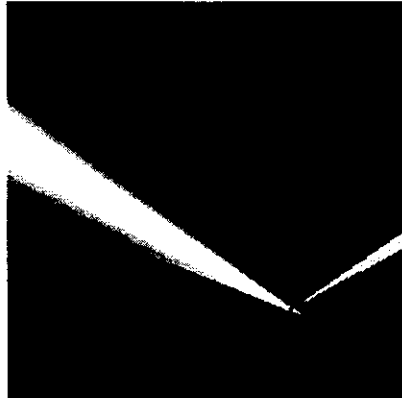


THE REPUBLIC OF LEBANON

OFFICE OF THE MINISTER OF STATE
FOR ADMINISTRATIVE REFORM



TERMS OF REFERENCE

**MASTER PLAN
FOR
THE DEVELOPMENT OF THE ICT INFRASTRUCTURE
AND SYSTEM APPLICATIONS
OF
THE JUDICIARY SECTOR**

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Technical Cooperation Unit
29-Jul-04



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0.0 TERMINOLOGY AND DEFINITIONS

The terms used within this document are defined as follows:

- **EU:** European Union
- **EC:** European Commission
- **ARLA:** Assistance to the Rehabilitation of the Lebanese Administration
- **MOJ:** Ministry of Justice
- **OMSAR:** Office of the Minister of State for Administrative Reform. OMSAR is the project Contracting Authority for all ARLA financed projects.
- **IDU:** Institutional Development Unit, a unit within OMSAR that is essentially concerned with administrative reform of the governmental institutions from a strategic, procedural and organizational point of view. Their involvement and intervention during systems analysis and design is crucial, especially in those departments that the IDU has already analyzed
- **TCU:** Technical Cooperation Unit, a unit within OMSAR. The TCU is responsible for preparing the TOR for the ARLA projects; as well as; the supervision of the execution of all projects within the Loan Agreement and/or Grant.
- **Project Control Committee:** a quality control and implementation monitoring committee formed from the TCU and the MOJ at the starting of this project. It will have the responsibilities of project monitoring of this consultancy.
- **Steering Committee:** a supervisory committee formed from the TCU and the MOJ at the starting of this project. It will have the responsibility of the guidance and supervision of this consultancy.
- **Acceptance Committee:** formed from the TCU and the MOJ at the starting of the acceptance phase. It will have the responsibility of the acceptance of deliverables of this consultancy.
- **TOR:** Terms of Reference

1.0 BACKGROUND INFORMATION

1.1 BENEFICIARY COUNTRY: Republic of Lebanon

1.2 CONTRACTING AUTHORITY: Minister of State for Administrative Reform

1.3 BENEFICIARY: Ministry of Justice

1.4 RELEVANT COUNTRY BACKGROUND

The attempts of the Government of Lebanon to rebuild its institutions after the end of the war in 1990 are still in progress. In parallel to the efforts exerted to rehabilitate the physical infrastructure, many serious ongoing endeavors to revive the institutions of the Lebanese public sector have been made.

1.5 DESCRIPTION OF THE ARLA PROGRAMME

ARLA is an EU financed programme of Assistance to the Rehabilitation of the Lebanese Administration (loan LBN/B7-4100/IB/97/0687). ARLA was originally a three-year multi sector programme, which to date has outlived the original three-year duration. Total investment in the ARLA programme is Euro 45.2 million, of which Euro 38 million is provided under a grant funded by the European Union's MEDA facility. The



responsibility for implementing the ARLA Projects is vested in the Office of the Minister of State for Administrative Reform (OMSAR). The Technical Cooperation Unit (TCU) and the Institutional Development Unit (IDU) are the units within OMSAR responsible for the implementation of the ARLA projects and, as such, TCU & IDU (as relevant) shall supervise all components of the Project.

1.6 CURRENT STATE OF AFFAIRS IN THE RELEVANT SECTOR

The judiciary sector courts, councils and departments perform a wide range of procedures and handle a variety of different tasks and processes. The majority of these tasks are still paper based and processed manually. Court procedures depend on a set sequence of events and have a defined track that they must follow. At the time being all workflow is totally manual, paper-based and depends on human tracking and scheduling.

The court system and judiciary proceedings generate a vast amount of documents and forms. Documents need to be routed among several departments, posts and personnel, awaiting certain procedures and approvals at specific stages of the process. Document tracking, forwarding, filing and archiving are currently done manually. Case scheduling and tracking are also handled manually. This manual process makes tracking and following up on law suites and cases a daunting, cumbersome and time consuming task. This is leading to a long delay in delivering the due process, as well as it is rendering the judiciary system to be tedious, burdensome, repetitious and inefficient. Moreover, this is leading to cases being forgotten and verdicts not being executed especially when it is a case that involves a verdict in favor of the government – like paying certain fines and penalties.

Moreover, the Ministry of Justice suffers from shortages in the size of the administrative staff and the technical support personnel; as well as; the judiciary staff. These shortages are hindering the efforts of the Ministry to keep up with the new methods of information technology implementation and utilization. This is furthermore contributing to the long delays in the delivery of the judicial processes.

1.7 RELATED PROGRAMMES AND OTHER DONOR ACTIVITIES

A technical assistance programme for improving the judiciary system is underway through a grant from ARLA project covering a study on laws that encourage investment in Lebanon, a study on backlog and delays in resolving litigations, and training of judges.

In April 2004 an Electronic Library Intranet (E-Library) was established at the Ministry of Justice through a grant from the UNDP. The E-Library includes several legal publications and texts, as well as a legal database and a search engine with indexed hyper-linking to Internet resources and local subscription-based databases.

The Ministry of Finance has a leased line connected to a small network at the Justice Palace near the Ministry of Justice in Beirut. The network consists of two computers used to send cashiers data to the Ministry of Finance.

Other existing systems:

- Commercial Register Application
- Case Statistical Database at the Judicial Inspection
- A basic web site for the ministry at: <http://www.justice.gov.lb>

2.0 CONTRACT OBJECTIVES & EXPECTED RESULTS

2.1 OVERALL OBJECTIVES

The main objective of this project is to prepare a Master Plan for the enhancement and development of the judiciary sector through the utilization of a comprehensive information and communication technologies (ICT) framework. The Master Plan is envisaged as the strategic document conceived by the government of Lebanon to ensure the overall development of the judiciary ICT infrastructure and required systems for this sector to reach modern standards of effectiveness in terms of judicial dossier/document management, archiving, decision-making and final rulings.



The plan is to produce a blue print for the ICT development and quality standards of the judiciary sector in Lebanon, with a particular focus on courts and their related procedures and associations. This blue print will define the macro specifications of the type and quantity of information to be exchanged among the different judicial bodies involved, as well as the hardware and software specifications required to support the information networks and systems for the various types and grades of courts and any other judiciary institutions involved. The Master Plan will result in a group of projects to be implemented within medium and long-term time spans.

2.2 SPECIFIC OBJECTIVES

In a departure from the traditional structured approaches to problem solving, the Mater Plan should be based on information engineering, which applies an engineering-style rigor and business focus to systems. Dr. James Martin, generally regarded as one of the most forward-thinking leaders in information technologies, defines information engineering as *"the application of an interlocking set of formal techniques for the planning, analysis, design and construction of information systems on an enterprise-wide basis or across a major sector of the enterprise. It is an organization-wide set of (automated) disciplines for getting the right information to the right people at the right time"*.

The primary benefit in using an information-engineering-based methodology is in its business orientation; simply put, **the organization must dictate what information it needs, rather than the information systems dictating what information it can deliver.**

Based on the above methodology, the specific objectives of this project are:

- 2.2.1 Execute a study to identify, analyze and document the existing procedures and processes. The study needs to indicate areas and processes where improvements can be achieved through automation and information technology implementations. The study needs to identify areas or procedures that cannot be automated or cannot be improved through automation. Procedure or tasks that need to be modified or simplified to be able to benefit from automation should also be identified and illustrated.
- 2.2.2 Assess current procedures and methods based on, (a) ability to effectively respond to operational requirements, (b) capability to satisfy the underlying business functional and data requirements, and (c) compatibility with strategic architecture
- 2.2.3 Create an ICT vision consistent with the overall mission of the judiciary; conduct extensive executive and operational staff interviews to ensure correct understanding of the overall mission, goals, and objectives; the ICT vision must be simple and clearly must articulate where we want to be vis-à-vis information technology and the business of the courts
- 2.2.4 Establish high-level business function, and enterprise data models to be the foundation for the design of all future systems; the models are based on an examination of the actual functions of line operations, NOT on existing systems; these *enterprise* models reflect all aspects of the organization, irrespective of jurisdictional and geographic boundaries
- 2.2.5 Design a strategic and comprehensive architecture capable of delivering the ICT vision, and exploiting available and anticipated technology to benefit the judiciary.
- 2.2.6 Map a migration strategy to implement the strategic architecture, which is able to respond to the changing needs of the organization and the realities of scarce resources.

2.3 SPECIFIC MIS OBJECTIVES

In addition to the above objectives there are some objectives that are MIS specific:

- 2.3.1 Increase judiciary productivity and decision making ability
- 2.3.2 Improve court administration productivity
- 2.3.3 Increase system flexibility and management reporting capabilities
- 2.3.4 Provide the foundation to expand volume and services through leading edge technology
- 2.3.5 Provide localized computing capability
- 2.3.6 Increase public access to court information
- 2.3.7 Increase data and operational integrity
- 2.3.8 Provide the basis for enhanced communications and the sharing of data
- 2.3.9 Enhance MIS operational efficiency and service delivery capabilities
- 2.3.10 Optimize existing technology and investment in hardware and software
- 2.3.11 Provide a clear upward migration path
- 2.3.12 Provide the technology for automated filings



- 2.3.13 Reduce paper flow
- 2.3.14 Provide the foundation for a more fully automated (paperless) court
- 2.3.15 Provide the capability for electronic storage of public records
- 2.3.16 Provide assurance that all electronic court data is safe from theft, tampering or destruction
- 2.3.17 Improve data exchange and communication with outside agencies
- 2.3.18 Promote a more user friendly court

2.4 VISION STATEMENTS

All of the above objectives; and specifically the solution designs; are to be aligned with the following vision statements:

- 2.4.1 Electronic filing should be instituted using software which leads the filer (citizen) through a series of questions generating a standard form filing.
- 2.4.2 Trial courts should adopt calendar management practices which stress the need to reduce waiting time and inconvenience for the public and the expedition of litigation.
- 2.4.3 The court management information system should be augmented to provide for the collection and analysis of data which can be used to identify the scope of the delay problem.
- 2.4.4 Courts should be equipped with technologies comparable to and compatible with the technologies used in law offices and businesses:
 - Courtrooms should be equipped with screens, monitors and projection equipment to display visual information.
 - Provisions should be made to permit personal computers at counsel tables.
 - Overhead cameras should be installed.
- 2.4.5 Courts should institute computer programs to schedule lawyers, judges and courtrooms.
 - Computers should record activity on all cases
 - Computers should be used to schedule timetables for discovery, submitting instructions, pretrial motions, etc.
 - Computers should be used for legal research.
- 2.4.6 Trial proceedings record logs should be digitally recorded and stored in an easily retrievable and playable sound system. This sound system should be connected to and controlled by the court software applications and it must provide secure and permanent storage capabilities.
- 2.4.7 Public records in all courts should be automated.
 - Information should be retrievable from off-site locations.
 - There should be a careful study of information being kept as public record to minimize the amount of information kept.
- 2.4.8 Courts should have automated systems to permit the initiation of any case by electronic filing from remote locations.
 - Filing fees could be collected electronically.
 - Notices, summons and other documents could be generated automatically from the information that was indexed when the case was filed.
- 2.4.9 All court automated systems must possess security features to prevent tampering.
- 2.4.10 All court automated systems must include back-up capabilities to avoid system failure.
- 2.4.11 Courts and other justice agencies should be able to read each other's databases containing public records and exchange information electronically.
- 2.4.12 District and circuit courts should have access to each others data bases.



- 2.4.13 First Instance Courts, Courts of Appeals and the Cassation Court should be linked so that data can be electronically transferred among them.
- 2.4.14 All courts should be linked through a private and secure electronic mail network.
- 2.4.15 The Judiciary Department should have an integrated information system based on local or regional processing and storage of data, with the sharing of information through local and wide-area networks.
- 2.4.16 The judiciary should be aware of the public's needs for judicial services and the public's criticisms of the judicial process. Therefore, the court system should initiate an information system in order to develop and implement appropriate responses to the public's needs.

2.5 RESULTS TO BE ACHIEVED BY THE CONSULTANT

In meeting the above objectives the Consultant is expected to achieve several results, among which are the following:

2.5.1 DETAILED MOJ ORGANIZATIONAL CHART

Prepare an organizational chart of the Ministry of Justice and judiciary sector including the different courts, councils, boards and divisions outlining their functional, geographical and jurisdictional interdependencies and relationships. Functions, jurisdictions, responsibilities and hierarchies of all entities are to be identified and defined in sufficient details. Interoperation relationships and dependencies among courts, tribunal, councils and other governmental bodies must be identified and clarified.

2.5.2 OFFICIAL FORMS DESIGN

In collaboration with and under the supervision of the beneficiary, design a framework of official forms and documents to meet the business operation requirements. The framework is to include a new design and format layout of all needed forms. The forms must be designed for simplification and automation purposes; including the adoption of a new and efficient numbering system standard. All form designs and formats have to be approved by the MOJ committee. The new designs and numbering system are to be incorporated in the specifications of the software applications design. The outcome of this activity is to be presented in a separate report including all the new form designs and the numbering system.

2.5.3 SYSTEM DESIGN SPECIFICATION

Conceive and produce a system design specification document for an integral and comprehensive database application framework and an information network system, as a coherent and integrated solution that will fulfill the internal needs of automation, as well as the external needs such as; information dissemination, monitoring, guidance, assessment and decision making.

This design specification document is envisaged as the master deployment guide governing the procurement requirements, the guidelines and specifications for the development of the required applications and the actual network system implementation and rollout. The proposed document needs to qualitatively and quantitatively, identify and spell out the details of the design and deployment specifications for all data processing equipment, network systems, database systems, software applications, communication lines and services.

The System Design Specification document is expected to provide the following:

- Detailed lists including quantities and minimum specifications of all required computer and networking equipment
- Detailed lists including quantities, versions and specifications of all software products and licenses (server, user, client access)
- Detailed technical drawings of all local area networks and the wide area network designs

- Deployment guides and installation instructions for the implementation of the proposed networks and software applications

These design specifications are expected to comprise - but are not to be limited to - the following components and requirements:

1. Logical Network Organization and Structure Design

This design is expected to be based on Windows 2003 (or higher) Active Directory Forest structure including the specific designs of the following:

- a. Active Directory structure and organization: Domains, OU's, Groups
- b. System and User Security Policies specifications
- c. Network Sites and Zones
- d. IP addressing plan

2. Network Infrastructure Design

Detailed and comprehensive design specification for a complete network system platform encompassing the following:

a. Local Area Networks Specifications

- i. Distribution and locations of Local Area Networks
- ii. Quantities, locations and functionalities of file and print servers
- iii. Servers hardware and operating systems specifications and functionalities
- iv. Servers data storage and backup specifications and requirements
- v. Servers' redundancy and availability assurance measures – Clustering, RAID, etc...
- vi. Quantities, locations and functionalities of workstations
- vii. Workstations allocations to specific personnel functionalities
- viii. Workstations hardware and operating systems specifications
- ix. Printers quantities, specifications, locations and functionalities
- x. Switches, wiring concentrators and cabling specifications and designs
- xi. Management and monitoring application tools and utilities
- xii. Software applications, programs, user and client access licenses

b. Network Services Specifications

Redundant servers must be allocated to provide all the essential network services including - but not limited - to the following enterprise services:

- i. Directory Services, user database and authentication services
- ii. Certificate Authority Services and Servers
- iii. Network services: DNS, DHCP, Remote Access, VPN, Global Catalog, etc...

c. Storage Area Network and Off-Line Storage Specifications

Specifications and allocation of a Storage Area Network (SAN) with adequate size and performance is to be indicated in the required areas and data centers. The design must address the needs and include specifications of an adequate capacity off-line storage/archiving sub-system.



d. Wide Area Network Specifications

- i. Type of the Wide Area Network: Private, Public Data Network, Internet VPN, etc...
- ii. Options and methods of Inter-Site connections: Leased lines, Microwave, ISDN, Dialup, Remote Access, VPN
- iii. Redundant paths for essential links
- iv. Intranet specifications and boundaries
- v. Methods of security and protection
- vi. Specifications, locations and functionalities of Routers, Firewalls, Proxies
- vii. Internet / Intranet connection options
- viii. Management and monitoring tools and utilities
- ix. Software applications, programs, user and client access licenses

3. Database Servers and Software Applications Design Specification

The database servers are expected to be based on either Microsoft SQL or Oracle latest versions. A clear and detailed analysis showing and explaining the reasons that led to the specific system of choice is required as part of this specification.

a. Database Servers Specifications

The database servers' specifications are required to include the following:

- i. Hardware and Software specifications
- ii. Servers architecture, placements
- iii. Database Server Software brands, versions and platforms
- iv. Database Client Software: types, versions, user-interface
- v. Database structure and architecture: centralized, distributed, replication
- vi. Servers data storage and backup requirements
- vii. Servers redundancy and availability assurance measures – Clustering, RAID, etc...
- viii. Management and Development tools and utilities
- ix. Database Servers and Applications software licenses and Client access licenses

b. Software Applications Design and Functional Specifications

The design and functional specifications of the software applications are required to cover the following areas:

- i. A transaction workflow and automatic routing system that will monitor and identify the transaction status, the state it is at, and will automatically route it to the next step or person in the process.
- ii. A case management database application to handle case management and control such as: case lodging, case filing, status tracking and process flow. Including a master planning and scheduling application that will be used for scheduling court hearings and trial sessions, taking into account court rooms' availability and the judges' schedules.
- iii. A comprehensive Document Management application for all official and supporting documents related to cases and procedures performed by the courts. Including the archiving of records and supporting documents, filing and storage. Establishing and maintaining a long term, secure and totally protected repository for suits, verdicts, decisions, legal actions, sentences, execution of sentences, etc.
- iv. A database management application for all judges, lawyers, sworn experts, notary publics and other entities or bodies who deal with the courts.



- v. Automation of the "notification", summons and subpoena processes and linking with other departments and authorities.
- vi. Provide the ability of accessing information remotely, through secure and private channels utilizing Internet technologies and web-enabled applications.
- vii. Interface the database applications and case management application with other information systems such as the Commercial Register, Criminal Records, Real Estate Record and other related information systems. The databases and applications should be designed to interface or exchange information with the other bodies that the courts deal with, such as the units specified in Section 4.2.3. Methods and means of data exchange with the outside elements should be defined and provided for in all the database and application design specifications.
- viii. The database and software applications must provide extensive reporting abilities that are as flexible as possible. Provisions for the inclusion of all required data fields should be well studied and included in the designs. The reporting functionality is to be adaptable to changing givens and requirements, especially changes in laws and procedures.
- ix. Database and software applications need to be designed in a flexible manner that will enable later changes and modifications in response to variations in laws and procedures.
- x. Appropriate software applications need to be identified and designed to be Web-enabled and accessible through the Ministry's web portal. A careful analysis is to be performed to specify which applications should be accessible through the Intranet and which will be available to the Extranet and/or the public Internet. Appropriate access levels, authentication and security measurements must be designed and documented.
- xi. The software design specifications are expected to cover the requirements of the archiving and office automation processes with emphasis on the following considerations:
 - 1. The archiving process and workflow for the manual documents in each transaction and process.
 - 2. Long-Term and permanent storage capabilities including design provisions for off-line archiving and storage.
 - 3. Problem or difficulty areas in archiving specific documents.
 - 4. Automation of daily business functions and activities.
- xii. All software applications and programs are to be fully Arabised.

4. Specifications for an Intranet, Extranet and Internet Web Portal Design

Definition and specifications for the Judiciary Intranet with public Internet access and Extranet Access to outside partners and subscribers; including a dynamic and interactive web portal providing useful information and services to the public. The web portal design is expected to provide the following capabilities:

- a. High measures of access security, encryption and authentication
- b. On-line form submittal capability
- c. Upload and download of required documents
- d. Inquiry and case/dossier tracking capabilities
- e. Access to public information
- f. Payment acceptance and processing capabilities

5. Email System Structure Design Specifications

- a. Exchange 2003 (or higher) Organization structure and plan
- b. Antivirus, Spam and content filtering
- c. Email security measures: Digital Signatures, Authentication Certificates, etc...



6. Internet Access and Monitoring Design Specification

- a. Selective access to specified users and groups
- b. Content filtering and monitoring abilities
- c. Surf and browse control and monitoring abilities
- d. Security measures as specified in the Security Plan below

7. Centralized Network Management Design

The design is expected to provide all tools and utilities necessary to allow remote network administration and management. Software installations, reconfigurations, updates and troubleshooting functions must be feasible remotely. The network administrator needs to be able to perform his duties and functions from a central location without the need to travel to the remote sites. Network management, administration and software distribution systems and tools need to be specified and included in the design including systems as such:

- a. Remote Control / Remote Access systems like RRAS, pcAnywhere, NetOp etc...
- b. Software Update Services (SUS) or Windows Update Services (WUS)
- c. Systems Management Servers (SMS)
- d. Microsoft Operations Manager Servers (MOM)

8. Security Plan Design

Security measures with regards to data access, systems access, firewalls, etc. from within the network or through Internet access must be designed and documented. The security plan must include - but is not limited to - the following measures:

- a. Network security access, authentication and encryption types: VPN, IPSec, DES, 3DES
- b. Public Key Infrastructure – Certificate Authorities
- c. Logon authentication protocols: EAP, Smartcard, etc...
- d. Intrusion Detection Systems (IDS) and Intrusion Prevention Systems (IPS) with security breach or violation alerts
- e. Firewalls: This must utilize two lines of defense, one hardware based (Cisco PIX) and the second software based (Microsoft ISA) - latest versions
- f. Authority levels document that details the List of user types along with their **access rights and permissions** into data areas, applications and reports.
- g. Audit trail logs need to be generated and kept for all data modification accesses and all unauthorized system logons.

9. No Single Point of Failure

Protective and redundant measures must be exercised in the overall design to assure system availability and reliability. The system must be designed around the constraint not to tolerate the existence of any one component that is liable to present a single point of failure.

