on Jordanian or American law in this part is out of place because both laws adopted the idea of a judge to manage the civil case and granting him this authority does not conflict with the judicial function of the judge to manage the civil case. This is contrary to UAE law, which granted this job to a public employee.

It must be made clear that the CCMO in UAE law does not have any powers related to limiting the evidence, weighing it, or attempting to settle between the parties. The Emirati legislator did not assign the CCMO any judicial function related to the case. This is consistent with a judge not being assigned the work of managing the case but rather leaving the matter to employees within the court. This is of course in contrast to American law, which assigned this task to a court judge.

Role of Case Management in Pretrial Procedures in American Law

In addition to the procedures related to registering the case, announcing it, and receiving defense memorandums, the American Federal Procedure Code addresses the procedural powers for managing the civil case, through the text of Article (16) of the Federal Civil Procedure Law. This article divided the work in managing the civil case into several procedures. The first explains the goal of managing the civil case, the second is concerned with the timetable, the third is related to attendance and handling of the issues under consideration that are related to the case, the fourth is related to the court's decision, the fifth deals with the final session of the management of the case and the final report, and the sixth is the penalties.

Goal of CCM

Pursuant to Paragraph (A) of Article (16), the CCM is concerned with achieving the following objectives:

- Accelerating the legal procedure, by carrying out the legal procedures related to pretrial procedures as quickly as possible, without delay or slowness in the procedures, to achieve justice between the parties, and to achieve the procedure as quickly as possible, without delay or procrastination by the parties or from the court.
- Early and continuous control of the case, with the aim of not prolonging the consideration of the case, due to the lack of case management, so that the court imposes its control over the legal procedures, through a competent judge who is the CCM judge, who works to carry out the legal procedures at this stage, in accordance with the requirements of the law, until the goal of the legal procedure is achieved, in accordance with sound legal requirements.
- Do not encourage extravagance in the procedures prior to the start of the trial; so that the judge managing the civil case works to ensure that the proper legal procedure is carried out, without procrastination or extravagance on the part of the parties or the competent employees.
- Preparing the entire case file ensures a more accurate trial. Working to organize the case file before referring it to the trial judge makes the judge's task easier and more precise. This allows the judge to take control of the case from the moment the case file is referred, without being involved in formal legal procedures such as case registration, announcements, or handling unproductive evidence. Such formalities can create unnecessary legal controversies and may prolong the dispute without any meaningful resolution.
- Facilitating the settlement process, as the judge managing the civil case works to try to settle the dispute between the parties, whether it is a full or partial settlement. This leads to an early end to the dispute, and, conversely, it leads to relieving the burden of the trial judge and reflects positively on the rest of the cases pending before him, because the time that would have been devoted to this case will be allocated to another case. This is what makes the work of the trial judge more accurate and correct (Habib and Supriyatna 2024).

Timetable

The timetable was stipulated in Paragraph (b) of Article (16) of the Federal Law of Civil Procedure, whereby the judge managing the civil case works to draw up a timetable for considering the case. This schedule deals with, after receiving the statement of claim and the defendant's response, in accordance with Article (26) of the Federal Civil Procedure Law, working to establish a timetable for considering the case, after consultation with the parties and lawyers, by telephone, or e-mail. The scheduling order is issued based on communication with the parties. The procedures must be completed within 120 days from the filing of the case, or at most 90 days from the date of submitting the defense memorandum (AlRawashdeh 2010).

The timetable must include a statement setting the date for any amendment to the case, defense memorandums, or requests, and a statement of any agreement made between the parties on any issues related to the case, and any requests or statements that appeared after the case was filed, or after the documents were submitted.

Attendance and Consideration of Disputes Related to the Case

Pursuant to paragraph (c) of Article (16) of the Federal Civil Procedure Code, a meeting is being held with lawyers on issues related to the case. The judge managing the case may invite any party to the dispute to attend if deemed appropriate, to discuss the issues related to the case. Among the most important issues discussed between the parties are:

1. Rephrasing the main requests, trying to exclude unimportant requests, and defenses.
2. Amending the claim statement, if appropriate.
3. Stating the important facts in the case, and the evidence related to them.
4. Excluding nonproductive evidence in the case (the principle of limiting evidence) and excluding nonproductive testimony in the case.