10. Backup, Disaster Recovery Plan and UPS

Backup systems with Disaster Recovery abilities, as well as methods and procedures need to be specified and outlined along with a Disaster Recovery Plan describing the detailed procedures to restore the system into operational status in case of any possible type of failure. The plan needs to encompass all systems, servers, stations and network access devices. Backup power systems (UPS) need to be specified and included for all systems and components. The UPS systems need to provide status information and logs and have the ability of remote monitoring and notification alerts.



11. System Test Plan

A comprehensive test plan outlining the procedures and methods to be utilized in performing a complete system test. This plan should include - but is not limited to - the following tests:

- a. Component
- b. Unit
- c. System
- d. Integration
- e. Backup, Restore and Disaster Recovery

12. Contingency Plan

A contingency plan must be developed to instruct the end-users of alternate ways to carry out the daily business activities in the case of a sudden unavailability of the system. The contingency plan must be designed to allow easy and smooth resumption of operations when the system is back on line. The required tools, forms and methods of manual operation need to be identified, designed and provided as part of this plan

13. Volumes

The Consultant shall give, as accurate as possible, the current volumes of data and transactions with an estimation of the increasing rates for the coming five years. These volumes will be taken in consideration at the design level for data, applications and networking.

14. Global Design Requirements

The proposed design needs to include provisions and specifications for all related logistical requirements of the system, including – but not limited to:

a. ICT Department

The Consultant shall describe a proposed organization chart for a dynamic ICT department including a clear specification of the human resources related to each position, the number of staff needed for the coming five years, and the description of expected profile of the person assigned to each position. This should take into consideration the existing staff and their qualification, knowledge and experience and is to include a recruitment plan for the required technical and administrative support staff.

b. ICT Plans

The Consultant shall submit specifications for project preparation, project management and quality plans for the various activities and projects to be performed by the ICT department.

c. Computer Centers

The Consultant shall submit a plan for building and preparing the required computer centers including:

- i. Internet connectivity
- ii. Telecom lines and services
- iii. Electric generators
- iv. Computer rooms: air conditioning, security, fire fighting, etc...
- v. Electric power wiring and data cabling etc...

d. Procurement Requirements

All the specifications above must include the following information:



- i. Technical specification with the necessary minimum requirements of its characteristics
- ii. Quantity requirements per each of the phases of the implementation plan

15. Essential Design Conditions

The proposed system design needs to be prepared in coordination with the Project Control Committee team from OMSAR and the MOJ and is subject to their approval. The Consultant must keep the committee abreast of the progress of the design.

The task of preparing the design should be divided into two phases; the Functional Specifications Phase and the Final Design Phase. A report is to be submitted for committee approval at the end of each phase. Committee approvals are to be obtained at the end of each phase and before moving on to the next phase:

a. Functional Specifications Phase:

During this phase it is expected that all the functional specifications will be identified and presented in a "*Functional Specifications Document*"; as specified in section 4.1.2.5 below. This Functional Specification Document should be submitted to the committee for revision, modification and approval.

b. Final Design Phase:

A final design document needs to be prepared and presented to the committee for revision, modification and approval. This document will constitute the "*System Design Specification Document*" and it will encompass all of the design specifications listed above along with all the supporting tables, schematics, maps, diagrams and flow charts, etc...

Furthermore, this phase is also where the "*Software Design Specification*" discussed below in section 2.5.4 is expected to be prepared.

2.5.4 SOFTWARE DESIGN SPECIFICATION

If the Software Applications Comparison (Section 4.2.4 below) concluded that custom made applications need to be designed and programmed then it is the Consultant's responsibility to prepare a comprehensive software design specification and programs definition document to be used as the blue print for developing and programming the required software applications.

The proposed software design specification needs to take into account all the requirements specified in the objectives and scope of this project; especially the **Software Requirements Document** prepared in Section 4.2.2; the **System Design Specification** in Section 2.5.3 above; and all the other functionalities described in the Specific Activities Section 4.2 below.

The Software Design Specification Document is expected to provide the following:

- Overall system function description
- Detailed description of all functions and procedures
- Detailed flow charts and reports describing the workflow process of the software applications and programs
- Detailed requirement definitions and specifications for all software applications that are proposed. The specifications must include process, look and operation requirements, as well as specific screen and report layouts and designs
- Detailed structures, field definitions and data relationships of all the required databases
- Estimation of the **time and cost** needed for the development and deployment of the software applications



2.5.5 TRAINING PLAN

Prepare a comprehensive training plan for the migration and the operation of the newly devised system taking into consideration the existing staff and their qualification, knowledge and experience. The training should be divided into 2 parts: Technical and Functional. The **Technical Training** plan is for training the IT support staff on the administration and operation of the system. The **Functional Training** program is targeted towards educating and training the user community on the proper system operation.

2.5.6 SYSTEMS IMPLEMENTATION PROJECT PLAN

The Master Plan needs to include a detailed multi-phased implementation project plan and schedule to be used for implementing the recommendations and system/software designs that will be produced as outcomes of this Master Plan. The project plan is expected to meet the following requirements:

1. The implementation plan needs to identify the different phases of implementation, define the tasks and resources to be allocated to each task and list the deliverables to be accomplished at each phase indicating milestones as appropriate.
2. The implementation schedule must include the time (working-days) required by each resource for the completion of each task; and the interdependency of tasks and deliverables on each other, or on outside factors.
3. The prerequisites of each task and deliverable must be identified and listed as requirements for the implementation. The identification of prerequisites must include precise timing allocation as to when in the project cycle each requirement will be needed.
4. The project plan and schedule should take into consideration the different geographical locations and interconnection needs; such as telecom lines and services at the different locations. This must be provided for in the phasing of the project.
5. The implementation phases need to cover the following:
 - o System Assessment and Design
 - o Software Applications Development
 - o System Build and Deployment
 - o System Testing, Debugging, and Modification
 - o Human Resources allocation
 - o Training (technical and functional)
 - o Transition and Migration
 - o Production Rollout
6. The implementation plan should include a project plan prepared by Microsoft Project v. 2003.

2.5.7 TOR FOR THE IMPLEMENTATION OF THE MASTER PLAN

Prepare the TOR(s) for the implementation of the Master Plan study including any other projects that arise from the Master Plan as per the relevant EU TOR template. Specifically, TOR(s) for the implementation of the Software Design and the System Design projects are expected to be prepared and delivered by the Consultant at the conclusion of this project.

2.5.8 MASTER PLAN IMPLEMENTATION BUDGET

The Master Plan must include an implementation budget, set along international standards, and covering all the designs, recommendations and outputs of this plan, especially:

1. The System Design Specification: Including all networks, servers, software, operating systems, office applications, licenses, storage, archival, workstations, printers, UPS, communication equipment, computer centers, data cabling, electrical power requirements and wiring, as well as assembly and installation of all components and units.
2. The Software Design Specification: Including all database and software applications, licenses, as well as programming, development, customization, and installation services.
3. The cost of the initial and on-going training plans for the ICT personnel and the user base.
4. The cost of the required on-going maintenance and service contracts.



5. Supervision of all projects and/or services of the Master Plan.
6. The budget estimates must be broken down per each of the phases of the implementation plan.

2.5.9 PROPOSALS FOR SELF-FINANCING

The Master Plan is expected to present a Financial Study and Analysis of the available options for financing its implementation projects internally and from the proceeds of the judiciary filing fees. Options for generating the required funds through levying temporary "Automation Fees" should be assessed; and proposals should be presented along with financial forecasts and a timetable of projected funds accumulation.

3.0 ASSUMPTIONS AND RISKS

3.1 ASSUMPTIONS

- 3.1.1 The Ministry of Justice is committed to the successful compilation and implementation of the new Master Plan.
- 3.1.2 The MOJ management will support this work and take active steps to modify or simplify procedures where and when needed. The Consultant will provide recommendations in that regards and the MOJ will take them into consideration and undertake the modification when possible.
- 3.1.3 The Consultant will be expected to provide capacity building recommendations and proposals in regards to the human resources skills and abilities that are required for the successful implementation of the proposed Master Plan. Moreover, the recommendations need to encompass the requirements of office building space and conditions. The MOJ is to be made aware of any needed office space allocations, modifications or additions that are essential to the successful plan execution.
- 3.1.4 The MOJ will assign a counterpart and a team that will work closely with the Consultant and the team from OMSAR.

3.2 RISKS

- 3.2.1 Potential resistance from MOJ's employees whose regular tasks will be relatively affected by the change that will take place.
- 3.2.2 Potential inability of existing personnel to comprehend and adapt to an automated system leading to major obstacles in employee training and thus hindering the system implementation and utilization.
- 3.2.3 Potential deficiencies in the logistics.

4.0 SCOPE OF WORK

4.1 GENERAL

4.1.1 PROJECT DESCRIPTION

This project is to prepare a Master Plan for the enhancement and development of the judiciary sector through the utilization of a comprehensive information and communication technology framework targeted to achieving a faster, more efficient and productive judicial system.

The project involves comprehensive studies and analysis of the operations and functions of the judiciary bodies and institutions to produce a Master Plan for establishing a new system of operation and functionality utilizing the latest methods and implementations of information technology and automation. The Master Plan should entail the operation automation and streamlining of all the transactions and procedures that go through the Lebanese judicial system. The plan is to address the needs of case management, document management, human entities, data sharing, dissemination and interaction within the courts and the other departments and divisions of the administration. Moreover,



the plan should tend to the requirements of data and information interchange between geographically dispersed regional and central courts in a manner that will reduce time delays and produce an efficient flow throughout the system. The Master Plan will result in a group of projects to be implemented within medium and long-term time spans.

4.1.2 IMPLEMENTATION METHODOLOGY AND WORK PLAN

The project should follow a structured approach to planning, managing, analyzing, designing, and implementation. Each high level process has to be defined in sufficient detail to ensure that the implementation team can execute the tasks consistently and completely. The processes must be flexible enough to allow the execution of each process independently or simultaneously with other processes. Time is of the essence in this project and serious efforts need to be exerted to execute tasks simultaneously and in parallel.

The methodology should provide a formalized and standardized approach and work plan for the whole implementation process. This approach should ensure the proper definition of specific business requirements in order that the final results fully support the business needs and practices.

More importantly, the methodology should define a complete approach to quality assurances to ensure a successful project outcome through building quality measures into the implementation process.

4.1.2.1 Work Plan and Phasing:

The Consultant's proposal should present a detailed methodology and work plan for this project; this will be a specific part of the Consultant's offer. The Consultant, through its offer, is encouraged to demonstrate innovative, added-value, and creative approaches to the delivery of the services and results described above.

The Consultant is free to propose all aspects of their detailed methodology and work plan for the assignment in their proposal. It is envisaged, however, that the project will be structured in a phased manner, similar to the following:

- Phase 1: Inception and Requirement Definition
- Phase 2: Data Collection, Analysis and Assessment
- Phase 3: Plan Compilation and Systems Design

4.1.2.2 Phase 1: Inception and Requirement Definition

During this phase the Consultant will undertake a rapid but comprehensive assessment of the challenges facing the Ministry of Justice in strengthening the capacity and the development of the judiciary sector in general and the courts in particular. This phase will include an assessment of the current situation and a review of existing systems, plans and projects in the judiciary sector.

Furthermore, this phase must concentrate on identifying and defining requirements in light of the MOJ visions and objectives; and formulating a project implementation plan and methodology. This phase will conclude with an Inception Report and a Requirement Definition Document:

1. Inception Report: Project Plan and Methodology

The project plan must include the time schedule and the resources working on the project. The *methodology document* describes how the Consultant is going to perform the works requested and the division of the works into phases i.e. analysis, system design, build, implementation, etc. within the requirements of this project.

At the end of this phase the Consultant will submit an inception report which will present the following:

- An assessment of the current situation, existing and future plans and projects
- Key issues and challenges (distinguishing between administrative/project issues and policy issues)



- Proposed steps and solutions to address the key issues
- A revised logical framework with updates to the risks and assumptions
- A revised methodology and detailed project implementation plan
- A detailed task descriptions, work allocations and schedules, as well as the profiles of the other experts allocated to the project

The Inception report, including the project work plan and the methodology documents must be submitted within one (1) month of contract effectiveness date.

2. Requirement Definition Document

It is expected that during this phase extensive efforts will be employed in identifying the specific requirements and expectations of the beneficiary from this project. At this stage the Consultant is expected to liaise and meet extensively with the key stakeholders at the MOJ to determine their needs and requirements and furthermore, to best orchestrate the contribution efforts required from their side. Guided by the above listed objectives and visions, the Consultant is expected to formulate a revised and improved set of requirements in regards to the desired systems and outputs of this project.

This document will be used as the basis for developing the Functional Specifications Document and its outputs namely, the system and software design specifications.

The requirements can be functional, as well as non-functional requirements:

- **Functional requirements** are those which dictate what the systems should do. These cover the scope of the objectives and visions that have been initially defined in the Contract Objectives and Expected Results, and are to be further elaborated during this activity.
- **Non-Functional requirements** address other facilities which the systems should have. Non-Functional Requirements are varied and can be part of any of these categories:
 - Architectural requirements
 - Business requirements
 - Compatibility requirements
 - Constraints requirements
 - Delivery requirements
 - Documentation requirement
 - Help and training requirement
 - Implementation requirement
 - Interface with other systems requirements
 - Legal requirements
 - Look and Feel Requirements
 - Operational Requirements
 - Performance Requirements
 - Security Requirements
 - Supportability Requirements

The above list can be used to investigate the requirements of the system and arrive at a complete list.



- **VOLUMES AND LOADS**

The volumes and loads of the systems must be identified and distributed by module. Another breakdown should show such volumes and loads by user. This latter analysis will assist the Design Team in setting up a suitable infrastructure.

The Inception report and the Requirement Definition Document may propose amendments to the scope of work - within the overall vision and approval of the beneficiary - which may be appropriate in the light of the findings of the inception and requirement definition phase. Moreover, and in the same light, the beneficiary may during this phase require additions or modifications to the scope and objectives specified above.

4.1.2.3 **Phase 2: Data Collection, Analysis and Assessment**

This phase is perceived as the main phase of actual performance where most of the field work, surveys and analysis tasks will take place. The particular details and sequence of tasks will be left up to the Consultant's plan and methodology; however this is where the following tasks and results are expected to be preformed and achieved:

- Assessment of Existing Resources
- Organizational charts and relationship definitions and studies
- Identification and analysis of the procedures and functions
- Workflow analysis and optimization
- Feasibility and effects of automation
- Geographical and hierarchical relationships and distributions
- Software requirements identification and documentation
- Official forms and documents design and numbering
- Studies of the Required Links and Connections
- Software applications comparisons and recommendations

4.1.2.4 **Phase 3: Plan Compilation and Systems Design**

This phase is envisaged as the actual compilation of the Master Plan and the preparation of the required designs and documents. This phase will entail the preparation of the following requirements:

- Functional Design - Functional Specification Document
- Software Design Specification Document
- System Design Specification Document
- Training Plan Document
- System Implementation Project Plan
- TOR(s) for the implementation of the Master Plan
- Master Plan implementation budget
- Proposals for Modifications Document

4.1.2.5 **Functional Design**

Functional Design is the creation of abstract models and plans for defining how the requirements that stakeholders have will work in the new system. The result of Functional Design is the **Functional Specifications Document**.

Functional Design has the main **objective** of converting the requirements in the Requirements Definition Document into a model that shows how the systems will work or function.

- The Functional Specifications define in very clear terms the systems with the stakeholders in mind. It is the stakeholders that shall approve the Functional Design and confirm that it meets all the requirements stated earlier.
- The functional design process has to be verified by the stakeholders. Therefore, its results, the Functional Specifications, are developed with the stakeholders in mind.



The Functional Specifications Document will contain the following major items:

- A **global process map** of the whole system. This would show the various modules, their interfaces, relationships and general flow of work.
- A **global Entity Relationship Diagram (ERD)** covering tables and their relationships from all modules in the projected systems.
- Data Conversion mapping and planning

The Functional Design is a top level view and it is the basis of the technical design specifications expected at the outcome of this project, specifically:

- The Software Design Specification
- The Final System Design Specification

4.1.3 TARGET GROUPS

The groups targeted by the scope of this project include the functions and operations of the Judiciary Courts, Councils, Tribunals, their Judiciary Departments and other bodies as outlined below:

(See Appendix A. for details about the structure of the courts in the Ministry of Justice)

Judiciary Courts	المحاكم العدلية
Civil Courts	القضاء المدني
<ul style="list-style-type: none"> • First Instance Courts: <ul style="list-style-type: none"> ○ Single Judge Division ○ Court (3-Judge) 	<p>محاكم الدرجة الأولى القاضي المنفرد محكمة البداية</p>
<ul style="list-style-type: none"> • Courts of Appeal 	محكمة الاستئناف
<ul style="list-style-type: none"> • Court of Cassation (Beirut) 	محكمة التمييز (بيروت)
Penal Courts	القضاء الجزائي
<ul style="list-style-type: none"> • Investigation Justice: <ul style="list-style-type: none"> ○ First Investigation Judge ○ Investigation Judge ○ Prosecuting Tribunal 	<p>قضاء التحقيق قاضي التحقيق الأول قاضي التحقيق الهيئة الاتهامية</p>
<ul style="list-style-type: none"> • Courts <ul style="list-style-type: none"> ○ Misdemeanors and Infringements <ul style="list-style-type: none"> • Single Judge • Courts of Appeal • Court of Cassation (Beirut) ○ Felonies <ul style="list-style-type: none"> • Court (3-Judge) • Court of Cassation (Beirut) 	<p>المحاكم جناح ومخالفات القاضي المنفرد محكمة الاستئناف محكمة التمييز (بيروت) جنايات محكمة الجنايات محكمة التمييز (بيروت)</p>



Public Prosecution	النيابات العامة
<ul style="list-style-type: none"> Public Prosecution - Court of Cassation Financial Public Prosecution - Court of Cassation Public Prosecution - Courts of Appeal 	<ul style="list-style-type: none"> النيابة العامة لدى محكمة التمييز النيابة العامة المالية لدى محكمة التمييز النيابة العامة لدى محكمة الاستئناف
Specialized and Exceptional Courts	المحاكم الخاصة والاستثنائية
<ul style="list-style-type: none"> The Labor Arbitration Councils Other Specialized and Exceptional Courts 	<ul style="list-style-type: none"> مجالس العمل التحكيمية وغيرها من المحاكم الخاصة والاستثنائية
Judicial Council (Beirut)	المجلس العدلي (بيروت)
<ul style="list-style-type: none"> Judicial Investigator Judicial Council 	<ul style="list-style-type: none"> المحقق العدلي المجلس العدلي
General Tribunal of the Court of Cassation (Beirut)	الهيئة العامة لمحكمة التمييز (بيروت)
<ul style="list-style-type: none"> The Court's First President All Heads of Chambers 	<ul style="list-style-type: none"> الرئيس الأول رؤساء الغرف
Judiciary Inspection (Beirut)	التفتيش القضائي (بيروت)
<ul style="list-style-type: none"> President General Inspectors (4) Inspectors (6) 	<ul style="list-style-type: none"> الرئيس المفتشون العامون (4) المفتشون (6)
Execution	التنفيذ
<ul style="list-style-type: none"> Single Judge Courts of Appeal Court of Cassation (Beirut) 	<ul style="list-style-type: none"> القاضي المنفرد محكمة الاستئناف محكمة التمييز (بيروت)
Administrative Courts (Beirut)	القضاء الإداري (بيروت)
<ul style="list-style-type: none"> Administrative Courts The State Advisory Council President of the State Advisory Council Government Commissioner 	<ul style="list-style-type: none"> القضاء الإداري مجلس شورى الدولة رئيس مجلس شورى الدولة مفوض الحكومة



Judiciary Departments	الدوائر القضائية
<ul style="list-style-type: none"> Sections Divisions Ushers (Including bailiffs and recorders) 	<ul style="list-style-type: none"> الأقسام الأقسام دائرة المباشرين (تشمل الحجاب والكتاب)
Other Units and Bodies	أفراد وأقسام أخرى
Databases for:	قواعد بيانات:
<ul style="list-style-type: none"> Judges Employees of the judiciary Lawyers (for providing access to their case files) Sworn Experts (field of experience and contact information) Other entities as may be discovered in the progress of the project 	<ul style="list-style-type: none"> القضاة الموظفون المحامون الخبراء المحلفون أفراد وأقسام أخرى

4.1.4 PROCEDURES AND FUNCTIONS TO BE AFFECTED

A sample **unofficial**, table of procedures and functions to be affected and targeted for automation is included in section VI of Appendix A. This table gives a broad description of those procedures and functions; it is **NOT** to be considered, neither a complete listing, nor a true portrayal of the actual situation. It is presented here as a rough draft outline only. The information in this table has **NOT** been verified nor approved and **CANNOT** be considered neither conclusive nor accurate. It is presented here to give a very basic idea of the functionalities of the courts. Furthermore, this table was unofficially prepared long time ago and lots of changes and modifications have been implemented since then, hence affecting the content of this table.

It is the responsibility of the Consultant to compile and present a comprehensive and all-inclusive table as a result of the analytical studies and surveys that need to be executed under this project; specifically the study described in Section 4.2.2 below. *(Please see Section VI in Appendix A.)*

4.1.5 GEOGRAPHICAL AREA TO BE COVERED

The scope of this project includes all types and levels of courts. The different types of courts are spread all over Lebanon as such:

The Courts of First Instance are present in each of Lebanon's 6 governorates. The divisions are located in the center of district (Caza) and the chambers are located in the center of the governorate (Mohafaza). There are 55 divisions and 10 chambers in Beirut Governorate and several chambers and divisions in the other governorates.

Courts of Appeal are present in all of Lebanon's six governorates. The location of the Courts of Appeal is usually in the center of the governorate (Mouhafaza). There are 15 chambers in Beirut Governorate and several chambers in the other governorates.

There is only one Court of Cassation in Lebanon and it is located in Beirut.

Administrative Divisions of Lebanon:

The Lebanese Republic is administratively divided into 6 Governorates (Mouhafazat):

1. Beirut
2. Mount Lebanon
3. North Lebanon
4. Bikaa
5. South Lebanon
6. Nabatieh



4.2 SPECIFIC ACTIVITIES

In order to achieve the contract objectives and results the consultant is expected to perform the following activities and tasks:

4.2.1 ASSESSMENT OF EXISTING RESOURCES

In an effort to ensure the viability and validity of the pursued Master Plan, it is essential that the Consultant performs an assessment and analysis of the current status of the resources of the judiciary sector. In focus on the abilities to accommodate the implementation of the Master Plan, this assessment should entail the human and physical resources including, personnel abilities, office buildings capacity and conditions, as well as existing systems and mechanisms. Furthermore, this assessment is expected to tackle the areas of existing policies and procedures and provide recommendations for improvements. This assessment is envisaged to include these specific activities:

- Human resources survey covering all personnel in the judiciary sector and portraying the following key factors: position, grade, seniority, age group, computer literacy, education level
- Geographical survey of physical buildings, offices, justice palaces and court rooms indicating current state and conditions and adaptability to automation and computerization. Special attention needs to be directed towards logistic requirements such as physical security, availability of electric service backup utilities and suitability to house computer and communication equipment, as well as the availability of telecom connections and points-of-service.
- Identification and analysis of existing procedures and policies currently utilized in the service of the business operations of the sector.

This assessment is expected to produce recommendations and suggestions for improvements, modifications or additions that will be required in order to ensure a successful implementation of the designed Master Plan. The recommendations are expected to include needed modifications or changes to existing procedures, regulations or laws where appropriate.

4.2.2 ANALYTICAL STUDY OF COURT FUNCTIONS AND PROCEDURES

The most important part of this project is to provide simplified and automated means and methods of performing the procedures and functions of the courts. Hence, the Consultant is expected to exert a tremendous effort to identify, define and formulate all the procedures, processes and functions that need to be automated. A procedural and functional workflow analysis and study is expected to be prepared and presented as part of this effort. This study is to cover all the internal functions of the courts and their relationships with other bodies in the Ministry and divisions of the Lebanese administration.

- **Functions and Procedures Workflow Analysis Table:** The study should include workflow descriptions along with flowcharts diagramming the workflow of all procedures, processes and functions of all court levels and divisions.
- **Feasibility and Effect of Automation Table:** The study should include a comprehensive analytical table indicating the feasibility and effect of automation on the specific operations performed by each specific unit. Moreover, the study must indicate the level of adaptability to software implementations; noting areas of difficulty; areas that need modifications; and proposing different solutions or options as required.
- **Geographical Distribution Table:** Moreover, and as part of this study; it is the responsibility of the Consultant to compile and present a verified, comprehensive and all-inclusive table portraying the current geographical distribution of all courts, types, levels and office functions along with personnel and judicial staff allocations.
- **Software Requirements Document:** This study will constitute the basis for adopting or developing the software programs and applications required in the outcome of this project;



and as such; it is expected that this study will produce a document describing the functional requirements and features to be sought in the required software applications. These requirements must incorporate all the specifications listed in the above System Design Specification and particularly Section 2.5.3 Part 3-b.

- **This study is to cover - but is not limited to - the Procedures and Functions specified in the table of Section VI in Appendix A.**

4.2.3 STUDY OF REQUIRED LINKS TO THE RELEVANT GOVERNMENTAL DEPARTMENTS (رابط بالادارات)

Courts interact with several different departments and divisions in the government. This interaction involves sending and receiving documents and reports to various places and administrations. A major part of this project is to provide the necessary links and mechanisms that will enable the courts to interact and exchange information with other bodies in a fast, accurate, automated and secure manner.

The provisions and requirements of these links should be identified and provided for in the Master Plan and specifically in the proposed System Design and Software Design Specification Documents.

The methods of exchanging data and forms need to be clearly identified and defined. This involves the following:

- Surveying of the existing systems (if any) at the other ends
- Understanding and documenting their database formats
- Identifying their acceptable methods of interface and any existing data lines or links
- Designing the MOJ systems and applications to connect and interface with them accordingly; providing mechanisms and methods for automated data sharing and dissemination.

Study of Required Links Document:

The results of this study need to be compiled and presented as the Study of Required Links document.

The list of the departments and bodies involved in this scope include the following:

- Commercial Register (السجل التجاري)
- Real Estate Register (السجل العقاري)
- Central Statistics (الإحصاء المركزي)
- Criminal Records Register (السجل العدلي)
- Customs (الجمارك)
- General Security (الأمن العام)
- Court Bailiffs (مغارز التبليغ)
- Department of Correction of Juvenile Delinquents
- Police Stations
- Prisons and Jails
- Ministry of Finance
- Ministry of Interior
- Judicial Cooperation Fund
- Syndicate of Attorneys
- Other entities that might be discovered in the course of the project

4.2.4 SOFTWARE APPLICATIONS COMPARISON AND RECOMMENDATION

Execute an analytical research and comparison study of available software applications and their fit to the proposed system requirements. The strategy and keys used in the comparison must be clearly indicated with their relative measurement indexes.

Guided by, and according to, the **Software Requirements Document** prepared in Section 4.2.2, the Consultant needs to research, assess and evaluate the viabilities and possibilities of utilizing a ready made application suite as opposed to developing custom applications to meet the required tasks and



objectives. Present recommendations supported with detailed analysis and selection criterion indicating the key elements and factors that the recommendation is based on. If a ready made application is the recommended solution, then an explanatory matrix indicating areas where the application meets the needs; areas where a modification is required; and the areas where the needs cannot be met.

Alternative solutions - including custom written software - need to be recommended to address the needs that cannot be met by the specific application. The recommended applications must be limited to applications with a track record of successful implementations in other judiciary sectors and courts.

The expected outcome of this study could be either one of three (3) recommendations:

1. Acquire ready made software applications; or
2. Develop and program custom applications; or
3. A combination of ready made applications along with custom applications to cover other functionalities and features that are lacking in the ready made applications.

If as a result of this study custom applications are recommended, then a detailed design specification and definition document needs to be prepared and presented in accordance with the above system requirements and objectives, especially the Software Design Specification of section 2.5.4 above.

4.2.5 PROPOSALS FOR MODIFICATIONS

It is required that the Consultant provides recommendations and proposals for modifications in all areas and aspects related to ensuring successful application of the designed Master Plan. The Consultant is expected to indicate and point out problem areas and weak links anywhere in the system; be it technical, procedural, logistic, human or regulation and law related. Furthermore, the Consultant is expected to propose solutions and workarounds where possible and submit proposals for modifications where applicable.

4.2.6 PARTICIPATE IN THE MEETINGS AND ACTIVITIES

- Participate in the preparation activities at the MOJ for the starting of the Master Plan Study.
- Participate in the meetings of the Steering Committee, the Project Control Committee and any other committees according to MOJ or OMSAR decision.
- Prepare and document the minutes of the meetings, file them properly and distribute them to the concerned persons. The minutes of the meetings should be prepared in Arabic and English.
- Participate in the Master Plan activities through the meetings of the Project Control Committee and the studies performed by the MOJ Workgroups

4.3 ACTIVITIES TO BE PERFORMED AT IMPLEMENTATION

The consultant is expected to be ready and willing to participate in several activities that will take place after the completion of this project – specifically at the time of implementation of the Master Plan that this contract will produce. Those activities will be covered by and paid for by another TOR that will be announced at a later time and under a separate contract. However, acceptance and commitment of the consultant to perform these activities are required at this time and in the scope of this project. Those activities include – but are not limited to – the following:

- 4.3.1** As the system implementation will be procured and installed by other contractors, the current Consultant will take full responsibility in making sure that the new systems will be programmed, configured and installed in accordance with all the design specifications that he prepared in this Master Plan.
- 4.3.2** Monitor the implementation and delivery and make sure the implementation firms are performing in accordance with the terms of the Master Plan contracts. Report any quantitative or qualitative deviations or discrepancies to the MOJ management.
- 4.3.3** Follow up the progress of work and make sure the implementation is in accordance with the schedule. Advise the MOJ management on the implementation status and adherence of the consulting firm(s) to the project plan schedule.



- 4.3.4 Assess the project risks regularly and upon request and provide advice and recommendations.
- 4.3.5 Review the studies and proposals presented by the implementing firm in the domains of the information systems and the processing of the operations, networking and communications. Discuss these studies and proposals with the MOJ management and technical staff and present technical advice.
- 4.3.6 Review the final report of the Master Plan implementation presented by the integrating firm(s) and discuss implementation issues, plans, costs, systems design and technology with the MOJ management.

4.4 PROJECT MANAGEMENT AND RESPONSIBILITIES

4.4.1 BENEFICIARY

For the purpose of this project, the MOJ shall appoint a mission coordinator and a project team whose main responsibilities can be summarized as follows:

- Supervise the mission implementation and progress; in case of problems suggest solutions and report suggestions for improvement.
- Inform and keep their officials up-to-date on the project progress.
- Ensure that all personnel concerned in the project are constantly informed of the project activities to secure their involvement and ownership during and after implementation.
- Arrange and facilitate all necessary meetings.
- Receive project deliverables and prepare the MOJ for any discussions, presentations or meetings that will cover the approval activities for deliverables.
- Assist the Consultant in executing the mission's tasks in the best way.
- Verify that all data being analyzed is true and correct.
- Make sure that the scope of work set in this project has been met by the Consultant.
- Take ownership of this project.

4.4.2 OMSAR

OMSAR shall assign a project team to supervise this project. Below is a preliminary and unofficial breakdown of this team and its responsibilities. An official breakdown of responsibilities will be provided after contract signature.

1. An ICT Project Manager (Technical Cooperation Unit-TCU) as Project Manager for the assignment.

The ICT Project Manager responsibilities will include:

- Coordinate activities between the Consultant's Team Leader and the beneficiary.
- Coordinate and participate in the approval of deliverables.
- Inform and keep the Contracting Authority up-to-date on project progress.
- Supervise assignment implementation and progress; in case of problems suggest solutions and report suggestions for improvement.
- Monitor, evaluate and document project conclusions.

2. A Procurement Officer (Technical Cooperation Unit-TCU) as the Contract Manager.

The Contract Manager is responsible for issues concerning the contract such as:

- Follow-up on contract implementation, including approval of any modification and amendment to contract upon a recommendation (of technical nature) from the ICT project manager.
- Keep track of proper submission of deliverables according to terms of the Contract.



- Management of payments according to Contract schedule of payments; and coordination of any relevant contract management activities with the Consultant.

4.4.3 CONSULTANT

The Consultant, in addition to fulfilling the requirements specified in this document, is required to:

- Maintain an updated work schedule to perform stated tasks.
- Notify the OMSAR and the Beneficiary Project Teams in writing, upon the successful completion of each mission milestone and provide all supporting documentation.
- Throughout the assignment, the Consultant shall present **MONTHLY** summary progress reports to both the beneficiary and OMSAR.

4.5 OUTPUTS

(All outputs in this section will encompass all items in the Scope of Work, section 4.0)

The following outputs must be submitted:

4.5.1 THE END OF PROJECT DOCUMENT

A document that portrays the successful execution, the problems faced, where and how they were resolved must be submitted at the end of the project. This document is required in Arabic with an Executive Summary in English. Both soft and hard copies are required.

4.5.2 THE MASTER PLAN DOCUMENT

The Master Plan Document will include all documents and reports specified above and generated during the course of this project. The Master Plan document must be written in Arabic and/or English as specified per each report and document. However, an Executive Summary in English is to be included along with this document. Both soft and hard copies are required.

5.0 LOGISTICS AND TIMING

5.1 PROJECT LOCATION

The project shall be carried out at all the MOJ locations including: judiciary offices, justice palaces and courts premises across all areas of the country. Meetings with designated MOJ representatives will take place at the MOJ offices in Beirut.

5.2 COMMENCEMENT DATE AND PERIOD OF EXECUTION

The intended commencement date is in January 2005 and the period of execution of the contract will be eight (8) calendar months. Please refer to Articles 4 and 5 of the Special Conditions for the actual commencement date and period of execution. Project acceptance will follow in three (3) month time.

5.3 WORKING LANGUAGES

The working languages of this project are both English and Arabic. Email communications and specific technical specifications documents will be accepted in English. However, specific reports and documents required as the outcome of this project are required to be in Arabic with an Executive Summary in English. Section 7.2 below specifies the required language of each report and document.

5.4 COPYRIGHT AND CONFIDENTIALITY

The standard EC requirements, as set out in the General Conditions of service contracts, apply to this contract.



6.0 REQUIREMENTS

6.1 PERSONNEL

6.1.1 KEY EXPERTS (INTERNATIONAL OR LOCAL)

All experts who have a crucial role in implementing the contract are referred to as key experts. It is recommended that the contract provides five (5) **International or Local** key experts who will be available for the whole duration of the project.

For the purposes of this contract, international experts are considered to be those whose permanent residence is outside the beneficiary country while local experts are considered to be those whose permanent residence is in the beneficiary country.

This distinction between international and local experts is related to the contractual status and residency of the expert. It is different from the distinction made over the nature of the experience; where *Local/Regional Experience* means that the experience should either be gained in Lebanon or in neighboring countries; and *International Experience* means that the experience should be gained in Europe, Asia, America, etc...

The key experts are identified as such:

1. **Judiciary Expert (International Experience)**
A Judiciary Expert in organizational and institutional development, functional analysis and operationalization with international experience is required for a period of 120 working days.
2. **Project Manager (Local/Regional Experience)**
The project team suggested by the Consultant should include a project manager with local/regional experience, who is required for a period of 131 working days.
3. **Lebanese Judiciary Expert (Local Experience)**
An expert in the Lebanese Judicial, legal and court functions with local experience is recommended for a foreseen period of 122 working days.
4. **Senior Network Designer/Systems Analyst (Local/Regional Experience)**
A senior network design and system analysis expert with local/regional experience is recommended for a foreseen period of 100 working days.
5. **Senior Software/Database Systems Analyst (Local/Regional Experience)**
A senior software and database systems analysis expert with local/regional experience is recommended for a foreseen period of 141 working days.

The profiles and duties of these key experts are included in Appendix B

6.1.2 OTHER EXPERTS (LOCAL)

The project foresees 348 working days for "Other" non-key experts with local/regional experiences.

The Other Experts are required to support the project implementation according to the specific needs proposed by the consultant in their proposal. The consultant should propose a pool of other experts.

CVs for experts other than the key experts are not examined prior to the signature of the contract. They should not have been included in tenders.



The Consultant shall select and hire other experts as required according to the profiles identified in the Organization & Methodology and these Terms of Reference. These profiles must indicate whether they are to be regarded as long-term/short-term and senior/junior.

The Consultant should pay attention to the need to ensure the active participation of local professional skills where available, and a suitable mix of international and local staff in the project teams. All experts must be independent and free from conflicts of interest in the responsibilities accorded to them.

The selection procedures used by the Consultant to select these other experts shall be transparent, and shall be based on pre-defined criteria, including professional qualifications, language skills and work experience. The findings of the selection panel shall be recorded. The selection of experts shall be subject to approval by the Contracting Authority.

Note that civil servants and other staff of the public administration of the beneficiary country cannot be recruited as experts

It is recommended that the other experts have the following profiles and experiences in similar enterprise environments:

- Experience in the implementation of ICT projects within the public sector
- Preferable experience in Ministry of Justice and court automation projects
- High abilities in interviewing, surveying and reporting skills
- Experience in needs identification and analysis methods and techniques
- Excellent skills and experience in technical and functional documentation and reporting
- Experience in Windows 2003 multi-site implementations of enterprise wide network systems
- Experience in distributed, replicated and clustered Database systems planning and design like Oracle, SQL and others
- Knowledge in the software application development, operations, administration and support
- Practical experience in designing and implementing technical and functional training plans
- Excellent written and verbal communication skills in **English and Arabic** are essential
- Verbal communication skills in **French** are a plus
- Pleasant personality, willingness to perform out-of-scope tasks as required
- Other. This might include any added advantage related experience to this project

6.2 FACILITIES TO BE PROVIDED BY THE CONSULTANT

The Consultant shall ensure that experts are adequately supported and equipped. In particular it shall ensure that there are sufficient administrative, secretarial, translation and interpretation provisions to enable experts to concentrate on their primary responsibilities. It must also transfer funds as necessary to support its activities under the contract and to ensure that its employees are paid regularly and in a timely fashion.

The Consultant shall be responsible for providing all the items in terms of supplies, services, documentation, logistical support, transportation, etc that are required for the success of the contract.

Office accommodation of a reasonable standard and of approximately 10 square meters for each **Key** Expert working on the contract is to be provided by the Consultant.

6.3 EQUIPMENT

No equipment is to be purchased on behalf of the Contracting Authority or the beneficiary country as part of this service contract or transferred to the Contracting Authority / beneficiary country at the end of this contract. Any equipment related to this contract which is to be acquired by the beneficiary country must be purchased by means of a separate supply tender procedure.



7.0 REPORTING

7.1 REPORTING REQUIREMENTS

The Consultant shall submit the following reports in the languages specified below to MOJ, the EC Delegation and OMSAR at the same time (the latter is to forward copies to the EC Delegation). Receiving of those documents must be signed by the receiver.

- **Project Inception Report:**

A Project Inception Report is to be submitted in English with an executive summary in Arabic. Both electronic and hard copies are to be provided as follows: two (2) copies to the MOJ, two (2) copies to OMSAR and two (2) copies to the EC Delegation.

- **Monthly Progress Reports:**

Progress reports shall be submitted in Arabic with executive summaries in English on **monthly** basis. Both electronic and hard copies shall be provided as follows: two (2) copies to the MOJ; and two (2) copies to OMSAR. The progress reports shall highlight the following:

- Results accomplished during the prior period.
- Cumulative deviations from schedule of progress milestones as specified in the agreed and finalized work plan.
- Corrective actions to be taken to return to planned schedule of progress or proposed revisions to planned schedule.
- Other issues and outstanding problems with proposed actions to be taken.
- Resources that the Consultant expects to be provided by the beneficiary and/or actions to be taken by the beneficiary in the next reporting period.
- Other issues or potential problems the Consultant foresees that could impact project progress and/or effectiveness.

- **Minutes of Meetings Reports:**

All meetings with the OMSAR and the Beneficiary teams and committees are to be followed by Minutes of Meetings Reports to be submitted in English and Arabic and sent electronically to all parties involved.



7.2 OTHER REPORTS AND DOCUMENTS

The other reports and documents expected during the implementation of the project, and the corresponding language of each are tabulated below:

It is essential to note that all reports are to be submitted in both electronic and hard copies as follows: two (2) copies to the MOJ and two (2) copies to OMSAR. Furthermore, Arabic reports and documents must include an executive summary in English; and English reports and documents must include an executive summary in Arabic. The reports that specify "Arabic & English" mean that the report is required in Arabic; however, technical specifications will be accepted in English.

#	Reports / Documents	Language
1	Inception Report: Project Plan And Methodology	English
2	Requirement Definition Document	Arabic & English
3	Assessment Of Existing Resources Results	Arabic
4	Detailed MOJ Organizational Chart	Arabic
5	Functions and Procedures Workflow Analysis Report	Arabic
6	Feasibility and Effect of Automation Table	Arabic
7	Geographical Distribution Table	Arabic
8	Software Requirements Document	Arabic & English
9	Official Forms Design Document	Arabic
10	Study of Required Links Document	Arabic & English
11	Functional Specifications Document	Arabic & English
12	Software Applications Comparison & Recommendation Document	Arabic & English
13	Software Design Specification Document	Arabic & English
14	System Design Specification Document	English
15	Training Plan Document	Arabic
16	Systems Implementation Project Plan	Arabic & English
17	TOR For The Implementation Of The Master Plan Document	English
18	Master Plan Implementation Budget	English
19	Proposals For Self-Financing	Arabic
20	Proposals for Modifications Document	Arabic
21	The End Of Project Document	Arabic
22	The Master Plan Document	Arabic & English



8.0 ACCEPTANCE

8.1 ACCEPTANCE OF MILESTONE DELIVERABLES

- Acceptance of milestone deliverables (Reports, Studies, Work Plans, Documents, etc...) shall be performed by the Project Control Committee to verify their compliance with the proposed and agreed upon specifications. Acceptance shall follow the provisions of Article 27 of the General Conditions of Contract.
- The Project Control Committee shall formally communicate its response to the milestone deliverables within a period of thirty (30) days. The committee's response can be either of:
 1. Acceptance
 2. Acceptance with Reservations (or requests for modifications)
 3. Rejection with Justification
- A deliverable shall be deemed accepted in case the Project Control Committee did not declare otherwise within the 30 days period.
- The Consultant shall, during the period of study of deliverables and upon the request of the Project Control Committee, provide any necessary clarifications and/or perform any requested modifications or changes.
- In case a deliverable is "Accepted with Reservations", the Consultant should respond to such within a prescribed period of seven (7) days. This procedure shall continue until the deliverable is accepted.
- In case the Consultant does not reply to the reservations within the prescribed period, the deliverable is considered rejected.
- In case of "Rejection", the Consultant shall have the right to call for a meeting with the Project Control Committee to inquire about the causes of rejection.
- It is required to have full acceptance of each milestone before proceeding into the next. However, tasks and work efforts towards achievement of the next milestone(s) should be proceeding concurrently according to the project plan and schedule. Delays in acceptance of milestones should not holdup the project implementation nor affect the Period of Execution.
- The milestones and their corresponding expected time frames are listed below. The expected time frames are tentative and may vary either way, as long as that does not impact the Period of Execution.

#	Milestones	Expected in
1	Inception Report: Project Plan And Methodology	1 Month
2	Requirement Definition Document	2 Months
3	Analytical Study Of Court Functions & Procedures	4 Months
4	Functional Specifications Document	5 Months
5	Software Applications Comparison & Recommendation / Software Design Specification Document	6 Months
6	System Design Specification Document	7 Months
7	The Master Plan Document	8 Months



8.2 MASTER PLAN ACCEPTANCE

Master Plan Acceptance shall be performed by the Acceptance Committee. The Acceptance Committee shall formally communicate its response to the deliverables (Studies, Reports, Work Plans, Documents, etc...).

Acceptance will be issued by the Acceptance Committee within three (3) months after the project completion. During this period of three (3) month the Consultant shall, upon the request of the Acceptance Committee or the Project Control Committee, provide any necessary clarifications and/or perform any requested modifications or changes.

The Master Plan is deemed completed and accepted when all deliverables are completed and accepted by both the Project Control and Acceptance Committees.