5. Adjusting and redrafting the claim statement, in accordance with the legal texts related to it.
6. Identifying witnesses and documents related to the case and set a timetable for submitting any memorandums related to it.
7. Trying to settle the issue, using any procedures that may help resolve the dispute.
8. Determining the form of the trial, getting rid of unproductive requests in the case.
9. Adopting special procedures for any requests or long-term procedures that may involve complex, difficult, or unusual issues, to prevent delaying the entire case for these issues.
10. Requesting the submission of evidence as soon as possible, especially that which relates to the basis of the case and its decision.
11. Allowing an appropriate time to present evidence and facilitate the legal procedure, without delay.

Case Management Decision

Paragraph (d) of Article (16) of the Federal Civil Procedure Law states that the court, after completing the previous procedures, achieving the objectives, meeting with the parties, and determining the timetable, issues a decision regarding the completed procedures and their validity. The court incorporates all agreements of a judicial nature concluded between the parties during the earlier stage into its decision. Additionally, the court may amend previous procedures, particularly procedural ones. Substantive procedures, however, may only be amended after reaching an agreement with the parties.

Final Case Management Session and Final Report

Paragraph (e) of the Federal Procedure Code addresses the subject of the final hearing for the management of the civil case, so that it works to formulate the entire trial plan, including the presentation of evidence in the case. This plan usually includes the timetable for trial procedures, the presentation of evidence before the trial judge, and a statement of the points that are different and agreed upon between the parties, so that the trial judge can focus on the points in dispute. Evidence that is not productive in the case is usually excluded, and witnesses who are useless to present in the case, for a reason that prevents testimony or because they testify to an event that is not productive in the case (Gensler 2010; Habib and Supriyatna 2024).

Penalties

The penalties that the civil case judge may impose on the opponent are outlined in Paragraph (f) of Article (16) of the Federal Procedure Code, in the event of committing any of the following acts:

1. Did not attend the CCM sessions.
2. Participated in bad faith in the sessions or was not ready to participate with the aim of procrastination.
3. Violated the session schedule.
4. Imposed fees and costs.

CCM may also impose fees and costs on the party who fails to comply with or violated the CCM sessions unless a legitimate excuse is provided.

After comparing Emirati law and American law regarding the duties and tasks of CCM, it is evident that Emirati law limits the responsibilities of the CCMO to the basic duties preceding the trial. These include filing and announcing the case, as well as receiving defense memorandums and pleas. Additionally, UAE law, in Article (45), did not adopt the concept of a case management judge. Instead, it assigned these responsibilities to public officials. In contrast, American law entrusts case management to a specialized judge. This approach enables early control of the case from the moment it is registered and allows the court to impose judicial oversight over all procedures, including those preceding the trial. These pretrial procedures are critical and have a direct impact on the overall consideration of the case.

Conversely, the Emirati law did not go far in managing civil cases in the new amendment, from what was previously done in the court clerk's registry, with the exception of changing the name and amending the authority in some procedures. It was expected that the Emirati legislator would adopt the approach outlined in American law regarding the designation of a judge specifically for CCM. This judge would be responsible for overseeing all legal procedures that occur before the trial begins. The judge's duties would include exercising judicial oversight of the case record, verifying the authenticity of the statement of claim and submitted documents, receiving the defense memorandum, making announcements, and ensuring their accuracy and compliance with legal requirements. Arguing about the possibility of saying that the president of the court supervises the work of the CCMO cannot be relied upon, because the job of the president of the court here is to supervise the work of the office. In fact, the president of the court has the authority to supervise all administrative court work, there is nothing new here, but the president does not have the authority to carry out legal procedures in a judicial capacity as a judge competent to carry out these procedures, as is the case with the CCM judge in the American system.

In addition to the preceding, it was expected that the UAE legislator would grant the judge the authority to manage the case to weigh and limit the evidence presented by the parties, exclude what is unnecessary evidence, and setting a timetable requiring the parties to adhere to legal procedures before the trial judge on specific dates. All of this will be reflected in the trial judge's consideration of the case, as the readiness of the file and its preparation by a competent judge, before referring it to the court, enables the court to better impose its judicial oversight, to decide on the basic subject of the case.

All of this must not affect the powers of the trial judge or the authority to hear the case, if the trial judge determines the need to intervene in procedures that occurred before the judge managing the civil case.

Role of Case Management in Urgent Requests, Intervention, Entry, Formal Defenses, and Appeals

Role of the Case Management in Urgent Requests, Intervention, Entry, and Formal Defenses

This study will not address issues related to the provisions that address urgent requests, intervention and entry, or formal defenses in civil procedures. Rather, it will be limited to the role played by the CCM in these requests and defenses.

In UAE law, pursuant to Article 45 of Civil Procedures, if urgent requests, formal defenses, or a request for intervention or entry are submitted at a stage before the start of the trial, the CCM must refer the case to the trial judge immediately, to decide on these requests, or the defenses, who, after deciding on the matter, may return the case file to the CCM, to complete the procedures.

The role of the CCM here is through the following procedures:

- Stage of registering the request or formal defense

This situation arises when an urgent request, a request for entry, intervention, or formal defense is submitted while the case is still at the pretrial stage (exchange of papers) and under the jurisdiction of the CCMO. However, if the request is submitted after the case has been referred to the trial judge, the CCMO has no authority except to record the request and transfer it to the trial judge for inclusion in the case pending before the court.

The CCM, when an urgent request is submitted, or a request for entry, intervention, or formal defense in a case that is still in the pretrial stage, registers the request or defense after ensuring that they fulfill the legal conditions related to registration. The CCM works to ensure the availability of legal data on the person submitting the request or defense, in terms of his name, domicile and address, the name of the person to whom against the request is submitted, his domicile and address, the subject of the request, the facts and evidence, and the signature of the person submitting the request (AlSarhan 2023; Shehata 1990).

After registering the request, CCM ensures that the prescribed fees for the request are paid. The office then announces the request to the other party, following the rules of announcement stipulated in the Code of Procedure. This includes preparing the announcement sheet with the required data and making the announcement through the requesting person, a company, or a private office, for the individual to be notified. These procedures are conducted in accordance with Article (8) of the Code of Procedure.

- Stage of considering the request

After the CCM completes the registration and announcement procedures for urgent requests, intervention and entry, or formal defenses, it must immediately refer the case to the supervising judge to consider these requests, in accordance with paragraph seven of Article (45), so that the supervising judge decides on these requests, according to his discretion in this aspect, within 3 days.

The Emirati legislator's position that the case must be referred to the supervising judge in the event of submitting an intervention request, entry, urgent request, or formal defense before CCM is considered erroneous for the following reasons:

1. For urgent and temporary requests submitted while the case is under CCM, the legislator should mandate that the case file be referred to the judge of urgent and temporary matters, rather than to the supervising judge. This is because the case has not yet been distributed to the trial judges. As such, it cannot be assumed that the trial judge is competent to handle urgent and temporary requests. These requests remain under the authority of the judge for urgent and temporary matters. This approach is preferable to ensure the completion of legal procedures under CCM.CCM It allows for the preparation of the entire case file, including decisions on urgent requests, before referring the case to the trial judge.
2. As for requests for intervention or entry; It is not necessary to refer the file to the trial judge for a decision, before considering the basic case itself and the dispute between the parties, since this issue is related to the dispute between them. This request can be added to the case file, prepared with it, and referred to the trial judge, after completing the full legal procedures for the case. This is safer instead of deciding on the request for intervention or entry before considering the entire case, its facts, and its supports.
3. As for the formal defenses, the Emirati legislator has, unfortunately, stipulated that the case must be referred to the trial judge, if a formal defense is presented in the case. Truly this raises the question: Is there a claim without a formal defense? If it is necessary to refer to every formal defense presented in the case, this will inevitably hinder the work of the CCM, and the completion of procedures related to preparing the case file. It is interpreted that the Emirati legislator intended to refer to the formal defenses that conclude the dispute, rather than all formal defenses. It would have been more appropriate to state that referral should be made to the trial judge if a formal defense is presented that could potentially resolve the dispute. The legislator also overlooked the case that if a defense of nonacceptance is presented that the dispute may end up with, such as the defense that there is an arbitration clause or that the case has already been decided. Therefore, in this part, the legislator should have gone to stipulate the referral, in the event that a formal defense or a defense of nonacceptance is presented, the dispute may end therewith.

It is recommended that the Emirati legislator stipulate referral to the trial judge only in the event of submitting a formal defense or a defense of inadmissibility that may end the dispute. As for urgent requests, it should have been stipulated that they should be referred to the judge of urgent and temporary matters, and not to the trial judge, with a requirement to stipulate that they should be returned to the CCMO, after deciding on the urgent request. Regarding requests for intervention and entry, there appears to be no necessity to refer such requests to the trial judge, except when referring to the entire case file. Since these requests relate to the parties to the dispute, there is no justification for hastening a decision on them during the stage of exchanging papers.