9.0 MONITORING AND EVALUATION

Monitoring and evaluation of the contract will be undertaken at two levels:

- **Internal ARLA monitoring and evaluation** by the OMSAR assisted by the ARLA Programme Monitoring Consultancy (PMC)
- **External monitoring and evaluation** of the contract as part of the overall ARLA programme. This will be undertaken by periodic visits of the independent monitoring and evaluation experts engaged in the EC. This is to be the principal mechanism of monitoring the progress and achievements of the contract.

The contractors are obliged to make available all information reasonably required for the use of the monitoring and evaluation experts in the formats within the timeframes set by the M&E Teams.



APPENDIX A - THE MINISTRY OF JUSTICE



1. MISSION AND ESSENTIAL FUNCTIONS OF THE MOJ

The mission statement of the Ministry of Justice is:

As the judicial and independent branch of government, our mission is to administer fair and impartial justice. We strive to uphold the laws and protect the constitutional rights of the citizens of the republic. We are committed to providing efficient, accurate, consistent, and accessible services to everyone.

Essential Functions:

The essential functions of the Ministry of Justice according to L.D No. 151 dated 16/9/1983; amended by L.D No. 23 dated 23/3/1985 can be outlined as such:

1. Regulating judicial affairs and court systems and ensuring the proper application of related laws and regulations.
2. Preparing, upon request, draft laws and regulatory texts and draft International agreements.
3. Advising on litigation, laws, ordinances, decrees, regulations and international agreements .and suggesting necessary modifications.
4. Interpreting legal texts, and advising on works and contracts involving the state and on conflicts arising between government agencies or between state and outside parties.
5. Representing the state in courts.
6. Regulating prisoners affairs and juvenile delinquents reform efforts.
7. Regulating the affairs of notaries, expert witnesses, bankruptcy liquidators (receivers), and controllers of provisional arbitration.

2. ISSUES FACING THE MINISTRY OF JUSTICE

The main issues facing the Ministry include shortages in skilled personnel and judges and outdated equipment and procedures. The Ministry faces a large number of litigations that require increased court capacity.

The short-term priority of the Ministry is to improve its services to the public by increasing the capacity and throughput of the court system, as well as to undertake a thrust to participate in improving the laws and regulations governing the public administration in Lebanon. A project of rehabilitation and automation to modernize systems and procedures is required to help meet those priorities, including:

- Administrative rehabilitation through modernization, simplification and training programs
- Technical assistance for automating procedures and tasks: workflow management, archiving systems, database management and communication systems
- Preparation of terms of reference for reviewing and improving public administration regulations



3. THE MINISTRY OF JUSTICE ORGANIZATIONAL STRUCTURE

I. Organizational Structure of the Judicial Administration

- General Directorate
- Judiciary Courts
- Administrative Courts

II. Judiciary Courts

1. Ordinary Judiciary Courts

- a. First Instance Courts
- b. Courts of Appeal
- c. Court of Cassation

2. Special Judiciary Courts

- a. Specialized Courts
 - The Labor Arbitration Council
 - The Judicial Council
- b. Exceptional Courts

3. Councils and Tribunals

- a. The Higher Judiciary Council
- b. The Judiciary Inspection Tribunal

4. Judiciary Departments

- a. Judiciary Department
- b. Judiciary Assistants

5. Other Courts

- a. Military Courts
- b. Juvenile Courts
- c. Real Estate Courts

III. Judicial appointments, training and performance monitoring

- | | |
|---|--|
| 1. Judicial Appointments: | Minister of Justice / Higher Judiciary Council |
| 2. Judicial Training: | Judiciary Studies Institute |
| 3. Judicial Organization: | Minister of Justice / Higher Judiciary Council |
| 4. Judiciary Performance Monitoring: | Judiciary Inspection Tribunal |

IV. Diagrams

- 1. Ministry of Justice Organizational Structure
- 2. Judiciary Courts Structure
- 3. Internal Court Structure

V. Courts / Judges Distribution Table

VI. Table of Processes and Procedures to be Affected

VII. Geographical Distribution of MOJ Offices and Courts

VIII. Glossary of MOJ Terms



I. ORGANIZATIONAL STRUCTURE OF THE JUDICIAL ADMINISTRATION

The Ministry of Justice is headed by the Minister of Justice and it includes:

- General Directorate
- Judiciary Courts
- Administrative Courts

1. THE GENERAL DIRECTORATE

The General Directorate is headed by the Director General and it is composed of:

- The Legislative and Consultative Authority
- The Department of Cases
- The Institute of Judiciary Studies
- The Directorate of Judges and Personnel Affairs
- The Department of Diwan (الديوان)
- The Directorate of Prisons
- The Department of Correction of Juvenile Delinquents
- The Department of Medical Examiner and Criminal Evidence

2. JUDICIARY COURTS

There are two types of Judiciary Courts: Ordinary and Special. They are supervised by councils and tribunals and all are supported by the Judiciary Departments.

- Ordinary Judicial Courts
- Special Judicial Courts
- Councils and Tribunals
- Judiciary Departments
- Other Courts

3. ADMINISTRATIVE COURTS

The State Advisory Council is the high court responsible for the affairs of the Administrative Courts and the preparation and supervision of legislative and organizational laws. The Administrative Courts functions are handled by:

- The Tribunal of the State Advisory Council
- The State Advisory Council
- The Government Commissioner

II. JUDICIARY COURTS

1. ORDINARY JUDICIARY COURTS

The Ordinary Judiciary Courts are divided into three (3) levels: The First Instance Courts, The Courts of Appeal and The Court of Cassation. All levels of courts exist in all 6 governorates (Mohafazat) of Lebanon except for the Court of Cassation which is only in Beirut.

a. First Instance Courts (درجة أولى)

There are two types of First Instance Courts:

- Court Divisions presided by Single Judges (قضاة منفردون)
- Court Chambers presided by a three-judge panel composed of one Judge as Head of Chamber and two Associate Judges (محاكم درجة أولى)

A single judge presides all cases involving fixed or liquid assets with a value less than One Hundred Million Lebanese Pounds (approximately US\$ 65,000). Single judges also preside over penal cases where the crime involves a sentence of less than three year imprisonment. All other civil and commercial cases are heard by the three-judge panels.



The Courts of First Instance are present in each of Lebanon's 6 governorates. The divisions are located in the center of district (Caza) and the chambers are located in the center of the governorate (Mohafaza). There are 55 divisions and 10 chambers in Beirut Governorate and several chambers and divisions in the other governorates. (See "Courts / Judges Distribution" table - Section V in Appendix A.)

b. **Courts of Appeal** (استئناف)

All courts of appeal are divided into several court chambers. Each chamber is presided by a three-judge panel composed of one Judge as Head of Chamber and two Associate Judges. The Court of Appeal has jurisdiction over all cases decided by first instance courts, as well as other cases for which it has original jurisdiction.

Each Court of Appeal has a **Public Prosecution Department (PPD)** headed by an **Attorney General**, working in conjunction with several **Attorney General Deputies**, and an **Investigation Department** to investigate crimes.

Courts of Appeal are present in all of Lebanon's six governorates. The location of the Courts of Appeal is usually in the center of the governorate (Mouhafaza). There are 15 chambers in Beirut Governorate and several chambers in the other governorates. (See "Courts / Judges Distribution" table - Section V in Appendix A.)

c. **Court of Cassation** (تمييز)

There is only one Court of Cassation in Lebanon. It is located in Beirut and it is the highest court in the country. There is one First President for the entire court. There are 11 chambers in the Court of Cassation. Each chamber is presided by a three-judge panel composed of one Judge as Head of Chamber and two Associate Judges.

The First President of the court distributes cases to the chambers. The Court has jurisdiction over cases involving appeals based on law and not fact, where a dispute arises between a judicial and ecclesiastical court, between a judicial and a *Shari'a* court, or between two different ecclesiastical or *Shari'a* courts.

The Heads of Chambers constitute **The General Tribune of the Court of Cassation** which is headed by the court's First President.

The Court of Cassation includes a **Public Prosecution Department (PPD)** and a **Financial Public Prosecution Department (FPPD)**. Both are headed by the **Attorney General** who supervises all **Attorney General Deputies** in the Court of Cassation and in all other courts in the judicial system. The Attorney General also functions as the **Government Commissioner** at the Military Court of Cassation

The First President of the Court of Cassation is also the head of the **Higher Judiciary Council**. Reporting to his court is the Cassation Prosecutor General, the Cassation Attorney General and the Financial Attorney General.

2. **SPECIAL JUDICIARY COURTS**

The legislature institutes special courts to judge in certain special circumstances which can be permanent or temporary courts. The permanent courts are the Specialized Courts and the temporary courts are the Exceptional Courts.

a. **Specialized Courts**

The Specialized Courts are permanent courts which have been instituted to rule over specific continuous conflicts or issues. An example of the Specialized Courts is the Labor Arbitration Councils and the Judicial Council.

- **Labor Arbitration Councils:**

The Labor Arbitration Council was created by Article 77 of the Labor Law in 1946, and consists of a chair, who is a judge, and two non-judge members, all of whom are appointed by a decree issued by the Council of Ministers. One member represents employers and the other member represents employees. The jurisdiction of the Council includes disputes between employers and employees under



the Labor Law and the Workmen's Compensation Law. The decisions of the Council can be appealed to the Court of Cassation. *Pro se* representation in labor cases is permitted and there are no associated court fees. There are eleven labor courts in the country.

- **The Judicial Council:**

The Judicial Council is composed of:

- President: The First President of the Court of Cassation
- Four members appointed from the judges of the Court of Cassation
- One member as a reserve Judge
- The General Prosecutor of the Court of Cassation

- b. **Exceptional Courts**

The Exceptional Courts are established on temporary basis to rule over temporary issues and conflicts. The role of these courts ends at the resolution of the conflict. An example of these courts is the Banks Special Court which operated in 1992.

3. COUNCILS AND TRIBUNALS

- a. **The Higher Judiciary Council:**

The Higher Judiciary Council supervises all the Judiciary Courts. The Higher Judiciary Council is composed of 10 members:

- Default Members: (3)
 - President: The First President of the Court of Cassation
 - Vice President: The General Prosecutor of the Court of Cassation
 - Member: President of the Judicial Inspection Tribunal
- Elected Members: (2)
 - Two judges from the Heads of Chambers of the Court of Cassation
- Appointed Members: (5)
 - One judge from the Heads of Chambers of the Court of Cassation
 - Two judges from the Heads of Chambers of the Courts of Appeal
 - One judge from the Heads of Chambers of the First Instance Court
 - One judge from the Heads of courts or divisions

- b. **The Judiciary Inspection Tribunal:**

The Judiciary Inspection Tribunal is responsible for monitoring the judicial process and the performance of the judges. The Judiciary Inspection Tribunal is composed of a president and 4 General Inspectors and 6 Inspectors. The president and the 4 general inspectors constitute the Council of the Tribunal.

4. JUDICIARY DEPARTMENTS

- a. **Judiciary Department**

The Judiciary Department is the court, or the chamber, or the division, or the Public Prosecution Department, or the Investigation Department and their pertinent offices.

The head of the Judiciary Department is the President of the Court, or the Head of the Chamber. The head of Public Prosecution Department is the Attorney General and the head of the Investigation Department is the Primary Investigation Judge.

The head of each Judiciary Department is responsible for the administration and performance of his department. The First President of the Court of Appeal is responsible for the operation of all Judiciary Departments in his governorate.

Each Judiciary Department has a support office (قسم) composed of Judicial Assistants.

b. Judiciary Assistants

The Ministry of Justice is responsible for court administration. Each court is staffed with a bailiff, clerk and recorder, each of whom must pass an entrance exam. The court recorder maintains the court's files and provides access to them. In Lebanon, all court files are paper-based, with no computerization. Judgments are prepared longhand. Given the lack of technology available in the courts, transcripts do not necessarily reflect a verbatim account of court proceedings. Statements made by the parties are restated by the judge in classical Arabic and then handwritten by the court recorder. This process requires the judge to constantly stop proceedings, and risks an edit or an omission in the restatement by the judge. Court clerks register cases, set dates for hearings, record court proceedings, and ensure court procedures are followed.

The Judiciary Assistants staff is composed of: (See "Courts / Judges Distribution" - Section V in Appendix A.)

- Heads of Sections
- Heads of Divisions
- Head Recorders and Recorders
- 1st and 2nd Recorders
- Ushers
- Bailiffs حجاب محكمة
- Telephone Operators, Drivers, Etc...

5. OTHER COURTS

a. Military Courts: (The Military Courts are outside the scope of this project)

Military Courts have official jurisdiction over misdemeanors and crimes committed by military personnel, civilian employees of the military and internal security forces. Military courts also try civilians involved in terrorism or issues of national security, or where a crime is committed together with a member of the military.

The Military Courts, according to Military Justice Law No. 24/68, are composed of single, civilian judge courts in each governorate of Lebanon. Judges may also be military personnel with law degrees.

The law also establishes a permanent military court in Beirut composed of an army officer serving as president and four members, one of whom is a civilian judge.

There is a Military Court of Cassation in Beirut composed of a civilian judge as president and four army officers as members.

The Attorney General of the Court of Cassation acts on behalf of the Government in cases in the Military Court of Cassation.

b. Juvenile Courts

Cases involving underage minors are heard by the Juvenile Court with a single judge. The trial is not open to the public. The minor, his or her parents, an attorney, and a representative of the Juvenile Protection Society are present during the case. Sentencing in a criminal case is open to the public.

A department within the Ministry of Justice provides assistance and monitors cases of minors in the criminal justice system, ensuring that legal procedures are followed, their identities are protected, and that they are treated fairly. The department ensures that judges are kept informed of new developments in the law which affects minors. The office also assists juvenile victims of crime.

c. Real Estate Court

Legislation was issued during the French Mandate which regulated the delimitation of real property and created a land registry. The applicable law established procedures for determining the rights to real property, which were vested in committees consisting of a judge and two members. The current version of the committees is a single judge hearing the matter. While the judge is considered part of the judicial system and subject to judicial



supervision, coordination of the work governing the delimitation of real property is under the administrative authority of the Land Department in the Ministry of Finance.

III. JUDICIAL APPOINTMENTS, TRAINING AND PERFORMANCE MONITORING

1. JUDICIAL APPOINTMENTS: MINISTER OF JUSTICE / HIGHER JUDICIARY COUNCIL

The judge appointments are performed in cooperation and coordination between the Minister of Justice and the Higher Judiciary Council. Judges are selected after passing an entrance exam and then they go through three years of training in the Institute of Judiciary Studies.

2. JUDICIAL TRAINING: THE INSTITUTE OF JUDICIARY STUDIES

The Institute of Judiciary Studies is responsible for the establishment and management of training programs for new judges as well as the judiciary staff. The president of the Institute is a judge of grade 7 or above. The administrator of the Institute is a judge of grade 10 or above. The institute has a board of directors composed of:

- President: President of the Higher Judiciary Council
- Vice President: The General Director of the Ministry of Justice
- 3 Members: President of the Institute, Director of the Institute and two Judges

3. JUDICIAL ORGANIZATION: MINISTER OF JUSTICE / HIGHER JUDICIARY COUNCIL

Judicial organization is performed based on an initiative from the Minister of Justice or an initiative from the Higher Judiciary Council. Reorganizations will not take effect until agreed to by both the Minister and the Council.

4. JUDICIARY PERFORMANCE MONITORING: JUDICIARY INSPECTION TRIBUNAL

a. The Judiciary Inspection Tribunal is responsible for:

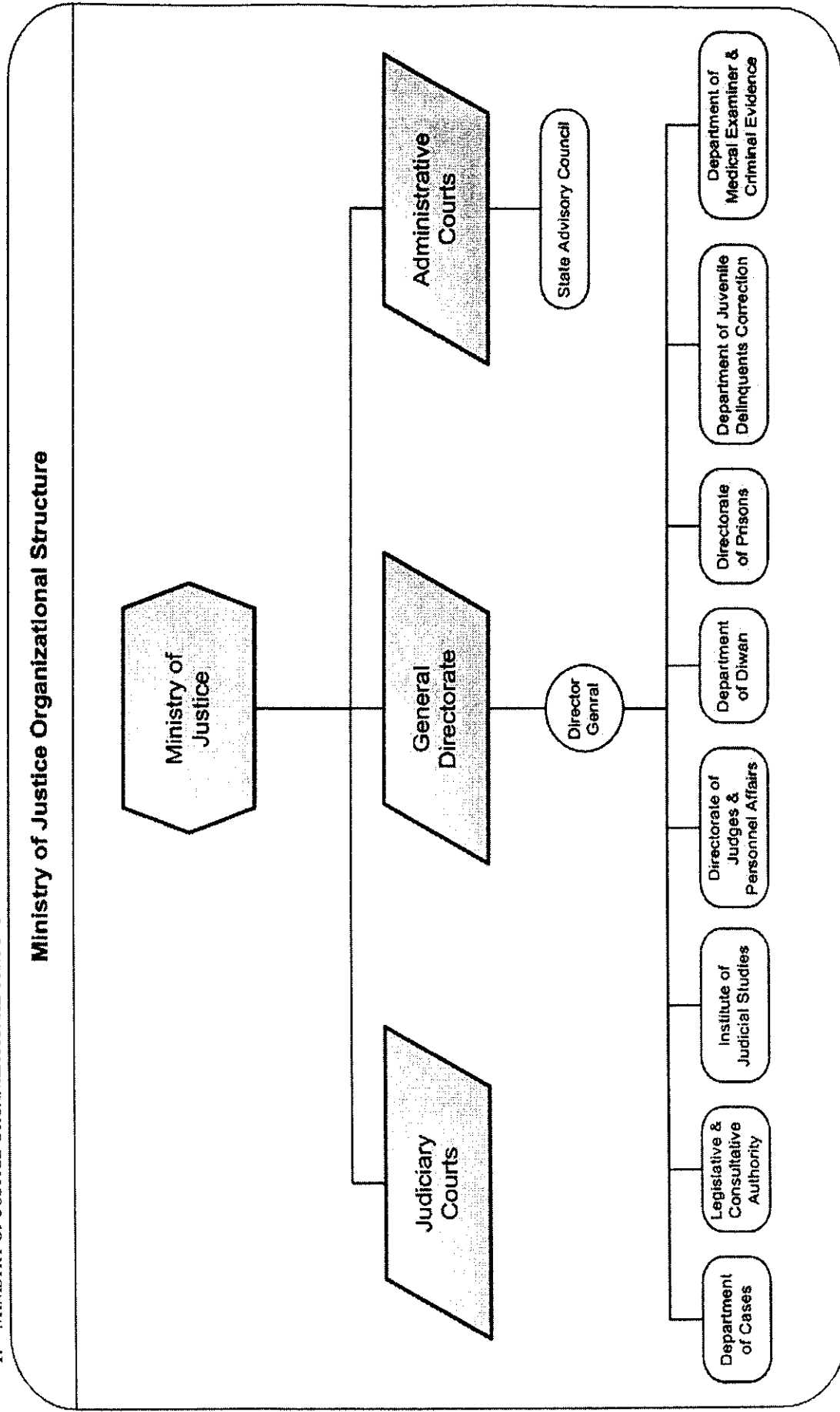
- Monitoring the work and performance of all judges and the judiciary assistants
- Reporting any dysfunction to the Minister and the Higher Judiciary Council
- Submitting proposals to improve the workflow and performance
- Disciplinary actions against the judges and the judiciary assistants

b. The Higher Judiciary Council is responsible for maintaining a proper flow of the judicial process and the function of courts