Role of Case Management in Appeals

In accordance with Article (164) of the Civil Procedure Code, the appeal statement is deposited in the CCMO, in the competent court of appeal. The office then registers the appeal statement electronically or manually (Mabrouk 2015), and ensures that it meets the following legal conditions:

1. Statement of the ruling subject to appeal.
2. Date of issuance of the ruling being appealed.
3. Reasons for appeal.
4. Appellant's requests.
5. Names of the opponents, their capacities, country, and the domicile chosen by the appellant to be announced in the domicile of the competent court of appeal.
6. Signature of the appellant or his representative.

Article (4) of Minister of Justice Resolution No (104) of 2015 stipulates that: "The Case Management Office in each of the Courts of Appeal and the Federal Supreme Court shall assume the powers set forth in Article Three of this decision in accordance with the nature of work in those courts in addition to the following:

1. In the event of an appeal, the director of the case must consider what is stipulated in Article 162 of Law No. (10) of 2014 amending Law No. (11) of 1992 regarding the permissibility of the appellant presenting the reasons for his appeal; Until the date of the first session scheduled for consideration.
2. Request to include the initial case file on the day following the day on which the appeal is filed.
3. In the event of a cassation appeal, the case manager must consider what is stipulated in Article (177) regarding attaching evidence of payment of the insurance, and that the lawyer who signed the appeal is one of those who may plead before the court.
4. A request to include the file of the contested ruling from the court that issued the ruling, and the case manager in the court that issued the ruling sends the requested file within a maximum period of ten days from the date of receipt of the inclusion request.

After verifying the data of the appeal statement, the CCM receives copies of the appeal statement with the number of appellees, and a copy for the CCMO. The CCM ensures that documents related to the appeal are attached (AlKetbi 2018; AlSarhan 2023).

Article (166) gave the appellant a period to present the reasons for his appeal until the date of the first session to consider it, otherwise the appeal would be ruled inadmissible.

According to these articles, the CCM carries out legal work related to the procedures prior to the appeal hearings (the stage of exchanging appeal statements). The authority of the CCM in registering the appeal, ensuring that the legal conditions are met in the statement, attaching the papers and documents related to the appeal, paying the prescribed fee, announcing the appeal statement to the appellees, receiving the memorandums of response to the appeal and preparing the appeal file, along with bringing the case file from the court that issued the ruling under appeal, and referring the appeal and its attachments to the appeals body, makes the appeal file more ready for the court, more compact, in accordance with the legal conditions, and facilitates the task of the appeals court.

The same applies to the cassation appeal. According to the text of Article (179), a cassation appeal may be submitted to the Registry of the CCM, to the Court of Appeal that ruled on the case, or the appeal may be submitted directly to the Federal Court, or the Court of Cassation, whether the cassation appeal is submitted to the Federal Supreme Court, or the Court of Cassation, depending on the legal circumstances. If the appeal is submitted to a federal court ruling, it will be to the Federal Supreme Court. However, if it is submitted to a local court ruling, it will be to the Court of Cassation, according to the designation related to the emirate in question.

In the event that the appeal is submitted to the CCM, in the court that issued the ruling, the CCM shall—after verifying the legal conditions of the appeal—ensure that the appeal document fulfills the legal conditions, the information required by law, the payment of the prescribed fee, and the signature of the appeal by a lawyer licensed to plead before the Court of Appeal. It then sends the appeal to the court competent to hear it, attaching with it the appeal ruling that is being appealed, and the appeal case file to which the appeal was received (AlSarhan 2023).

The CCM's implementation of Articles (166) and (179) in the best legal manner makes the work of the Court of Cassation more focused. The validity of the appeal sheets, their fulfillment of the conditions required by law, their correct announcement, the attachment of the documents and papers necessary to consider the appeal, and the complete inclusion of the file of the case under appeal facilitate the work of the Court of Appeal in enabling the court to consider the appeal as quickly as possible, without entering into considering the fulfillment of the requirements, which must be met at a stage before the start of the appeal hearings. This, of course, reflects positively on the proper conduct, consideration, and decision of the appeal case.