IV. DIAGRAMS

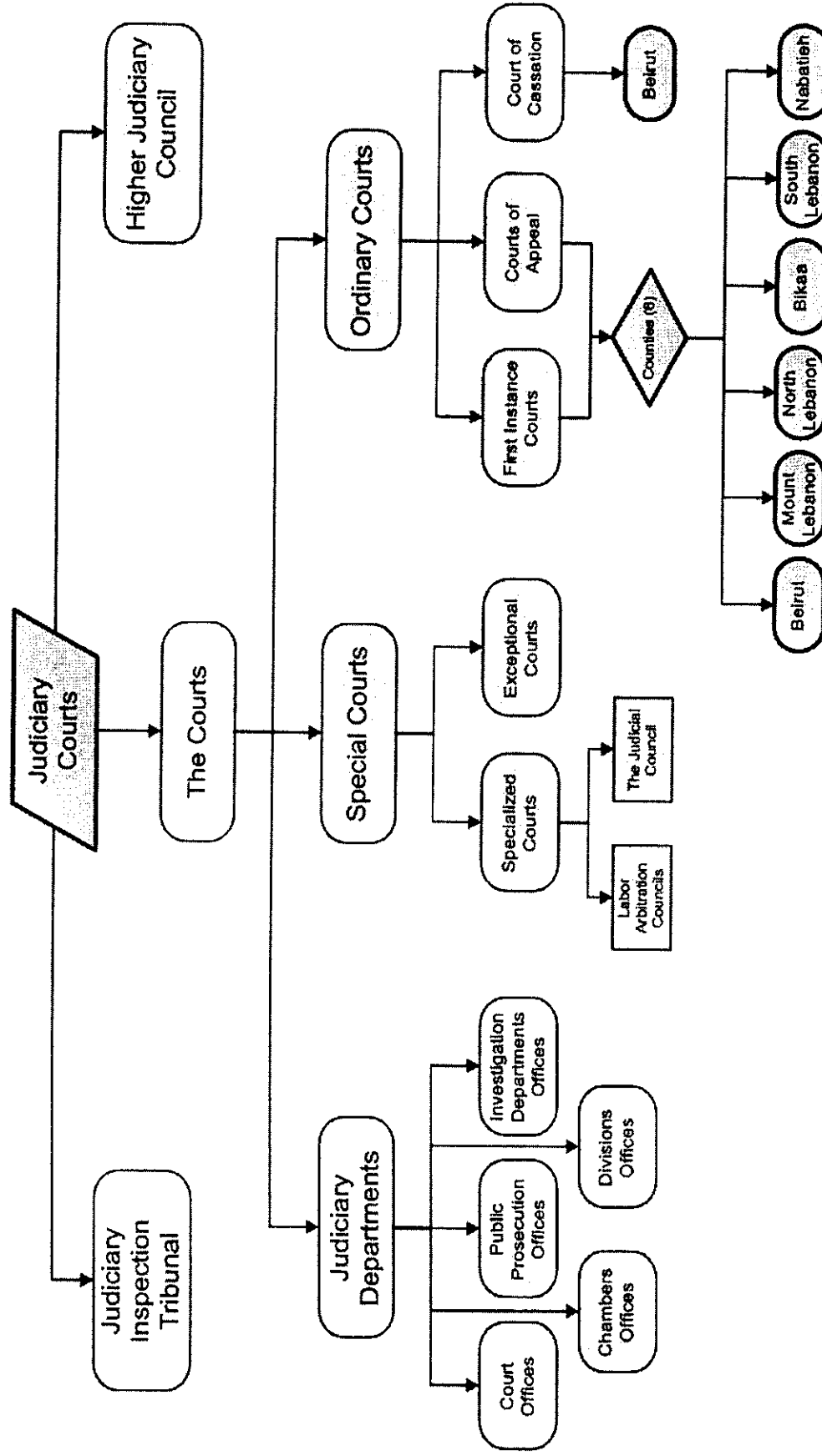
1. MINISTRY OF JUSTICE ORGANIZATIONAL STRUCTURE





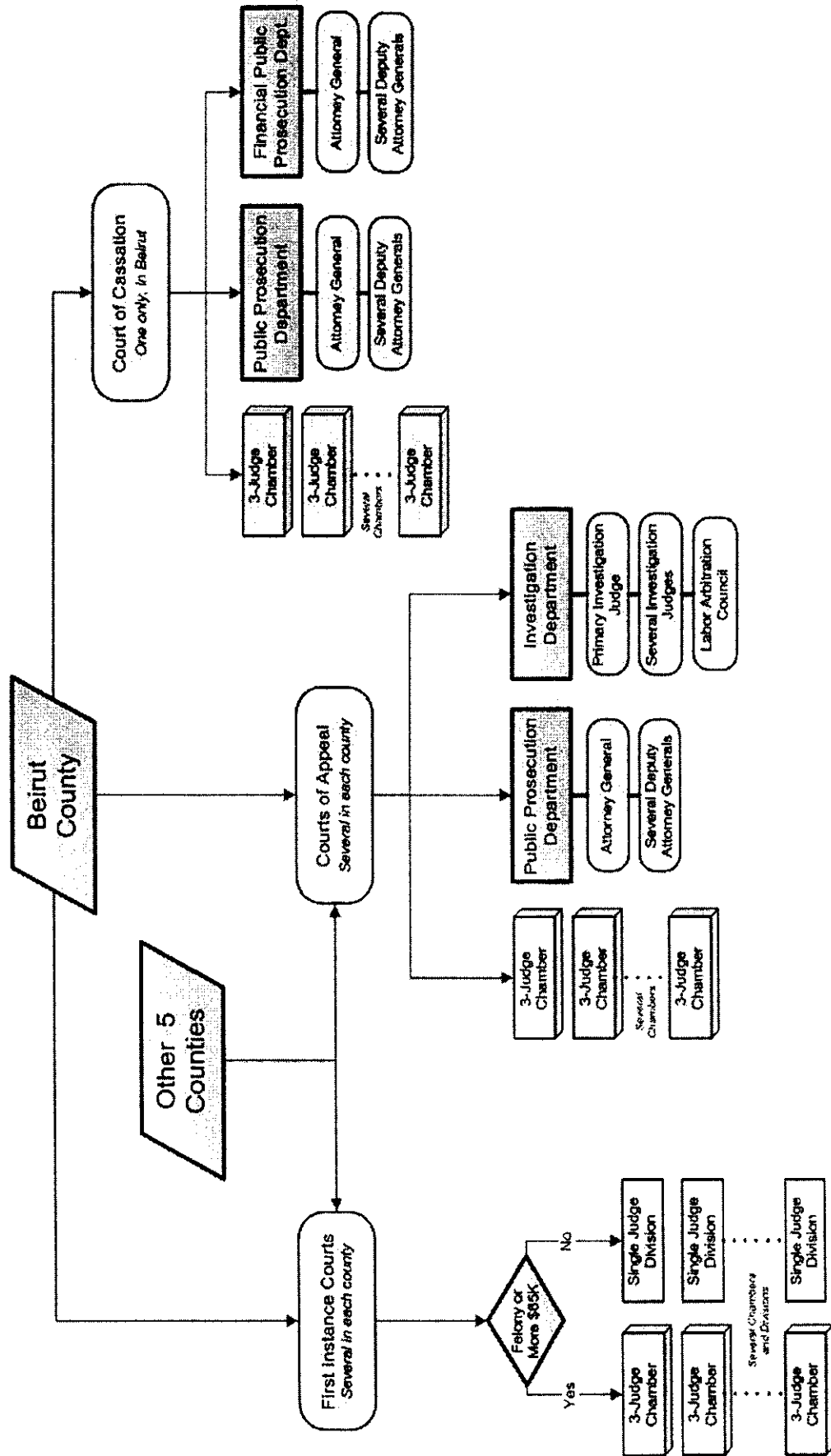
2. JUDICIARY COURTS STRUCTURE

Judiciary Courts Structure



3. INTERNAL COURT STRUCTURE

Internal Court Structure





V. COURTS / JUDGES DISTRIBUTION TABLE

Governorate	Court	Location	Chamb	Dv	First President	Head of Chamber	Chamber / Div Judges	Extra Judges	Attorney General	Deputy Attorney General	Primary Investigation Judge	Investigation Judge	Total Judges
Beirut	Cassation	Beirut	11		1	11	22	4	1	7			46
	Appeal	Beirut	15		1	14	30	5	1	6	1	6	64
	1st Instance	Beirut	10			10	20	3					33
		Beirut		55			55						55
	Total		36	55	2	35	127	12	2	13	1	6	198
Governorate	Court	Location	Chamb	Dv	First President	Head of Chamber	Chamber / Div Judges	Extra Judges	Attorney General	Deputy Attorney General	Primary Investigation Judge	Investigation Judge	Total Judges
Mount Lebanon	Appeal	Baabda	8		1	7	16	3	1	6	1	6	53
		Jdeideh	4			4	8						
		Baabda	3			3	6	2					20
		Jdeideh	3			3	6						
		Baabda		10			10						10
		Jdeideh		10			10						10
		Jounieh		5			5						5
	1st Instance	Jbail		2			2						2
		Dair Kamar		1			1						1
		Baakleen		1			1						1
		Alieh		4			4						4
		Damour		1			1						1
		Governorate Center (Real Estate)		2			2						2
	Total		18	36	1	17	72	5	1	6	1	6	109



Governorate	Court	Location	Chamb	Div	First President	Head of Chamber	Chamber / Div Judges	Extra Judges	Attorney General	Deputy Attorney General	Primary Investigation Judge	Investigation Judge	Total Judges
North Lebanon	Appeal	Tripoli	7		1	6	14	2	1	4	1	4	33
		Tripoli	4			4	8	2					14
		Tripoli		14			14						14
		Halba		4			4						4
		Zgharta		2			2						2
	1st Instance	Bsharry		1			1						1
		Amyoun		1			1						1
		Batroun		2			2						2
		Governorate Center (Real Estate)		2			2						2
	Total		11	26	1	10	48	4	1	4	1	4	73
Bikaa	Court	Location	Chamb	Div	First President	Head of Chamber	Chamber / Div Judges	Extra Judges	Attorney General	Deputy Attorney General	Primary Investigation Judge	Investigation Judge	Total Judges
	Appeal	Zahle	3		1	3	8	2	1	2	1	3	23
		Baalbak	1							1		1	
		Zahle	2			2	4	1					7
		Baalbak	1			1	2						3
		Zahle		8			8						8
	1st Instance	Jib Jannien		1			1						1
		Baalbak		4			4						4
		Rashaya		1			1						1
		Hirmil		1			1						1
		Governorate Center (Real Estate)		2			2						2
	Total		7	17	1	6	31	3	1	3	1	4	50



Governorate	Court	Location	Chamb	Div	First President	Head of Chamber	Chamber / Div Judges	Extra Judges	Attorney General	Deputy Attorney General	Primary Investigation Judge	Investigation Judge	Total Judges
South Lebanon	Appeal	Saida	3		1	2	6	1	1	2	1	2	16
	1st Instance	Saida	2			2	4	1					7
		Saida		7			7						7
		Sour		2			2						2
		Jazeen		1			1						1
	Governorate Center (Real Estate)		1				1						1
Total			5	11	1	4	21	2	1	2	1	2	34
Governorate	Court	Location	Chamb	Div	First President	Head of Chamber	Chamber / Div Judges	Extra Judges	Attorney General	Deputy Attorney General	Primary Investigation Judge	Investigation Judge	Total Judges
Nabatieh	Appeal	Nabatieh	2		1	1	4	1	1	1	1	1	11
	1st Instance	Nabatieh	1			1	2	1					4
		Nabatieh		3				3					3
		Bint Jbail		1				1					1
		Tibnien		1				1					1
	Marjeyoun		1				1					1	
	Hasbaiah		1				1					1	
	Governorate Center (Real Estate)		1				1						1
Total			3	8	1	2	14	2	1	1	1	1	23

Totals / All Courts:	80	153	74	313	28	7	29	6	23	487
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Civil Judges in the Military Justice:				
Beirut	Military	Beirut	President of the Military Cassation Court:	1
			Government Commissioner:	1
			Assistant Government Commissioners:	3
			Investigation Judges: (one is a Prime Judge)	5
			Counselor Judges:	3
	Total			13

Civil Judges in the Ministry of Justice:			
Beirut	MOJ	Beirut	30
	General Directorate, Department of Cases, Legislative and Consultative Department		5
	Assigned to the Minister of Justice		35

Judiciary Inspection Staff:				
Beirut	JI	Beirut	President	1
			General Inspectors	4
			Inspectors	6
	Total			11

Total Judges outside the courts:		59
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Support Staff: Judicial Assistants, Recorders, Bailiffs			
All Governorates	Staff	All Areas	Heads of Section
			Heads of Division
			Head Recorders and Recorders
			Ushers
			1st and 2nd Recorders
			Telephone Operators
			Bailiffs
			Total

Key to terms:	
Governorate:	Administrative District of Lebanon (Mohafaza)
Chamb:	Court Chamber - Presided by a panel of 3 Judges
Div:	Court Division - Presided by a Single Judge



VI. TABLE OF PROCEDURES AND PROCESSES TO BE AFFECTED

This **unofficial** table gives a broad description of the procedures and tasks to be affected and targeted for automation; it is **NOT** to be considered, neither a complete listing, nor a final portrayal of the factual situation. The information in this table has **NOT** been verified nor approved and **CANNOT** be considered neither conclusive nor accurate. It is presented here as a rough draft outline only. Furthermore, this table was unofficially prepared long time ago and lots of changes and modifications have been implemented since then, hence affecting the content of this table.

It is the responsibility of the Consultant to compile and present a comprehensive and all-inclusive table as a result of the analytical studies and surveys that need to be executed under this project.

(VI) – لمحة موجزة ومختصرة عن إجراءات العمل في إدارات ومحاكم وزارة العدل

(VI - 1) - إجراءات العمل الخاص بدوائر التحقيق

المهام المسنولة عنها الوحدة :

- التحقيق في قضايا الجرح والجنايات وإصدار القرار الظني بها

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي - الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- الرئيس الأول الاستئنافي
- النيابة العامة الاستئنافية والمالية

(VI - 2) - إجراءات العمل الخاص بالهيئات الاتهامية

المهام المسنولة عنها الوحدة :

- سلطة الاتهام في الجنايات
- المرجع الاستئنافي لقرارات القاضي
- البت في طلبات رد الاعتبار

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي - الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- الرئيس الأول الاستئنافي
- النيابة العامة الاستئنافية والمالية
- دوائر التحقيق

(VI - 3) - إجراءات العمل الخاص بالنيابة العامة المالية

المهام المسنولة عنها الوحدة :

- استقصاء الجرائم من نوع الجرح والجنايات وتحريك دعوى الحق العام وتمثيل النيابة العامة لدى محاكم الاستئناف والجنايات وتنفيذ الأحكام الصادرة عنها

- إصدار تصاريح زيارة المسجونين في قضاياها
- القضايا المختصة بها مثل قضايا الاختلاس والإفلاس ومخالفة الضرائب والرسوم الجمركية وتقليد وتزييف العملة ومخالفة القوانين المصرفية

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- قوى الأمن
- الرئيس الأول الاستئنافي
- المحاكم
- النيابة العامة التمييزية
- السجون

(VI - 4) - إجراءات العمل الخاص بالمحكمة الجزائية - درجة أولى وأجزائها

المهام المسنولة عنها الوحدة:

- النظر والفصل في الدعاوي الجزائية

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- الرئيس الأول الاستئنافي
- وزارات الدولة عن طريق الديوان
- المحاكم الأخرى: في حالة عدم الاختصاص
- النيابة العامة الاستئنافية والمالية
- قوى الأمن

(VI - 5) - إجراءات العمل الخاص بمحاكم الجنايات

المهام المسنولة عنها الوحدة:

- النظر والفصل في الجرائم ذات الوصف الجنائي والجنح المتلازمة معها

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- الرئيس الأول الاستئنافي
- وزارات الدولة عن طريق الديوان
- المحاكم التمييزية
- النيابة العامة الاستئنافية والمالية
- قوى الأمن
- مجلس القضاء الأعلى

(VI - 6) - إجراءات العمل الخاص بالمحاكم المدنية - درجة أولى وأجزائها

المهام المسنولة عنها الوحدة :

- النظر والفصل في الدعاوي المدنية بأنواعها مثل المالية - الإيجارية - العقارية - والأحوال الشخصية - التجارية

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- أمين السجل العقاري: يبلغ أمين السجل العقاري بخصوص الدعاوي العقارية
- دوائر التنفيذ - الرئيس الأول الاستئنافي
- وزارات الدولة عن طريق الديوان
- إحالة الدعاوي للمحاكم الأخرى في حالة عدم الاختصاص

(VI - 7) - بيانات إجراءات العمل الخاص بدائرة التنفيذ

المهام المسنولة عنها الوحدة :

- تنفيذ الأحكام الصادرة عن المحاكم المدنية البداية والاستئنافية

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- الرئيس الأول الاستئنافي
- المحاكم
- قوى الأمن

(VI - 8) - بيانات إجراءات العمل الخاص بالنيابة العامة الاستئنافية

المهام المسنولة عنها الوحدة :

- استقصاء الجرائم من نوع الجنايات وتحريك دعوى الحق العام وتمثيل النيابة العامة لدى محاكم الاستئناف والجنايات وتنفيذ الأحكام الصادرة عنها
- إصدار تصاريح زيارة المسجونين

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- قوى الأمن
- الرئيس الأول الاستئنافي
- المحاكم
- النيابة العامة التمييزية
- السجون

(VI - 9) - إجراءات العمل الخاص بالمحاكم الجزائية الاستئنافية

المهام المسنولة عنها الوحدة :

- النظر والفصل في استئناف الدعاوي الجزائية

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- الرئيس الأول للاستئنافي
- وزارات الدولة عن طريق الديوان
- المحاكم الأخرى: في حالة عدم الاختصاص
- النيابة العامة الاستئنافية والمالية
- قوى الأمن

(VI - 10) - إجراءات العمل الخاص بالمحكمة المدنية الاستئنافية

المهام المسنولة عنها الوحدة :

- النظر والفصل في استئناف الدعاوي المدنية بأنواعها مثل المالية – الإيجارية – العقارية – الأحوال الشخصية – التجارية

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- أمين السجل العقاري: يبلغ أمين السجل العقاري بخصوص الدعاوي العقارية
- دوائر التنفيذ - الرئيس الأول للاستئنافي
- وزارات الدولة عن طريق الديوان
- إحالة الدعاوي للمحاكم الأخرى في حالة عدم الاختصاص

(VI - 11) - إجراءات العمل الخاص بالنيابة العامة التمييزية

المهام المسنولة عنها الوحدة :

- الادعاء بالجرائم المحالة إلى المجلس العدلي
- طلب نقض الأحكام والقرارات الجزائية
- إعداد ملفات استرداد المجرمين
- شكاوي المواطنين
- إحالة الدعاوى من النيابة المالية إلى النيابة الاستئنافية في المحافظات عدا بيروت

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- قوى الأمن
- الرئيس الأول للاستئنافي



- المحاكم
- النيابة العامة الاستئنافية
- السجون

(VI - 12) - إجراءات العمل الخاص بمحكمة التمييز

المهام المسنولة عنها الوحدة :

- النظر والفصل في طلبات تمييز الأحكام المدنية والجزائية والصادرة عن الهيئة الاتهامية
- جرائم القضاة
- طلبات إعادة المحاكمة وتعيين المرجع ونقل الدعاوي

تفاصيل العلاقة مع الوحدات الأخرى :

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- أمين السجل العقاري: يبلغ أمين السجل العقاري بخصوص الدعاوي العقارية
- دوائر التنفيذ – الرئيس الأول للاستئنافي
- النيابة العامة التمييزية

(VI - 13) - إجراءات العمل الخاص بمجلس القضاء الأعلى

المهام المسنولة عنها الوحدة :

- تعيينات وتشكيلات القضاة
- الموافقة على تعيين المحققين العدليين في قضايا المجلس العدلي
- توزيع الأعمال على القضاة
- مجلس تأديب القضاة

تفاصيل العلاقة مع الوحدات الأخرى :

- المحقق العدلي
- مجلس الوزراء
- النيابة العامة التمييزية
- المجلس العدلي
- وزارة العدل

(VI - 14) - إجراءات العمل الخاص بمجلس شوري الدولة

المهام المسنولة عنها الوحدة :

- نظر طلبات التعويض الناتجة عن الأضرار التي تقع بسبب الأشغال العامة أو المصالح العامة
- قضايا الموظفين والمنازعات الفردية
- قضايا الضرائب والرسوم المباشرة وغير المباشرة

- القضايا المتعلقة بالعلاقة بين السلطة الإدارية وموظفيها
- إعطاء الرأي في مشاريع القوانين المحالة إليه
- تقديم الاستشارة في مشاريع المراسيم التشريعية ومشاريع المعاهدات الدولية

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة القضايا
- وزارة العدل
- المجالس والبلديات
- الوزارات
- قوى الأمن

(VI - 15) - إجراءات العمل الخاص بالمجلس العدلي

المهام المسنولة عنها الوحدة :

- نظر قضايا الاعتداء على أمن الدولة

تفاصيل العلاقة مع الوحدات الأخرى:

- المحقق العدلي
- مجلس الوزراء
- النيابة العامة التمييزية

(VI - 16) - إجراءات العمل الخاص بمجلس العمل التحكيمي

المهام المسنولة عنها الوحدة :

- نظر وفصل الدعاوي بين العمال والموظفين وأرباب العمل الخاص

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي- الديوان: إرسال الجداول الشهرية بأعمال الغرف والقضاة
- الرئيس الأول الاستئنافي
- دوائر التنفيذ
- وزارات الدولة عن طريق الديوان

(VI - 17) - إجراءات العمل الخاص بالتفتيش القضائي

المهام المسنولة عنها الوحدة :

- استلام الإحصائيات الواردة من المحاكم الخاصة بإنتاجيتها
- التحقيق في الشكاوي الواردة
- جولات تقديمية للتأكد من سير العمل بالمحاكم

- أخذ العلم بأي قرار يصدر عن وزارة العدل يتعلق بالموظفين والقضاة

تفاصيل العلاقة مع الوحدات الأخرى:

- كافة الوحدات التابعة لوزارة العدل للتفتيش عليهم
- وزارة العدل
- مجلس القضاء الأعلى

(VI - 18) - إجراءات العمل الخاص بالمحاكم العسكرية

المهام المسنولة عنها الوحدة:

- نظر الجرائم التي يرتكبها أفراد قوى الأمن العام والأمن الداخلي والجيش والدرك والجمارك

تفاصيل العلاقة مع الوحدات الأخرى:

- قوى الأمن العام والداخلي
- الجيش
- النائب العام التمييزي
- المحاكم
- قضاة التحقيق
- النيابة العامة الاستئنافية بالمحافظات

(VI - 19) - إجراءات العمل بديوان وزارة العدل

المهام المسنولة عنها الوحدة:

- التعامل مع الصادر والوارد
- اللوازم والصيانة
- المنشورات
- استقبال والتعامل مع الشكاوي
- تنظيم المستودعات

تفاصيل العلاقة مع الوحدات الأخرى:

- مديرية شؤون القضاة والموظفين: يتم إبلاغ مصلحة الديوان بالمعاملات التي لها تأثيرات مالية على الموظفين
- هيئة القضاة / هيئة التشريع: استقبال القضايا التي لها علاقة بوزير العدل والمدير العام
- النائب العام - المحاكم العدلية - رئيس الحكومة
- التفتيش القضائي

(VI - 20) - إجراءات العمل الخاص بهيئة التشريع والاستشارات

المهام المسنولة عنها الوحدة:

- إعداد وصياغة مشاريع القوانين والمراسيم والقرارات والتعاميم ومشاريع المعاهدات والاتفاقات الدولية

- إبداء الرأي في مشاريع القوانين والمراسيم والقرارات والتعاميم ومشاريع المعاهدات والاتفاقات الدولية
- تفسير النصوص القانونية
- إبداء الرأي في المسائل القانونية التي يطرحها عليها المدير العام لوزارة العدل
- تقديم الاقتراحات لوزير العدل بشأن تعديل النصوص القانونية

تفاصيل العلاقة مع الوحدات الأخرى:

- الوزراء (استشارات)
- مجلس الوزراء (مشاريع القوانين)
- مجلس النواب (اقتراحات القوانين)

(VI - 21) - إجراءات العمل الخاص بدائرة شؤون القضاة والموظفين

المهام المسنولة عنها الوحدة :

- مراسيم النقل - التعيين - إنهاء الخدمة - التقاعد - قرارات نقل داخل الإدارة - إجازات - تراخيص التدريس للقضاة
- إعداد جداول التدرج - حفظ الملفات الشخصية - تعاميم للقضاة والموظفين - طلبات التوظيف - إحصائيات متعلقة بالقضاة والموظفين
- مراسلات لكل الوزارات

تفاصيل العلاقة مع الوحدات الأخرى:

- هيئة التفتيش القضائي - مصلحة الديوان - المحاسبة - صندوق تعاضد القضاة
- وزارات الدولة كلها / محاكم الدولة والنيابات / مصلحة الديوان
- مجلس الخدمة المدنية (الاستطلاع للرأي بشأن المباريات للتوظيف)
- تعاونية موظفي الدولة (الأوضاع الذاتية للموظفين)

(VI - 22) - إجراءات العمل الخاص بهيئة القضاة

المهام المسنولة عنها الوحدة :

- إقامة الدعاوي باسم الدولة وتمثيلها في الدعاوي خارج وداخل الدولة

تفاصيل العلاقة مع الوحدات الأخرى:

- مجلس شوري الدولة: استقبال القضايا التي تأتي من المجلس
- وزارات الدولة كلها / محاكم الدولة والنيابات / مصلحة الديوان

(VI - 23) - إجراءات العمل الخاص بمعهد الدروس القضائية

المهام المسنولة عنها الوحدة :

- عقد المباريات للالتحاق بالمعهد واختيار القضاة المتدرجين الجدد وتنظيم الدورات الدراسية وتحديد أهلية القضاة المتدرجين
- وضع البرامج الدراسية وتحديد طرق التقييم العلمي والمسلكي
- اختيار الأساتذة والتعاقد معهم

تفاصيل العلاقة مع الوحدات الأخرى:

- وزارة العدل – الوزير (تحديد أعداد القضاة المتدرجين)، مدير وزارة العدل (عضو دائم)، مجلس القضاء الأعلى (للقسم العدلي)، مجلس شوري الدولة (للقسم الإداري)، مجلس ديوان المحاسبة (للقسم المالي)

(VI - 24) - إجراءات العمل الخاص بمصلحة الطب الشرعي

المهام المسنولة عنها الوحدة :

- تحديد جدول المناوبة للأطباء الشرعيين على المخافر والنيابات
- متابعة حسن عملهم وتدريبهم وتقييم المهام التي قاموا بها لإصدار موافقات صرف الأتعاب
- تنظيم اجتماعات دورية مع مندوبي الأطباء الشرعيين في المحافظات أو مع النائب العام
- تنظيم محاضرات سنوية تتعلق بالطب الشرعي

تفاصيل العلاقة مع الوحدات الأخرى:

- مخافر الشرطة – استقبال التقارير الخاصة بالجرائم الواقعة
- الأطباء الشرعيين
- قسم المحاسبة بوزارة العدل

(VI - 25) - إجراءات العمل الخاص بمصلحة الأحداث

المهام المسنولة عنها الوحدة :

- متابعة شؤون الأحداث المخالفين للقوانين الجزائية أو المعرضين للخطر
- وضع مخطط التأهيل والوقاية المناسب ومتابعة تنفيذه بالتنسيق مع المحاكم المختصة والوزارات المعنية وجمعيات القطاع الأهلي
- معاوننة المحاكم النازرة في قضايا الأحداث
- الإشراف على أعمال الجمعيات الأهلية المعتمدة لدى المصلحة والتنسيق بينها وتقييم عملها ووضع تقرير سنوي بهذا الشأن
- تأسيس محاكم عند الضرورة بالتنسيق مع نقابة المحامين أو تأمين مساعد اجتماعي بالتنسيق مع الجمعيات الأهلية عند الضرورة
- الإشراف على حسن سير العمل في مراكز توقيف الأحداث ومراكز تنفيذ المانعة للحرية ومراكز تنفيذ العقوبات المخففة

تفاصيل العلاقة مع الوحدات الأخرى:

- المحاكم وبعض الوزارات

- جمعيات القطاع الأهلي
- المديرية العامة لوزارة العدل

VII. GEOGRAPHICAL DISTRIBUTION OF MOJ OFFICES AND COURTS

Below is an **unofficial** table presenting the geographical distribution of the offices, courts and units of the Ministry of Justice across Lebanon. The information in this table has **NOT** been verified nor approved and **CANNOT** be considered neither conclusive nor accurate. It is presented here to give a rough idea of the geographical dispersion of the ministry. Furthermore, this table was unofficially prepared long time ago and lots of changes and modifications have been implemented since then, hence affecting the content of this table.

Moreover, and as part of the analytical studies and surveys that need to be executed under this project; it is the responsibility of the Consultant to compile and present a verified, comprehensive and all-inclusive table portraying the current geographical distribution of all offices, courts and units of the MOJ.

لائحة بالوحدات التابعة لوزارة العدل حسب المحافظات

عدد الموظفين	الوحدة / الادارة	م	المحافظة
	وزارة العدل		
5	مكتب وزير العدل		
4	مكتب مدير عام وزارة العدل		
23	مصلحة الديوان		
17	شؤون القضاة والموظفين		
6	هيئة التشريع والاستشارات		
18	هيئة القضايا	1	
5	معهد الدروس القضائية		
1	مديرية السجون		
	مبنى الجارودي		
1	مصلحة الطب الشرعي		
4	مصلحة الاحداث والمنحرفين		
4	المعلوماتية		
88	الاجمالي		
	قصر العدل بيروت		
5	هيئة التفتيش القضائي		
26	مجلس شوري الدولة		
3	مجلس القضاء الاعلى		
6	محكمة التمييز المدنية		
5	محكمة التمييز		
5	النيابة العامة التمييزية		
2	النيابة العامة المالية		
15	محكمة الاستئناف المدنية / الجزائية	2	
5	محكمة الجنايات		
3	الهيئة الاتهامية		
6	النيابة العامة الاستئنافية		

لبنان

عدد الموظفين	الوحدة / الادارة	م	المحافظة
11	دائرة التحقيق	2	بيروت
8	محكمة الدرجة الاولى - قلم الدعاوى التجارية		
4	قلم الدعاوى الافلاسية		
7	قلم الدعاوى المالية		
2	قلم الدعاوى الادارية والجمركية والمزايدات		
3	قلم تنفيذ العقود وبيع ورهن السيارات والاليات		
13	محكمة الدرجة الاولى المدنية والايارات		
3	الاحوال الشخصية وطوارئ العمل		
2	جرائم الاحداث		
5	مجلس العمل التحكيمي		
9	قلم محكمة الدرجة الاولى الجزائية في بيروت		
7	الجنح دون ستة اشهر		
6	الناظرة بالمخالفات في بيروت		
7	قلم محكمة السير		
10	قلم دائرة التنفيذ		
4	القضاء المستعجل		
1	دائرة المباشرين		
4	قلم مكتب الاستساخ		
187	الاجمالي		
	المحكمة العسكرية	3	بيروت
6	التحقيق		
9	محكمة البداية		
5	الاستئناف		
3	التميز		
23	الاجمالي		

قصر العدل بعبدا		4
9	محكمة الاستئناف المدنية	
5	محكمة الجنايات	
4	محكمة استئناف الجنج	
5	الغرفة الاتهامية	
7	النيابة العامة	
11	دائرة التحقيق	
7	دائرة التنفيذ	
4	قلم الاستكتاب	
1	محكمة الاحداث	
5	محكمة الدرجة الاولى المدنية - محكمة الافلاس	
10	محكمة الدرجة الاولى المدنية - السجل التجاري	
2	قلم القاضي العقاري	
5	محكمة الدرجة الاولى المدنية - الحكام المنفردين المدنيين	
8	محكمة الدرجة الاولى الجزائية - الحكام المنفردين الجزائيين	
2	مجلس العمل التحكيمي	
85	الاجمالي	
قصر العدل في جبيلة المتن		5
4	محكمة الاستئناف الجزائية	
2	محكمة الاستئناف المدنية	
1	قلم غرفة محكمة الدرجة الاولى البدائية	
2	محكمة الدرجة الاولى البدائية	
7	محكمة الدرجة الاولى القلم المدنية الاولى 1 القضاة المنفردين المدنيين	
5	محكمة الدرجة الاولى - القلم الثاني - القضاء المستعجل ومشاكل التنفيذ والدعاوى المالية	
2	مكتب الاستكتاب	
4	دائرة التنفيذ القلم الاول	

المحافظة	م	الوحدة / الادارة	عدد الموظفين
١٠	5	دائرة التنفيذ القلم الثاني	2
		قلم محكمة الدرجة الاولى الجزائية - القضاة المنفردين الجزائيين	3
		مكتبة قصر العدل	1
		الاجمالي	33
	6	محكمة جونية (1) و (2)	
		محكمة جونية (1) و (2)	10
		الاجمالي	10
	7	محكمة جبيل	
		محكمة جبيل	8
		الاجمالي	8
	8	محكمة قرطبا	
		محكمة قرطبا	1
		الاجمالي	1
	9	محكمة عالية	
		دائرة التنفيذ	4
		الاجمالي	4
	10	محكمة الدامور	
		محكمة الدامور	2
		الاجمالي	2
	11	محكمة شحيم	
		محكمة شحيم	5
		الاجمالي	5
	12	محكمة دير القمر	
		محكمة دير القمر	6
		الاجمالي	6
	13	محكمة بعقلين	

عدد الموظفين	الوحدة / الادارة	م	المحافظة
5	محكمة بعقلين		
5	الاجمالي		
	فصل العدل		
6	قلم محكمة الاستئناف المدنية (1) و (2)		
3	قلم محكمة الجنايات		
3	قلم محكمة الاستئناف الجزائية		
3	قلم الهيئة الاتهامية		
3	قلم مجلس العمل التحكيمي		
2	قلم الاستساخ		
9	قلم النيابة العامة الاستئنافية (1) و (2)		
14	قلم دائرة التحقيق (1) و (2)	14	
5	غرفة محكمة الدرجة الاولى المدنية القلم الاول السجل التجاري		
6	محكمة الدرجة الاولى القلم الثاني الدعاوى المدنية		
7	قلم محكمة الدرجة الاولى المدنية		
3	قلم محكمة الدرجة الاولى الجزائية		
4	قلم محكمة الدرجة الاولى الجزائية الجنج دون ستة اشهر		
2	محكمة الاحداث في طرابلس		
6	دائرة التنفيذ في طرابلس		
1	قلم القاضي العقاري في طرابلس		
2	قلم دائرة المباشرين للتبليغات في طرابلس (1)		
79	الاجمالي		
	محكمة سير الضنية	15	
3	محكمة سير الضنية		
3	الاجمالي		
	محكمة المنية	16	
2	قلم محكمة المنية		
2	الاجمالي		

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عدد الموظفين	الوحدة / الادارة	م	المحافظة
	محكمة حلبا		طرابلس
3	قلم محكمة حلبا عكار (1)	17	
3	الاجمالي		
	محكمة القبيات		
1	قلم محكمة القبيات	18	
1	الاجمالي		
	محكمة اميون		
4	قلم محكمة اميون	19	
4	الاجمالي		
	محكمة بشري		
1	قلم محكمة بشري	20	
1	الاجمالي		
	محكمة البترون		
6	قلم محكمة البترون	21	
6	الاجمالي		
	محكمة دوما		
1	قلم محكمة دوما	22	
1	الاجمالي		
	محكمة زغرنا		
6	قلم محكمة زغرنا	23	
6	الاجمالي		

عدد الموظفين	الوحدة / الادارة	م	المحافظة
	قصر العدل		محافظة البقعة
6	محكمة الاستئناف المدنية	24	
4	محكمة الجنايات في البقاع		
3	محكمة الاستئناف الجزائية في البقاع (1)		
4	النيابة العامة الاستئنافية في البقاع		
2	دائرة التحقيق في البقاع		
3	دائرة الاجراء في البقاع		
4	محكمة الدرجة الاولى المدنية في زحلة		
1	السجل التجاري		
6	محكمة الدرجة الاولى الجزائية في زحلة		
2	دائرة المباشرين في زحلة		
35	الاجمالي		
	محكمة جب جنين	25	
6	محكمة جب جنين		
6	الاجمالي		
	محكمة صغيبين	26	
1	محكمة صغيبين		
1	الاجمالي		
	محكمة راشيا	27	
3	محكمة راشيا		
3	الاجمالي		
	قصر عدل بعلبك	28	
6	محكمة استئناف منطقتي بعلبك والهرمل		
6	قلم محكمة الدرجة الاولى المدني في بعلبك		
6	قلم محكمة الدرجة الاولى الجزائية في بعلبك		
4	دائرة الاجراء في بعلبك		
4	النيابة العامة في بعلبك		

عدد الموظفين	الوحدة / الادارة	م	المحافظة
2	دائرة التحقيق في بعلبك		محافظة البقاع
2	محكمة الهرمل		
30	الاجمالي		
	محكمة رأس بعلبك	29	
2	محكمة رأس بعلبك		
2	الاجمالي		
	قصر العدل صيدا		محافظة صيدا
10	محكمة الاستئناف المدنية	30	
8	محكمة الاستئناف الجزائية		
1	محكمة الجنايات		
3	النيابة العامة		
2	الامانات		
9	دائرة التحقيق		
4	دائرة التنفيذ		
1	قلم السجل التجاري		
7	محكمة الدرجة الاولى المدنية		
8	محكمة الدرجة الاولى الجزائية		
2	محكمة الاحداث		
2	القاضي العقاري		
2	دائرة المباشرين		
59	الاجمالي		
	محكمة صور	31	
8	محكمة صور (1)		
8	الاجمالي		
	محكمة جويا	32	
3	محكمة جويا		

عدد الموظفين	الوحدة / الادارة	م	المحافظة
3	الاجمالي		البيروت
	محكمة جزيين	33	
8	محكمة جزيين		
8	الاجمالي		الناظرة
	قصر العدل النبطية		
9	محكمة الدرجة الاولى المدنية		
5	محكمة الدرجة الاولى الجزائية		
4	محكمة الاستئناف المدنية		
3	محكمة الاستئناف الجزائية		
4	النيابة العامة الاستئنافية		
5	دائرة التحقيق		
2	دائرة التنفيذ		
32	الاجمالي		
	محكمة مرجعيون	35	
4	محكمة مرجعيون		
4	الاجمالي		
	محكمة حاصبيا	36	
4	محكمة حاصبيا		
4	الاجمالي		
	محكمة بنبين	37	
3	محكمة بنبين		
3	الاجمالي		
	محكمة بنت جبيل	38	
4	محكمة بنت جبيل		
4	الاجمالي		

VIII. GLOSSARY OF MOJ TERMS

Glossary of MOJ Terms

Administrative Courts	القضاء الإداري	القضاء
Judicial Courts	القضاء العدلي	
Civil Courts	القضاء المدني	
Penal Courts	القضاء الجزائي	

Judicial Council	المجلس العدلي	مجالس
State Advisory Council	مجلس شورى الدولة	
Constitutional Council	المجلس الدستوري	
Higher Judiciary Council	مجلس القضاء الأعلى	

Judiciary Inspection Tribunal	هيئة التفتيش القضائي	هيئات
Prosecuting Tribunal	الهيئة الإتهامية	
General Tribunal of the Court of Cassation	الهيئة العامة لمحكمة التمييز	
Department of Cases	هيئة القضايا	
Legislative & Consultative Department	هيئة التشريع والاستشارات	

First Instance Court	محكمة الدرجة الأولى	محاكم
Court of Appeal	محكمة الاستئناف	
Court of Cassation	محكمة التمييز	
Real Estate Court	المحكمة العقارية	
Labor Court	محكمة العمل	
Juvenile Court	محكمة الأحداث	
Criminal Court	محكمة الجنايات	
Chamber	غرفة	

Public Prosecution	النيابة العامة	نيابات
Financial Public Prosecution	النيابة العامة المالية	

Directorate of Judges and Employees Affairs	مديرية شؤون القضاة والموظفين	مديريات و مصالح
Department of Diwan	مصلحة الديوان	
Directorate of Prisons	مديرية السجون	
Department of Juvenile Delinquents Correction	مصلحة إصلاح الأحداث المنحرفين	
Department of Forensic Medicine & Criminal Evidence	مصلحة الطب الشرعي والأدلة الجنائية	

Investigation Judge	قاضي تحقيق	قضاة
First Investigation Judge	قاضي التحقيق الأول	
Single Judge	قاضي منفرد	
Estate Judge	قاضي عقاري	
Attorney General	النائب العام	
Deputy Attorney General	محام عام	
Head of Chamber	رئيس غرفة	
First President	رئيس أول	
Counselor	مستشار	
President of the Court of Cassation	رئيس محكمة التمييز	
Government Commissioner	مفوض الحكومة	
Assistant Gov. Commissioner	معاون مفوض الحكومة	
General Prosecutor	المدعي العام	
Judiciary Judge	قاضي عدلي	
Administrative Judge	قاضي إداري	

Head of Department	رئيس الديوان	موظفون
Director General	مدير عام	
Director	مدير	
Head of Department	رئيس مصلحة	
Head of Division	رئيس دائرة / قسم / قلم	
Editor	محرر	
Recorder	كاتب	
Accountant	محاسب	
Forensic Assistant	مساعد تشريح	
Recorder	مستكتب	
Bailiff	حاجب	
Telephone Operator	موزع هاتف	
Usher	مباشر	

Administrative Chamber	الغرفة الإدارية	مختلف
Directorate General	المديرية العامة	
Institute of Judiciary Studies	معهد الدروس القضائية	
Judicial Record	السجل العدلي	
Execution Department	دائرة التنفيذ	
Notification Units	مفارز التبليغ	
Office / Bureau	القلم	
Judges Pension Fund	صندوق تعاضد القضاة	
Tutit Authority	سلطة الوصاية	
Cadre	الملاك	
Case Assignment	استحضار الدعوى	
Notification	التبليغ	
Investigation Report	محضر تحقيق	
Primary Investigation Report	محضر تحقيق أولي	

APPENDIX B – PROFILES OF KEY EXPERTS

1. Judiciary Expert
2. Project Manager
3. Lebanese Judiciary Expert
4. Senior Network Designer / Systems Analyst
5. Senior Software/Database Systems Analyst

1. JUDICIARY EXPERT

(International Experience)

Reporting to: The Ministry of Justice and OMSAR project teams.

Job Outline: The Judiciary Expert will draw on his previous experiences to contribute and add international-insight value to the analysis of the objectives and the perception of the Master Plan and its output designs. This position is envisaged as the Team Leader who is the technical reference and visionary of this project.

Education:

- Law degree in a French or Napoleonic law, related disciplines or equivalent experience in similar courts or judiciary systems is required
- Post graduate degree in Public Policy Management and Planning, Public Administration/Political Sciences, Organizational Development or related disciplines is highly desirable
- A Bachelors degree in Business Administration, Engineering or other ICT related fields is a plus

Qualifications and Skills:

- Demonstrable skills in organizational and institutional development in the public sector
- Proven skills in functional analysis and procedural definitions
- Strong understanding of judicial functions and court trial processes
- Strong analytical and conceptual skills
- Strong multidisciplinary and problem-solving skills
- Strong familiarity with computers and Information and Communication Technology
- Technical Skills including: Microsoft Office Applications: Word, Excel, Visio, Project and Power Point

Language Skills:

- Excellent written and verbal, communication and presentation skills in English are essential
- Verbal communication skills in French or Arabic are required

Professional Experience:

Essential:

- Minimum of 10 years post graduate experience
- Minimum of 3 years experience in court and judiciary functions dealing with litigation proceedings and court operations
- Minimum of 2 years experience in translating judiciary business requirements into functional specifications
- Minimum of 2 years experience in court automation systems and software applications
- Minimum of 2 years experience in similar master planning projects in judiciary environments

Desirable:

- Experience in business automation systems and software applications
- Previous experience working on automation projects in the environments of the public sector, Judiciary Departments, Courts, Ministry of Justice or law office enterprises
- Previous experience in enterprise wide analysis projects in a team leading role

Duties:

The Judiciary Expert will work closely with all the team members and with the beneficiary to analyze and define the business requirements and the required inputs to formulate the provisions of the Master Plan, especially the software specifications and the global system design. His duties will concentrate around the study and analysis of court functions and procedures and the preparation of the outputs of that study. Including; recommending and defining specific software application requirements and new methods of applying information technology tools. These duties will include – but are not limited to the following:

- Identify, define and formulate legal and judiciary procedures, processes and functions
- Lead and manage procedural and functional workflow analysis

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- Perform needs analysis and requirement definitions
 - Analyze, interpret and translate judiciary processes into software requirements
 - Explain and portray judiciary functions
 - Identify and define legal and judiciary priorities
 - Liaising and coordinating with the Lebanese judiciary personnel
 - Review and contribute to the submittal of modifications and change requests
 - Participate and contribute to the analysis meetings and surveys
 - Be responsible for accuracies and viabilities of functions and procedures identification and definitions
 - Perform analysis of the procedures and functions and prepare the required reports
 - Participate and contribute to the preparation of the software applications comparisons and recommendations and the software requirements studies and analysis
 - Participate and contribute to the preparation of the software design specification document
 - Participate and contribute to the preparation of the System Implementation Project and Training Plans
 - Participate, assist and contribute to the preparation of all required studies, surveys, documents, reports and outputs as required by the contract
 - Maintain alignment of the project outputs and results with the missions, visions and the expectations of the Beneficiary and these terms of reference
 - Review and monitor software application designs applicability and congruence to the business requirements
 - Work effectively with a wide range of stakeholders, including the Minister, judges, advisors of the Ministry, OMSAR, as well as the EC delegation and other donors and consultants
-

2. PROJECT MANAGER

(Local/Regional Experience)

Reporting to: The Team Leader.

Job Outline: The Project manager will be responsible for all project management and planning issues and supervising the activities of the technical key experts and the other experts.