Regarding the position of American law, regarding the role of the CCM in the appeal stage, it does not lag much from the position of Emirati law, in that the CCM receives the appeal papers, fulfills the legal conditions, and announces them to the parties. However, CCM in American law also has an objective function, which involves attempting to facilitate a settlement between the opposing parties during the appeal process. The CCM at the appeal stage, which it exercises through a judge, has to sit with the adversaries to try to conclude a settlement related to the appeal, before referring the appeal statement to the Court of Appeal, in an effort to reduce the burden of the court from the number of appeals and the burden of trial before the Court of Appeal, especially in appeals that are not usually based on real reasons, respond to the ruling under appeal, or are often formal. In the event that a settlement is not reached between the parties, the case management must attempt to determine the points of agreement and disagreement regarding the appeal and set a timetable for considering the appeal (Al-Louzi 2008).

It is recommended that the Emirati legislator adopt the approach suggested by the American legislator, which involves attempting to settle and resolve appeals before submitting them to the Court of Appeal. This would shorten procedures and reduce the burden on the Court of Appeal, particularly regarding formal appeals that are not serious.

Section III: Field Applied Study

This section deals with an applied study of CCM in Emirati courts through an empirical study, utilizing a software package (SPSS) to process data related to satisfaction with its introduction, the effectiveness of its procedures, and the extent to which it has contributed to achieving justice. The study targeted a random sample of (50) judges and lawyers in the Emirate of Abu Dhabi.

Study Tool

A tool was developed to collect data in the form of a questionnaire, and it was designed along the lines of a five-point Likert scale, consisting of (26) items to which the answers take a gradation (completely agree, agree, neutral, disagree, completely disagree), and weights were given (1, 2, 3, 4, 5) respectively.

In order to determine the degree of approval, the following was done:

Extract scale range $= 5 - 1 = 4$

Dividing the scale range by (3), which is the number of levels $= 1.33$, which is the length of the category.

The following categories were adopted based on the average answers:

- 1.00–2.33: Low degree of agreement.
- 2.34–3.67: Moderate degree of agreement.
- 2.68–5.00: High degree of agreement.

Statistical Processing

For statistical processing purposes, a software package (SPSS) was used to process the data, which was entered into the computer, to extract arithmetic means and standard deviations, as well as to take a significance level of ($a \leq 0.05$) and specifically the following statistical methods were used:

- Using arithmetic means and standard deviations for the study individuals' responses to the questionnaire items.
- Using the t-test for independent samples to test binary differences (judges, lawyers).
- Using simple regression analysis.
- Using multiple regression analysis.
- Using the reliability test through Cronbach's alpha method for internal consistency.

Field Study Results

Descriptive

Arithmetic means and standard deviations were extracted for the answers of the study members, judges, and lawyers, to each field of study:

Table 1. Arithmetic means, standard deviations, rank, and degree of agreement for the study members' responses to the items of the satisfaction scale with the introduction of the civil case management

No.	Item	Arithmetic mean	Standard deviation	Rank	Degree of agreement
1.	The Emirati legislator was successful in introducing the civil case management.	4.62	0.60	4	High
2.	The introduction of the civil case management is an appropriate legislative step with the aim of shortening the procedures.	4.76	0.43	1	High
3.	The UAE legislator has effectively dealt with the provisions for managing civil lawsuits in the Code of Procedure.	4.64	0.53	3	High
4.	Civil case management contributes to shortening the procedures and achieving quick and prompt justice.	4.74	0.44	2	High
Total		4.69	0.37	—	High

Satisfaction with the Introduction of the CCM

It is clear from the data in Table 1 that there is a high degree of agreement among the study members, including judges and lawyers, regarding their satisfaction with the introduction of the CCM. The overall average score for the answers on the scale was (4.69) with a standard deviation of (0.37). At the level of the four satisfaction items, all items recorded a high level of satisfaction, the highest level of satisfaction was on paragraph No. (2), with an average response of (4.76) and a standard deviation of (0.43), which states, "Introducing the CCM is an appropriate legislative step with the aim of shortening the procedures." In second place came Paragraph No. (4), with an average response of (4.74) and a standard deviation of (0.44), which states: "CCM contributes to shortening the procedures and achieving quick, timely justice." Then Paragraph No. (3) with an average response of (4.64) and a standard deviation of (0.53), it states, "The Emirati legislator dealt with the provisions for managing civil cases in the Code of Procedure in an effective manner." Paragraph No. (1) came in fourth and last place with an average response of (4.62) and a standard deviation. (0.60), and states: "The UAE legislator was successful in introducing the CCM."