Education:

- Bachelors or higher degree in Engineering, Business Computing, ICT or other related disciplines
- Bachelors or Masters Degree in Management, Business Administration, Public Administration, Industrial Engineering, Law or other related area is a plus

Qualifications and Skills:

- Strong analytical leadership and relationship skills
- Multi-faceted meeting facilitation skills
- Experience in writing executive and board level quality reports and presentations
- Background knowledge of LAN, WAN, Internet, networking and database applications and technologies specifically: Windows 2003 Networks, Microsoft SQL or Oracle Databases.
- Excellent Technical Skills including: Microsoft Office: Word, Excel, PowerPoint, Visio, Project 2000 and Access

Language skills:

- Excellent written and verbal communication skills in English and Arabic are essential
- Verbal communication skills in French are a plus

Professional Experience:

Essential:

- Minimum of 10 years post graduate experience
- Minimum of 5 years experience as a project manager applying standard project management methodologies, including: creation and maintenance of detailed project plans, schedules, scope definition, change management, risk and issue management, and budget monitoring
- Minimum of 3 years experience translating business requirements into functional and technical specifications
- Minimum of 3 years experience in planning and implementing a technology or application rollout to multiple sites including site preparation and training

Desirable:

- At least 3 years of project management experience encompassing large enterprise-wide initiatives, with large budgets (Million+) and cross-functional team structures
- At least 3 years experience as an integrator, architect, senior consultant or project manager of an ICT project
- Previous experience as a project manager working in the environments of the public sector, Judiciary Departments, Courts, Ministry of Justice or law office enterprises
- Previous experience in similar master planning and automation projects in court environments

Duties:

The Project Manager will work closely with all the team members and with the beneficiary to define and manage the project implementation strategy and methodology. He will be responsible for overall project compliance with the objectives, visions and mission statements of the beneficiary. Moreover, the project manager will deploy and mobilize the expertise and resources in accordance with the implementation plan. The project manager will oversee the successful and timely completion of the tasks and insure the adequate achievement of milestones. These duties will include – but are not limited to the following:

- Define, prepare and manage the project plan
- Define and set the project priorities

-
- Define, manage and supervise the implementation of the required tasks
 - Allocate and manage the required resources to the specific tasks
 - Daily monitoring of the project progress, foreseeing and preparing for events and prerequisites
 - Orchestrate the project, coordinate and interface with all the involved parties
 - Hold and direct periodic meetings among all the involved parties
 - Quality control and monitoring of all aspects of the project implementation
 - Ensure that the project is executed in accordance with the missions, visions and the expectations of the Beneficiary
 - Control the project implementation and make sure it is being carried out in accordance with the contract objectives and scope
 - Coordinate and manage the execution of surveys and analysis activities required by the contract
 - Prepare Terms of Reference and specifications for projects evolving out of this contract
 - Manage, supervise and assist in the preparation of all required studies, surveys, documents, reports and outputs as required by the contract and this TOR
 - Ensure the timely delivery of project progress reports, outputs and deliverables
 - Participate in the meeting of the Steering Committee and other meetings as required
 - Work effectively with a wide range of stakeholders, including the Minister, judges, advisors of the Ministry, OMSAR, as well as the EC delegation and other donors and consultants
-

3. LEBANESE JUDICIARY EXPERT

(Local Experience)

Reporting to: The Team Leader.

Job Outline: The Lebanese Judiciary Expert will assist the team members in all aspects of the project especially in the areas related to the organization, operations, functions and procedures of the Lebanese judiciary systems and courts.

Education:

- Law degree in Lebanese law or equivalent experience in the Lebanese judiciary courts
- A degree in Business Administration, Public Administration or other related or technical fields is a plus

Qualifications and Skills:

- Strong understanding of the Lebanese judicial process and court trial processes
- Strong analytical and conceptual skills
- Basic knowledge of computers and Information Technology
- Technical Skills including: Microsoft Office Applications: Word and Power Point

Language skills:

- Excellent written and verbal communication skills in Arabic are extremely essential
- Written and verbal communication skills in English are a major advantage
- Verbal communication skills in French are a plus

Professional Experience:

Essential:

- Minimum of 5 years experience as a Lebanese lawyer, judge or head of a court bureau in the Lebanese judiciary system
- Recognizable experience in the Lebanese litigation proceedings and court functions
- Excellent understanding of the Lebanese judiciary system organization, structure and functions

Desirable:

- Experience in the ICT or MIS domains, specifically court automation software applications
- Experience in translating business requirements into functional and technical specifications
- Previous experience in similar master planning and automation projects in court environments

Duties:

The Lebanese Judiciary Expert will work closely with all the team members and with the beneficiary to analyze and define the business requirements and provide the required inputs to formulate the provisions for the software specifications and the global system design. His duties will concentrate around the study of court functions and procedures and the preparation of the outputs of that study. These duties will include – but are not limited to the following:

- Identify, define and formulate legal and judicial procedures, processes and functions
- Participate and contribute to procedural and functional workflow analysis
- Analyze, define and interpret judiciary processes
- Explain and portray judiciary functions
- Identify and define legal and judicial priorities
- Liaising and coordinating with the Lebanese judiciary personnel
- Review and contribute to the submittal of modifications and change requests
- Participate and contribute to the analysis meetings and surveys
- Maintain the comprehensiveness of procedures and functions surveys and their completeness
- Perform analysis of the procedures and functions and prepare the required reports
- Participate and contribute to the preparation of the software applications comparisons and recommendations and the software requirements studies and analysis
- Participate and contribute to the preparation of the software design specification document
- Participate, assist and contribute to the preparation of the System Implementation Project and Training Plans

-
- Participate, assist and contribute to the preparation of all required studies, surveys, documents, reports and outputs as required by the contract
 - Maintain alignment of the project execution with the missions, visions and the expectations of the Beneficiary
-

4. SENIOR NETWORK DESIGNER/SYSTEMS ANALYST

(Local/Regional Experience)

Reporting to: The Team Leader.

Job Outline: The Network Designer will assist the team members in all aspects of the project, as well as having the responsibility for all ICT issues and the preparation of the system design specifications.

Education:

- Bachelors in Computer Science, Computer & Communication Engineering or other Information & Communication Technology area is essential
- A Masters degree in related areas and technologies is a plus

Qualifications and Skills:

- Microsoft certification as MCSE in Windows 2003 is essential
- Microsoft certification in Exchange 2000/2003 and ISA 2000 is required
- Microsoft certification as MCDBA is a plus
- Cisco CNNA or higher certification with a thorough understanding of Cisco routing and switching technologies is essential
- Significant in-depth knowledge of Active Directory structure, Windows 2000/2003 Servers and MS Exchange 2000 is essential
- Must have a thorough understanding of the OSI Model, Ethernet specifications and TCP/IP protocols
- Strong understanding of network services such as: DNS, DHCP, WINS, ARP
- Background and experience in Linux/Unix systems and environments is a plus
- Strategic network planning and design skills
- Strong documentation and technical skills using Microsoft Office: Word, Excel, PowerPoint, Visio, Project 2000 and Access

Language Skills:

- Excellent written and verbal communication skills in English are essential
- Verbal communication skills in Arabic are required
- Verbal communication skills in French are a plus

Professional Experience:

Essential:

- Minimum of 10 years post graduate experience in ICT related fields areas
- Minimum of 5 years experience in the development or management of Large Scale ICT functions, preferably in an Architecture or Strategy role
- Minimum of 3 years experience in designing and implementing Windows 2000/2003 network infrastructures and Active Directory Services in a multi-domain and multi-site environments including: Domains, Groups, OU's, User Rights, Permissions, and System Policies
- Minimum 3 years in designing and implementing network services servers such as: DNS, WINS, DHCP, Distributed File Systems (DFS) and replication services
- Minimum 3 years experience in designing and deploying Microsoft Exchange Organizations and servers in a multi-site, multi-domain environment
- Minimum 3 years experience in the design and implementation of enterprise-wide security plans including Cisco Firewall (PIX) and Microsoft ISA architectures
- Minimum 2 years experience in designing and implementing Microsoft Internet Information Servers (IIS) and Web Portals
- Minimum 2 years experience in designing and implementing Public Key Infrastructures (PKI) and Certificate Authority (CA) systems and services
- Experience in Internet-facing systems Physical Infrastructure design and architecture

- Experience in identifying and specifying WAN technology requirements such as: leased lines, microwave, dial-up, DSL, ISDN and POTS Dial-up. Including: traffic analysis and capacity planning
- Experience in designing server farms and server clusters including load balancing, RAID implementations and Storage Area Networks (SAN) techniques
- Experience in enterprise level backup systems and the design and preparation of backup and disaster recovery plans
- Experience in designing structured wiring and cabling systems including, LAN segmenting, switching, routing and Virtual LANs (VLAN) technologies
- Previous experience working on a project in a business analysis and eventual deployment of new technologies situation

Desirable:

- At least 3 years experience in large scale WAN designs utilizing Cisco routers, VPN concentrators and Microsoft VPN technologies and architectures including: Microsoft ISA, Routing & Remote Access servers
- Previous experience in a major network rollout project from beginning to end
- Previous experience in designing network systems in similar court environments
- Significant experience in analyzing and designing distributed network systems
- Experience in Database Server (SQL and Oracle) deployment strategies, placements, replication and structuring techniques is highly desirable
- Experience in large scale secure wireless networks design and implementation
- Experience in the design and deployments of centralized management systems such as Microsoft SMS, WUS and MOM

Duties:

The Network Designer / Systems Analyst will work closely with all the team members and with the beneficiary to understand and analyze the business requirements and translate them into the system design specification to meet the required objectives and provide the essential services and functions. The duties of the Network Designer concentrate around the design of the enterprise network system and preparation of the System Design Specification document and the Implementation Plan. These duties will include – but are not limited to the following:

- Analyzing and understanding the business functions and objectives in terms of ICT perspectives
- Top level assessment of the required network and systems architecture and infrastructure
- Identifying the networks, systems and services required to accomplish the business objectives
- Define hardware, operating system and software specifications for all components including: servers, workstations, switches, routers, firewalls and printers
- Define and design the load balancing and clustering requirements of data and application servers
- Define and design the architecture and requirements of data storage, warehousing, backup and recovery
- Define and design the required Email and workflow architecture and infrastructure
- Define and design the enterprise security plan
- Define and design the required network management and administration systems and applications
- Design and define specifications, architecture and infrastructure for all required LANs and WANs
- Define and design the WAN routes, links, methods, bandwidth and forecast future requirements
- Define services required from Service Providers
- Identify and define the required computer centers and server rooms
- Identify and define the IT departments required to run the proposed systems
- Participate and contribute to the preparation of the Training Plan
- Define and design the following enterprise plans: Backup and Recovery, System Test and Contingency and any other plans that might evolve out of this project
- Participate, assist and contribute to the preparation of all required studies, surveys, documents, reports and outputs as required by the contract

SENIOR SOFTWARE/DATABASE SYSTEMS ANALYST

(Local/Regional Experience)

Reporting to: The Team Leader.

Job Outline: The Software/Database Analyst will assist the team members in all aspects of the project, as well as having the responsibility for all software applications and database specifications and requirements issues.

Education:

- Bachelors or Masters degree in Computer Science or other software/database related technology is essential
- A Masters degree in related areas and technologies is a plus

Qualifications and Skills:

- Microsoft certification as MCDBA and/or MCSD are required
- Oracle OCA/OCF Database Administrator/Applications Developer certifications are a plus
- Strong documentation and technical skills using Microsoft Office: Word, Excel, PowerPoint, Visio, Project 2000 and Access
- Thorough knowledge of defining clients' technical architectural needs and in creating business models
- Strong problem solving skills that enable quick identification and efficient resolution of issues are essential

Language Skills:

- Excellent written and verbal communication skills in English are essential
- Verbal communication skills in Arabic are required
- Verbal communication skills in French are a plus

Professional Experience:

Essential:

- Minimum 10 years post graduate experience in software/database applications development or deployment
- Minimum 5 years experience in creating logical designs and preparation of detailed specifications for developing physical databases and applications
- Minimum 3 years experience working on a project in a business analysis and eventual database deployment situation
- Minimum 3 years experience building and generating database designs in Oracle or SQL environments
- Minimum 3 years experience in using flowcharting tools for the development of software specifications
- Minimum 3 years experience in the development or deployment of Large Scale software and database systems, preferably in an Architecture or Strategy role
- Minimum 3 years experience in Database Server (SQL or Oracle) deployment strategies, placements, replication and structuring techniques
- Experience in the design and architecture of complex data models and databases in a cross-application environment
- Strong knowledge in the functions, features and capabilities of both Microsoft SQL and Oracle Database servers and architectures with proven abilities in performing educated comparisons and selections
- Experience in preparing conceptual designs for Web Enabled Software and Database Applications and web site Portals
- Experience in designing web services, Web Enabled Applications and Portals architecture and frameworks

Desirable:

- Previous experience in a major CRM or ERP (People Soft, JD Edwards, SAP) planning and design projects
- Previous experience in planning, designing or deploying software/database applications in similar court environments
- Strong understanding of System Development Life Cycle methodologies, especially modern iterative methods
- Significant experience in analyzing and designing enterprise database systems
- Deep understanding of database development tools and techniques
- Experience in Database design in a backend data warehouse environment

Duties:

The Software/Database Systems Analyst will work closely with all the team members and with the beneficiary to understand and analyze the business requirements and translate them into the software design specifications to meet the required objectives and provide the essential services and functions. The duties of the Software/Database Systems Analyst concentrate around the design of the enterprise software systems especially the preparation of the Software Requirements Document, The Software Comparison & Recommendation, and the Software Design Specifications. These duties will include – but are not limited to the following:

- Lead and execute functional identification and needs analysis sessions to define and document business and functional requirements and generate software applications requirements and specifications
- Work with the beneficiary to analyze and engineer the current processes and documents to-be business processes, through workflows and associated metrics, focused on the accomplishment of strategic objectives to reduce cost, reduce cycle times, and improve citizen services
- Perform analysis on current business processes and recommend changes to facilitate performance improvement
- Document data flow through systems and identify redundant data entry and deficiencies in data flow
- Develop analysis requirements and process documentation and coordinate with the team members in the development of the detail design specifications
- Develop detailed requirements and functional design documentation, construct process maps, identify workflow events and create key performance indicators
- Define databases and data transformation specifications and create appropriate reports and design documents
- Prepare design documentation of information models, entity relationship diagrams, physical table diagrams, data dictionaries, reports and other related designs
- Characterize all phases of a full life-cycle design of the software and database systems including: development, deployment, testing, training, and user guide preparation. Employ best practices and a standardized IT methodology during the Analysis, Requirements and Detail Design phases
- Conduct extensive research and report on market and technological factors impacting the Judiciary and court industries and educate the project team about new products and service offerings
- Conduct and prepare the software applications comparisons and recommendations and the software requirements studies and analysis
- Compile and prepare the software design specification document
- Participate and contribute to the preparation of the System Implementation Project and Training Plans
- Participate, assist and contribute to the preparation of all required studies, surveys, documents, reports and outputs as required by the contract
- Maintain alignment of the project outputs and results with the missions, visions and the expectations of the Beneficiary
- Maintain the software application designs applicability and congruence to the business requirements

APPENDIX C – ARABIC RESOURCE DOCUMENTS

Attached below are the Arabic documents used in the preparation of the details of the Ministry of Justice organization and structure.

المحاكم العدلية

القضاء المدني

الدرجة الاولى

محكمة البداية

القاضي المنفرد

محكمة الاستئناف

محكمة التمييز (بيروت)

القضاء الجزائي

قضاء التحقيق

قاضي التحقيق الاول

قاضي التحقيق

الهيئة الاتهامية

قضاء الحكم

جناح ومخالفات

قاضي منفرد

محكمة الاستئناف

محكمة التمييز (بيروت)

جنايات

محكمة الجنايات

محكمة التمييز (بيروت)

النيابات العامة

النيابة العامة لدى محكمة التمييز

النيابة العامة المالية

النيابة العامة لدى محكمة الاستئناف

المجلس العدلي (بيروت)

المحقق العدلي

المجلس العدلي

الهيئة العامة لمحكمة التمييز (بيروت)

التفتيش القضائي (بيروت)

التنفيذ

قاضي منفرد

محكمة الاستئناف

محكمة التمييز (بيروت)

دائرة المباشرين (التبليغ)

القضاء الاداري (بيروت)

مكننة العما

هيئة مجلس شورى الدولة

مجلس شورى الدولة

مفوض الحكومة

المحاكم الخاصة

مجلس العمال

هـ

مكننة العمل

المهمة المطلوبة

الكشف على مقر المحاكم في كافة المحافظات لتحديد حاجات كل منها من تجهيزات وكيفية الربط فيما بينها.

تحديد الشروط الفنية لبرنامج مكننة العمل القضائي:

الاجراءات التي يجب مكننتها

وسائل الامان

1
امارات الملاحة

مسح وظيفي لوزارة العدل والادوية والدوائر القضائية في لبنان

I - هيكلية الادارة العدلية

1. المديرة العامة
2. المحاكم العدلية
3. المحاكم الادارية

II - المحاكم العدلية

A * المحاكم العدلية العامة

1 - محاكم الدرجة الاولى

2 - محاكم الاستئناف

3 - محكمة التمييز

1. المحاكم المتخصصة

2. المحاكم الاستئنافية

B * المحاكم الخاصة

C * الدوائر القضائية

1. المراكز القضائية

2. المراكز القضائية

III - اختيار وتدريب القضاة ومراقبة حسن سير عملهم - التشكيلات القضائية

A * اختيار القضاة

: وزير العدل / مجلس القضاء الاعلى.

B * التدريب لتولي العمل القضائي

: معهد الدروس القضائية.

C * التشكيلات القضائية

: وزير العدل / مجلس القضاء الاعلى.

D * مراقبة حسن سير القضاء

: هيئة التفتيش القضائي.

I- هيكلية الادارة العدلية (راجع: ملحق رقم 1)

على رأس وزارة العدل وزير العدل.

تضم هذه الوزارة:

- 1 - المديرية العامة
- 2 - المحاكم العدلية
- 3 - المحاكم الادارية

(1) المديرية العامة

على رأس المديرية العامة مدير عام.

تتألف المديرية العامة من:

- هيئة التشريع والاستشارات
- هيئة القضايا
- معهد الدروس القضائية
- مديرية شؤون القضاة والموظفين
- مصلحة الديوان
- مديرية السجون
- مصلحة اصلاح الاحداث المنحرفين
- مصلحة الطب الشرعي

(2) المحاكم العدلية

تقسم المحاكم العدلية الى محاكم عادية ومحاكم خاصة .

على رأس المحاكم العدلية العادية والمحاكم الخاصة مجلس القضاء الاعلى.

ان المحاكم العدلية العادية موزعة على ثلاث درجات: محاكم الدرجة الاولى

ومحاكم الاستئناف ومحكمة التمييز .

وان المحاكم الخاصة على نوعين: محاكم دائمة متخصصة ومحاكم استثنائية.

يتولى الاعمال القلمية وسائر الاعمال التي يتطلبها سير العمل في

الدوائر القضائية مساعدون قضائيون.

وتتولى هيئة التفتيش القضائي مراقبة حسن سير القضاء واعمال القضاة.

(٣) المحاكم الإدارية: مجلس شورى الدولة

مجلس شورى الدولة هو المحكمة العليا التي تتولى القضاء الإداري ومراقبة اعداد النصوص التشريعية والتنظيمية.

-II المحاكم العدلية

ان المحاكم العادية المختصة بفصل النزاعات المتولدة عن تطبيق فروع القانون الخاص هي المحاكم العدلية ، بمعنى ان كل نزاع يستوجب تطبيق فروع القانون الخاص يدخل مبدئيا ضمن اختصاص المحاكم العدلية. هناك نصوص تعطي الاختصاص الى المحاكم الشرعية والمذهبية للنظر بمسائل الحقوق العائلية، كما ان هناك نصوصا اخرى تعطي الاختصاص الى محاكم خاصة للنظر ببعض النزاعات الناشئة عن تطبيق فروع القانون الخاص.

تشكل كل محكمة دائرة قضائية مؤلفة من رئيس (قاضي) ومن مساعدين قضائيين يتولون الاعمال التي يتطلبها سير العمل في الدائرة.

A * المحاكم العدلية ^{العامة} رابع : دكت رقم ٢٥

المحاكم العدلية على ثلاث درجات

-محاكم الدرجة الاولى

-محاكم الاستئناف

-محكمة التمييز

(١) محاكم الدرجة الاولى

تتألف محاكم الدرجة الاولى من غرف تصدر احكامها عن رئيس وعضوين لكل غرفة، ومن اقسام تصدر احكامها عن قاض منفرد .

ينظر القاضي المنفرد في بعض القضايا المدنية والتجارية المعددة حصرا في المادة ٨٦ من قانون اصول المحاكمات المدنية. كما يتولى امور التنفيذ.

الغرفة هي المحكمة العادية ولها اختصاص عام في القضايا المدنية والتجارية، ولا يخرج عن هذا الاختصاص الا ما كان متروكا بنص خاص الى محكمة اخرى.

مركز الغرفة هو في مركز المحافظة. ومركز القاضي المنفرد هو في القضاء.

ان عدد الغرف الابتدائية هو حاليا ١٤ وفقا لآخر تشكيلة قضائية جرت سنة ١٩٩٤ موزعة على الشكل الآتي:

- ٥ غرف في محافظة بيروت
- ٣ غرف في محافظة جبل لبنان
- غرفتين في محافظة الشمال
- غرفتين في منطقة الجنوب
- غرفة واحدة في محافظة البقاع
- غرفة واحدة في محافظة النبطية

وان عدد مراكز القضاة المنفردين حاليا ووفقا لآخر تشكيلة قضائية جرت سنة ١٩٩٤ هو ٨٩ مركز موزعة على الشكل الآتي:

- ٢١ مركز في محافظة بيروت
- ٢٨ مركز في محافظة جبل لبنان
- ١٣ مركز في محافظة الشمال
- ٩ مراكز في محافظة الجنوب
- ١١ مراكز في محافظة البقاع
- ٧ مراكز في محافظة النبطية

(٢) محاكم الاستئناف:

تتألف محاكم الاستئناف من غرف تصدر قراراتها عن رئيس ومستشارين ويوجد في مركز كل محافظة محكمة استئناف تتألف من عدة غرف .

مركز محكمة الاستئناف هو في مركز المحافظة، الا ان محكمة استئناف البقاع ومركزها زحلة تعقد جلساتها في بعلبك لفصل الدعاوى الصادرة عن محاكم الدرجة الاولى في قضائي بعلبك والهرمل.

توزع الاعمال بين الغرف في محكمة الاستئناف الواحدة بقرار من وزير العدل بعد استشارة مجلس القضاء الاعلى بناء على اقتراح الرئيس الاول لهذه المحكمة.