Role of the CCM in the Procedures

It is clear from the data in Table 2 that there is a high degree of agreement among the study members, including judges and lawyers, about the role of CCM in the procedures. The average total score for the answers on the scale was (4.52) with a standard deviation of (0.18). At the level of the scale's items, all of them came with a high degree of agreement, numbering 16 items, and the highest degree of agreement was for paragraph No. (4) with an average response of (4.68) and a standard deviation of (0.47), which states: "The CCM shall make the judicial announcement of the case sheet or any announcement related to the case within an appropriate period of time." In second place came Paragraph

Table 2. Arithmetic means, standard deviations, rank, and degree of agreement for the study individuals' responses to the items of the scale of the role of civil case management in procedures

No.	Item	Arithmetic mean	Standard deviation	Rank	Degree of agreement
1.	The civil case management greatly assists in filing the case.	4.60	0.49	3	High
2.	The civil case management ensures that the case file or counterclaim is accurately recorded to avoid any deficiencies.	4.50	0.58	9	High
3.	The civil case management works effectively in conducting judicial notification.	4.58	0.50	4	High
4.	The civil case management issues a judicial announcement to the case statement or any announcement related to the case within an appropriate period of time.	4.68	0.47	1	High
5.	The case management communicates with the opponents regarding the announcement in the shortest possible way and uses modern means of communication.	4.54	0.54	7	High
6.	The civil case management ensures that the list of evidence is submitted with the file of the claim statement, or with the file of the defense memorandum or defenses, or with the provisional or temporary requests.	4.48	0.58	11	High
7.	The case management contributes to inventorying the evidence and ensuring its presence in the case file.	4.32	0.65	16	High
8.	The civil case management communicates with the opponents, or their agents, regarding any issues related to the case file.	4.44	0.70	14	High
9.	The case management has an active role in following up on any provisional or temporary requests submitted in the case by following them up with the judge who will consider them and the litigants.	4.42	0.70	15	High
10.	The case management has a positive role in following up on the formal defenses presented in the case and referred to the judge for consideration.	4.54	0.50	6	High
11.	The civil case management shall refer the case file and its attachments to the trial court upon completion of its procedures without delay	4.44	0.58	13	High
12.	When the case file is referred to the court, it will be ready and complete for the trial judge to supervise the case.	4.48	0.50	10	High
13.	The civil case management plays an active role in registering appeals against rulings.	4.56	0.50	5	High
14.	The civil case management ensures that the formal requirements for the appeal are met.	4.46	0.50	12	High
15.	The civil case management will record the appeal and announce it within an appropriate period of time.	4.54	0.73	8	High
16.	In general, the civil case management performs its functions in a way that helps facilitate litigation procedures and shortens the duration of litigation procedures.	4.66	0.48	2	High
Total		4.52	0.18	—	High

Table 3. Arithmetic means, standard deviations, rank, and degree of agreement for the study individuals' responses to the items of the achievement of complete justice scale

No.	Item	Arithmetic mean	Standard deviation	Rank	Degree of agreement
1.	The civil case management works to facilitate the procedures for filing a lawsuit and for the plaintiff to present his claims without prejudice to this right.	4.18	0.39	5	High
2.	The civil case management works to carry out the judicial announcement within an appropriate period without prejudice to the procedures stipulated by the law.	4.50	0.51	3	High
3.	The civil case management assists in submitting the defense memorandum and defenses without prejudice to the right of defense and its guarantees within an appropriate period of time.	4.48	0.54	4	High
4.	The role of the civil case management in conservatory and temporary requests and formal defenses is effective without prejudice to the legal rights of the parties.	3.74	1.23	6	High
5.	The civil case management works to prepare the case file and refer it to the court in the shortest possible period of time without affecting the rights of the parties established by law.	4.58	0.50	2	High
6.	The civil case management contributes to facilitating the submission and announcement of appeals without prejudice to the right to appeal.	4.72	0.50	1	High
Total		4.37	0.33	—	High

Table 4. Pearson correlation results to test the relationship between civil case management and successful justice

Variable	Accomplished justice	
Civil litigation management	Pearson correlation coefficient	0.441
	Sample size	50
	Statistical significance	0.001[a]

[a]The correlation is statistically significant at the significance level ($\alpha \leq 0.05$).

No. (16), with an average response of (4.66) and a standard deviation of (0.48), which states: "In general, the CCM performs its functions in a way that helps facilitate litigation procedures and shortens their duration." Then Paragraph No. (1), with an average response of (4.60) and a standard deviation of (0.49), states: "The CCM greatly assists in filing the case."

As for the items with the lowest agreement, paragraph No. (7) ranked fourth and last, with an average response of (4.32) and a standard deviation of (0.65). It states: "The case management contributes to inventorying the evidence and ensuring its presence in the case file." Followed by paragraph No. (9), with an average response of (4.42) and a standard deviation of (0.70). It stipulates, "The case management has an active role in following up on any provisional and temporary requests submitted in the case by following them up with the judge who will consider it and the opponents."

Role of Case Management in Achieving Complete Justice

It is clear from the data in Table 3 that there is a high degree of agreement among the study members, including judges and lawyers, about achieving complete justice. The average total score for the answers on the scale was (4.37) with a standard deviation of (0.33). At the level of the scale's items, all six items recorded a high degree of agreement, numbering 6 items. The highest degree of agreement was for paragraph No. (6), with an average response of (4.72) and a standard deviation of (0.50). Which states: "The CCM contributes to facilitating the submission and announcement of appeals without prejudice to the right to appeal." In second place was paragraph No. (5), with an average response of (4.58) and a standard deviation of (0.50). Which states: "The CCM works to prepare the case file and refer it to the court in the shortest possible period of time, without affecting the rights of the parties stipulated by the law." Then Paragraph No. (2) with an average response of (4.50) and a standard deviation of (0.51). It states: "The CCM assists in submitting the defense memorandum and defenses without prejudice to the right of defense and its guarantees within an appropriate period of time."

As for the paragraph with the lowest agreement, paragraph No (4) was ranked fourth and last, with an average response of (3.74) and a standard deviation of (1.23). It stipulates, "The role of the CCM in provisional and temporary requests, as well as formal defenses is effective without prejudice to the legal rights of the parties."

Testing the Study Hypotheses

Hypothesis 1: There is a statistically significant relationship between the management of civil cases and the completed justice at a significant level ($\alpha \leq 0.05$) (Table 4)

The results of the Pearson correlation demonstrated the presence of a moderate positive relationship with statistical significance at the significance level ($\alpha \leq 0.05$), where the value of the Pearson

Table 5. Results of multiple regression analysis to test the effect of the components of civil case management (registration of the case, announcement, inventory of evidence, preparation of the file, requests and defenses, and appeal) on efficient justice

Components of civil case management	Correlation coefficient (R)	Coefficient of determination (R^2)	Calculated (F) value	Statistical significance	Regression coefficient (B)	Calculated (T) value	Statistical significance
Case filing	0.585	0.343	3.735	0.004[a]	0.054	0.574	0.569
Announcement					0.107	0.815	0.420
Inventory of evidence					0.009	0.115	0.909
File processing					0.415	3.447	0.001[a]
Requests and defenses					0.068	0.673	0.504
Appeal					0.331	2.719	0.009[a]

[a]The correlation is statistically significant at the significance level ($\alpha \leq 0.05$).

correlation coefficient was (0.441) and its statistical significance was (0.001).

Hypothesis 2: There is a statistically significant effect of the components of CCM (registration of the case, announcement, inventory of evidence, preparation of the file, requests and defenses, and appeal) on the completed justice at a significant level ($\alpha \leq 0.05$).

The results of the multiple regression analysis shown in Table 5 indicate the presence of a statistically significant effect of the components of case management (file preparation, appeal) on successful justice, which is proven by the results of the (T) test in terms of the statistical significance of the calculated (T) value of (3.447, 2.719), respectively, which are higher than the tabulated (T) value at degrees of (44) and error level (0.05) amounting to (2.215). The regression results did not show an effect for the other four components (filing the case, declaration, inventory of evidence, requests, and defenses) on the completed justice, as the calculated (T) values are lower than the tabulated (T) value. The results of the multiple regression analysis also show that the components of case management together account for 34.3% of the variance in completed justice.

Results

This research examined the effectiveness of CCM in achieving complete justice in Emirati law compared to American law, an applied theoretical study. It was divided into three sections. The first dealt with the legal composition of CCM and its relationship to successful justice. The second dealt with the role of case management in litigation. The third was devoted to applied field study.

The research reached many results and recommendations:

Theoretical

1. The CCM can be defined in UAE law as "an administrative body within the judicial authority, which works to organize, direct and improve the smooth conduct of civil case procedures, which take place outside the authority of the trial judge, with the aim of achieving judicial procedure, in accordance with the proper procedural form, and as quickly as possible."
2. The UAE Civil Procedure Law assigned the function of managing the civil case to public employees affiliated with the Ministry of Justice and did not consider what the American and Jordanian legislators did, in terms of allocating a judge to manage the civil case, who would work to carry out the tasks and powers assigned to the Office of CCM.
3. The work of the CCMO in UAE law is of a judicial nature according to the objective standard as it relates to the dispute, whereas in American law, its nature is judicial according to the objective and formal standard, as it relates to the dispute and is issued by a judge.
4. The CCM in UAE law performs its functions, including registering and announcing the case, receiving defense memorandums, pleas, and urgent requests, receiving and notifying appeals, within the prescribed legal deadlines, in accordance with the procedures stipulated by the law, and preparing the entire case file, which leads to a reflection on the progress of the case and its consideration by the trial judge as quickly as possible, without entering into legal problems related to pretrial procedures. This leads to achieving complete justice in these aspects and accelerates the right holder's obtaining his right.
5. The Emirati legislator did not grant the case management office any powers related to settlement, reconciliation, or preparing a timetable for hearing the case, and the procedures that take place in the case before the trial judge. There are no powers to manage the civil case, to interfere in excluding nonproductive evidence in the case. Of course, this results from the failure to appoint a judge to conduct civil case procedures. This contrasts with American law, which granted powers to the judge managing the civil case, to conduct reconciliation or exclude unproductive evidence and set a timetable for hearing the case.
6. The UAE legislator obligated the case management office to refer the case to the trial judge, in the event of submitting a formal plea, request for entry, intervention, or urgent request. This may not be consistent with the correct law, because referral to the trial judge in these cases disrupts the work of the CCM.
7. The UAE legislator, in accordance with the decision of the Minister of Justice, granted the Office of CCM authority to determine the points of agreement and disagreement in the dispute. This aspect relates to the opponents and the substantive right in itself and it may not be granted to a public employee in court, because it is at the core of the work of the trial judge. The exercise of this authority in American or Jordanian law came because the person who exercises the work of managing civil cases is a judge.

Applied

Hypothesis 1: There is a statistically significant relationship between the management of the civil case and the successful justice, at a significant level ($\alpha \leq 0.05$).

Hypothesis 2: There is a statistically significant effect of the components of CCM (registration of the case, announcement, inventory of evidence, preparation of the file, requests and defenses, and appeal) on the completed justice, at a significant level ($\alpha \leq 0.05$).

Conclusions and Recommendations

1. It is suggested that the Emirati legislator appoint a specialized judge to manage civil cases. A judge is the most capable of conducting pretrial procedures and ensuring their proper implementation in accordance with the requirements of the procedural legislator. Judicial oversight also demonstrates greater attention to the parties involved in the case, their defenses, and rebuttals, while contributing to better preparation of the case file before it is referred to the trial judge.
2. Granting the CCM judge—if appointed—powers related to urging the settlement of the dispute between the parties, identifying points of disagreement and agreement, setting a timetable for the procedures before the trial judge that the parties adhere to, deciding on urgent requests, and excluding unproductive evidence from the case file.
3. Referral to the trial judge is determined after 30 days from the date of filing the case or if a formal plea or a plea of inadmissibility resolves the dispute. The CCM judge could be granted the authority to make this decision, subject to appeal. The referral could be canceled if an urgent request, a request for entry or intervention, or a settlement attempt by the parties is submitted. This approach ensures flexibility in handling procedural developments before the case is referred to the trial judge.
4. In light of the results of the applied study, the introduction of civil case management in Emirati courts has shown a significant impact in achieving prompt justice, facilitated by civil case management performing its legal tasks. It is recommended that the

legislator further enhances this system by appointing a judge to oversee these procedures. The study also demonstrates a connection between the existence of civil case management, its performance of functions, and the achievement of complete justice in judicial procedures. This represents a commendable step by the Emirati legislator in adopting this legal system. Strengthening this office further is recommended to enable it to play a more effective role in achieving complete justice.

Data Availability Statement

All data, models, and code generated or used during the study appear in the published article.

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