ان عدد غرف محاكم الاستئناف حاليا، ووفقا لآخر تشكيلة قضائية جرت سنة ١٩٩٤، هو ٣٦ غرفة موزعة على الشكل الآتي:

- ١٣ غرفة في محافظة بيروت
- ٩ غرف في محافظة جبل لبنان
- ٥ غرف في محافظة الشمال
- ٣ غرف في محافظة الجنوب
- ٤ غرف في محافظة البقاع
- غرفتين في محافظة النبطية

يوجد لدى كل محكمة استئناف نيابة عامة يرأسها مدع عام يعاونه محامون عامون ودائرة تحقيق يرأسها قاضي تحقيق اول يعاونه قضاة تحقيق. مهمة النيابة العامة مبدئيا استقصاء الجرائم التي هي من نوع الجناية او الجنحة وتعقب مرتكبيها. اما في المواد المدنية فان دور النيابة العامة محصور جدا، اذ انها لا تتدخل الا في الحالات التي نص عليها القانون. ومهمة دائرة التحقيق جمع الادلة على الجرائم وفاعليها واتخاذ القرار النهائي في ضوئها.

ان عدد النيابات العامة الاستئنافية هو ٦ وهي موزعة على المحافظات على

الشكل الآتي:

- نائب عام و ٥ محامين عامين في محافظة بيروت
- نائب عام و ٥ محامين عامين في محافظة جبل لبنان
- نائب عام و ٣ محامين عامين في محافظة الشمال
- نائب عام ومحام عام واحد في محافظة الجنوب
- نائب عام و ٢ محامين عامين في محافظة البقاع
- نائب عام ومحام عام واحد في محافظة النبطية

وان عدد دوائر التحقيق هو ٦ وهي موزعة بدورها على المحافظات على

الشكل الآتي:

- قاضي تحقيق اول و ٦ قضاة تحقيق في بيروت
- قاضي تحقيق اول و ٦ قضاة تحقيق في محافظة جبل لبنان
- قاضي تحقيق اول و ٣ قضاة تحقيق في محافظة الشمال
- قاضي تحقيق اول و (٢) قضاة تحقيق في محافظة الجنوب
- قاضي تحقيق اول و ٣ قضاة تحقيق في محافظة البقاع
- قاضي تحقيق اول وقاضي تحقيق في محافظة النبطية

(٣) محكمة التمييز

يوجد محكمة تمييز واحدة في لبنان تضم ٨ غرف.

تصدر محكمة التمييز قراراتها عن رئيس ومستشارين الا في الحالات التي يصدر فيها القرار عن الهيئة العامة.

يرأس محكمة التمييز رئيس اول. ويوزع الرئيس الاول الاعمال بين غرف محكمة التمييز، وله علاوة على الغرفة التي يرأسها ان يرأس اية غرفة من الغرف المدنية او الجزائية. ويتولى الرئيس الاول في دوائر محكمة التمييز الصلاحيات العائدة الى الرئيس الاول لمحكمة الاستئناف.

تتعد محكمة التمييز بهيئتها العامة في الحالات المنصوص عليها في القانون. وتتألف الهيئة العامة من الرئيس الاول رئيسا ومن رؤساء الغرف اعضاء.

يوجد لدى محكمة التمييز نيابة عامة يرأسها نائب عام يعاونه عدد من المحامين العامين.

انشئت مؤخرا لدى النيابة العامة التمييزية نيابة عامة مالية تخضع لسلطات النائب العام لدى محكمة التمييز.

تتناول سلطة النائب العام لدى محكمة التمييز جميع قضاة النيابة وله توجيههم في تسيير دعوى الحق العام وعند الاقتضاء بتعليمات خطية.

ان عدد قضاة النيابة العامة التمييزية حاليا، ووفقا لآخر تشكيلة قضائية حرت سنة ١٩٩٤، هو ٦ موزعين على الشكل الآتي:

١ نائب عام

٥ محامين عامين

وان عدد قضاة النيابة العامة المالية حاليا ووفقا لآخر تشكيلة قضائية هو ٣

قضاة : ١ نائب عام و ٢ محامون عامون.

B * المحاكم الخاصة

يقدم المشتري أحياناً على إنشاء محاكم متخصصة للنظر في نزاعات معينة أو محاكم استثنائية للنظر ببعض النزاعات الناجمة عن بعض الظروف الاستثنائية.

(١) المحاكم المتخصصة

إن المحاكم المتخصصة تتصف بالديمومة أي أنها تنشأ خصيصاً للنظر بنوع معين من النزاعات بشكل دائم، فيستمر وجودها إلى جانب المحاكم العادية. من المحاكم المتخصصة: مجلس العمل التحكيمي.

إن عدد مجالس العمل التحكيمية هو حالياً، ووفقاً لسنة ١٩٩٤، هو ١٠ مجالس موزعة على الشكل الآتي:

- ٤ مجالس في محافظة بيروت
- مجلسين (٢) في محافظة جبل لبنان
- مجلس واحد في محافظة الشمال
- مجلس واحد في محافظة الجنوب
- مجلس واحد في محافظة البقاع
- مجلس واحد في محافظة النبطية

(٢) المحاكم الاستثنائية

إن المحاكم الاستثنائية تنشأ نتيجة ظروف استثنائية معينة للنظر بالنزاعات الناجمة عن هذه الظروف وتنتهي بالتالي بانتهاء المشاكل التي خلفتها تلك الظروف. من المحاكم الاستثنائية المحاكم المصرفية الخاصة المنشأة بموجب المرسوم رقم ٢١٦٤ تاريخ ٢٥ كانون الثاني سنة ١٩٩٢.

٢ * الدوائر القضائية

(١) الدائرة القضائية

الدائرة القضائية هي المحكمة او الغرفة او القسم او النيابة العامة او دائرة التحقيق والقلم التابع لكل منها.

يرأس الدائرة القضائية رئيس المحكمة او الغرفة او القسم .اما دوائر النيابة العامة فيرأس كل منها نائب عام ،ودوائر التحقيق يرأس كل منها قاضي تحقيق اول .
ان رئيس الدائرة القضائية مسؤول عن حسن سير العمل في دائرته . وان الرئيس الاول الاستئنافي في كل محافظة يشرف بدوره على حسن سير العمل في مختلف الدوائر القضائية التابعة لمحافظةه .
يتألف قلم الدائرة القضائية من مساعدين قضائيين .

(٢) المساعدون القضائيون

المساعدون القضائيون هم رؤساء الاقلام ورؤساء الكتبة والكتبة والمباشرون والمستكتبون في اقلام الدوائر القضائية .
يتولى المساعدون القضائيون الاعمال القلمية وسائر الاعمال التي يتطلبها سير العمل في الدوائر القضائية وفي الادارة المركزية في وزارة العدل .
يتم اختيار المساعدين القضائيين بنتيجة المباراة .
يكون لوزير العدل ان يقرر اخضاع المرشحين الناجحين بعد تعيينهم لدورة تدريبية يحدد شروطها ويكلف معهد الدروس القضائية باجرائها .
ان المساعدين القضائيين موزعون حاليا في محافظتي بيروت وجبل لبنان على الشكل الآتي :

- بيروت :

١٣	هيئة التفيتش القضائي
٨	مجلس القضاء الاعلى
٢٠	محكمة التمييز
١٠	النيابة العامة التمييزية
٧	النيابة العامة المالية
٤٥	محكمة الاستئناف
١٥	النيابة العامة الاستئنافية
٢٠	دائرة التحقيق

III - اختيار وتدريب القضاة ومراقبة حسن سير عملهم -التشكيلات القضائية

يتم اختيار القضاة بالتنسيق بين وزير العدل ومجلس القضاء الاعلى كذلك التشكيلات القضائية. أما عملية التدريب لتولي العمل القضائي فتتم من قبل معهد الدروس القضائية. اما مراقبة حسن سير القضاء فتتم، بشكل رئيسي، من قبل هيئة التفتيش القضائي.

A * اختيار القضاة : وزير العدل / مجلس القضاء الأعلى

تجري عملية اختيار القضاة المتدرجين بالتنسيق بين وزير العدل وبين مجلس القضاء الأعلى (*).

يحدد وزير العدل، كلما دعت الحاجة، وبعد استطلاع رأي مجلس القضاء الأعلى عدد القضاة المتدرجين المنوي تعيينهم ويطلب الى مجلس القضاء الأعلى تنظيم مباراة لهذه الغاية.

ينظم مجلس القضاء الأعلى مباراة الدخول الى المعهد ويحدد المواد التي تجري عليها ومعدل علامات القبول، كما يعين لجنة فاحصة في بدء كل مباراة من القضاة الذين يختارهم لهذه الغاية.

يدرس مجلس القضاء الأعلى الطلبات ويعين المرشحين المقبولين للاشتراك في المباراة، وله عند الاقتضاء دعوة من يراه منهم لمقابلة مسبقة.

تعلن اللجنة نتائج المباراة وتبلغها فوراً الى كل من وزير العدل ومجلس القضاء الأعلى ومجلس ادارة المعهد.

يعين المرشحون الناجحون قضاة متدرجين بمرسوم يتخذ بناء على اقتراح وزير العدل وبعد موافقة مجلس القضاء الأعلى ويلحقون بمعهد الدروس القضائية لمدة ثلاث سنوات.

يمكن تعيين القضاة المتدرجين دون مباراة من بين حملة شهادة دكتوراه دولة في الحقوق.

(*) يتألف مجلس القضاء الأعلى من عشرة أعضاء على الوجه التالي:

- الرئيس الأول لمحكمة التمييز (رئيساً)
- النائب العام لدى محكمة التمييز (نائباً للرئيس)
- رئيس هيئة التفتيش القضائي (عضو)
- ثلاث قضاة من رؤساء الغرف من محكمة التمييز
- قاضيان من رؤساء الغرف في محاكم الاستئناف
- قاضي من رؤساء غرف محاكم الدرجة الاولى
- قاضي علي يختاره وزير العدل من رؤساء المحاكم او من رؤساء لوكالات في وزارة العدل

هذه السنة ولأول مرة أقام المعهد دورة مدة ستة أشهر، اختيارية، للتهيئة للمباراة

B * التدريب لتولي العمل القضائي: معهد الدروس القضائية.

(١) يؤمن معهد الدروس القضائية:

- التهيئة لتولي القضاة المتدربين العمل القضائي
- تنظيم دورات تدريبية للأجهزة المساعدة للقضاء والمساعدين القضائيين والكتاب العدل والخبراء وغيرهم ممن يقرر وزير العدل اخضاعهم لدورات تدريبية.
- تهيئة قضاة غير لبنانيين لتولي العمل القضائي في بلدانهم. تتناول التهيئة القضائية دروساً نظرية وتطبيقية، كما تتناول التدريب لدى مختلف الدوائر القضائية.
- يقيم المعهد خلال ايار ١٩٩٥ دورة للقضاة تضم ٥٠ قاضياً موضوعها المعلوماتية. يشارك فيها ٦ اساتذة قانون من فرنسا.

(٢) يرأس المعهد ويشرف على أعماله قاض يشترط ان يكون من الدرجة السابعة وما فوق. يدير الدروس في المعهد قاض من الدرجة العاشرة فما فوق.

(٣) يؤلف في المعهد مجلس ادارة مكون من:

- رئيس مجلس القضاء الأعلى (رئيسا)
- المدير العام لوزارة العدل (نائباً للرئيس)
- رئيس المعهد (عضو)
- مدير المعهد (عضو)
- قاضيان

(٤) يضع المجلس البرامج الدراسية ويحدد طرق التقييم العلمي والمسلكي وينظم الدورات الدراسية ويختار الأساتذة ويتعاقد معهم بواسطة رئيس المعهد.

(٥) تسجل نتائج أعمال كل قاض في ملفه الشخصي بنهاية مدة التدرج - العملي/النظري - (٣ سنوات) يضع مجلس ادارة المعهد لائحة التخرج ويرفعها مع مقترحاته

الى مجلس القضاء الأعلى الذي يعلن أهلية القاضي المتدرج للانتقال الى القضاء الأصيل او عدم أهليته.

يعين القضاة المتدرجون المعلنة أهليتهم قضاة أصيلين.

عند عدم وجود مركز شاغر في الملاك يلحق القاضي المتدرج بوزارة العدل ريثما يصدر قرار تعيينه والحاقه عند شغور اول مركز وفقا للائحة التخرج من المعهد.

بسبب الاوضاع التي كانت سائدة في لبنان لم يتمكن معهد الدروس القضائية من العمل بكل طاقاته مما ادى الى نقص كبير في عدد القضاة الاصيلين واستتبع بالتالي مؤخرا -المرسوم رقم ٥٦٧٨ تاريخ ٢٤ أيلول ١٩٩٤- تعيين ٣٩ قاض أصيل من بين المحامين الممارسين منذ ثلاث عشرة سنة على الأقل وذلك بعد موافقة مجلس القضاء الاعلى.

كان قد تم بموجب المرسوم رقم ٣٣٩١ تاريخ ٤ نيسان ١٩٩٣ كذلك تعيين ١٧ قاض اصيل على اثر مباراة جرت بين المحامين الممارسين منذ ٦ سنوات على الأقل وبين الموظفين حاملي اجازة في الحقوق.

تجدر الملاحظة اخيرا ان عدد القضاة هو وفقا للجدول المرفق بالمرسوم الاشتراعي رقم ٨٣/١٥٠، ٥١٥ قاضي عدلي وان عددهم الفعلي هو ٣٣٦ قاضي عدلي .

C * التشكيلات القضائية : وزير العدل / مجلس القضاء الأعلى

تجري التشكيلات القضائية - المناقلات واللاحاقات والانتدابات الفردية والجماعية - اما بمبادرة من وزير العدل واما بمبادرة من مجلس القضاء الأعلى.

لا تصبح التشكيلات نافذة الا بعد موافقة وزير العدل ومجلس القضاء الاعلى سواء ورد المشروع من وزير العدل او من المجلس. عند حصول خلاف في وجهات النظر بين وزير العدل ومجلس القضاء الاعلى تعقد جلسة مشتركة بينهما للنظر في النقاط المختلف عليها. اذا استمر الخلاف يعرض الامر على مجلس الوزراء خلال مهلة شهر واحد على الاكثر للبت به. ويبت به مجلس الوزراء بعد الاستماع الى رئيس مجلس القضاء الاعلى الذي يعرض وجهة نظر المجلس.

تصدر التشكيلات القضائية بمرسوم بناء على اقتراح وزير العدل. وتصدر التشكيلات الجماعية مبدئيا قبل بدء السنة القضائية.

ان ضبط المعطيات القضائية والملفات الشخصية لكل قاض عن طريق المكننة يساعد وزير العدل ومجلس القضاء الاعلى على اجراء تشكيلات قضائية مبنية على معطيات شخصية دقيقة كما يساعد هيئة التفتيش القضائي على مراقبة انتاج كل قاض بشكل فاعل.

د * مراقبة حسن سير القضاء : هيئة التفتيش القضائي

١- تتولى هيئة التفتيش القضائي:

- مراقبة حسن سير القضاء واعمال القضاة وموظفي الاقلام وسائر الاشخاص التابعين لها.

- لفت نظر السلطات - وزير العدل ومجلس القضاء الاعلى - الى ما تراه من خلل في الاعمال وتقديم الاقتراحات الرامية الى اصلاحه.

- الصلاحيات التأديبية المنصوص عنها في القانون تجاه القضاة وموظفي الاقلام والدوائر المركزية في وزارة العدل.

- لفت نظر من يتناولهم التفتيش بما يظهر من خلل في سير أعمالهم.

٢- يسهر مجلس القضاء الاعلى بدوره على حسن سير القضاء وعلى العمل

في المحاكم.

ان الجدول السادس الملحق بالمرسوم الاشتراعي رقم ٨٣/١٥٠ المعدل

بالمرسوم الاشتراعي رقم ٨٥/٢٣ (قانون القضاء العدلي) لحظ ٤ مفتشين عامين و ٦ مفتشين.

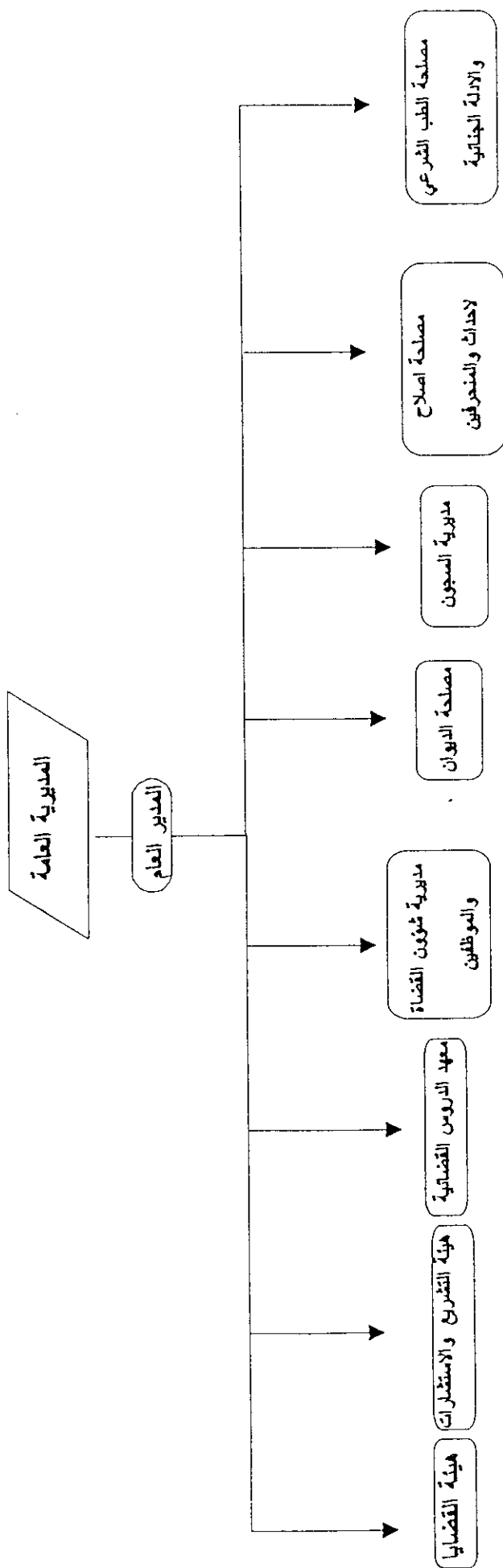
وزارة العدل

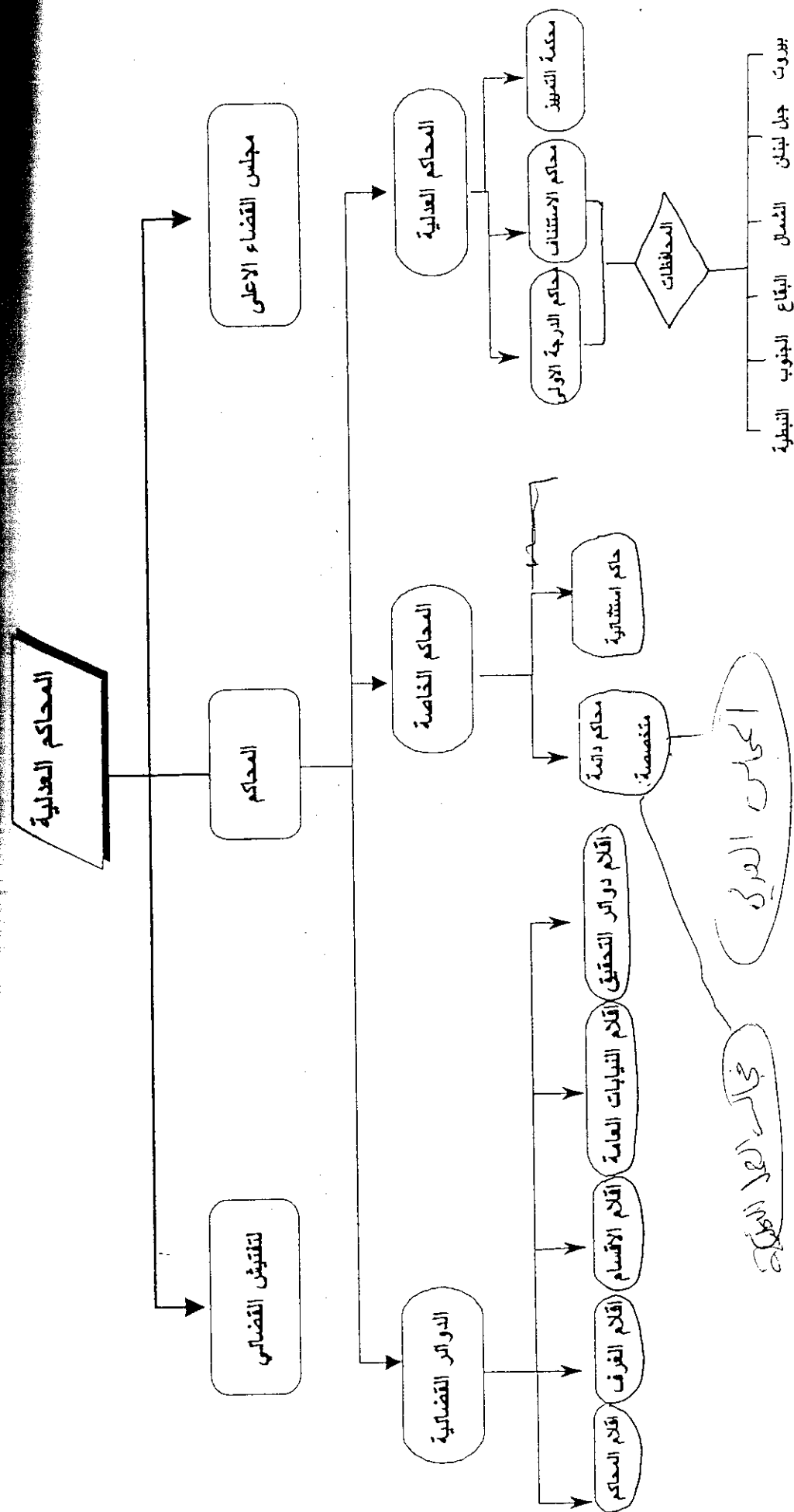
المحاكم العدلية
(القضاء العدلي)

المديرية العامة

المحاكم الادارية
(القضاء الاداري)

مجلس شورى الدولة
رئيسي





الملتقى رقم (٢)

محكمة الاستئناف

محكمة الدرجة الاولى		محكمة الاستئناف
غرفة ١	قاضي منفرد ١	الغرفة ١
غرفة ٢	قاضي منفرد ٢	الغرفة ٢
غرفة ٣	قاضي منفرد ٣	الغرفة ٣
غرفة ٤	قاضي منفرد ٤	الغرفة ٤
غرفة ٥	قاضي منفرد ٥	الغرفة ٥
قاضي منفرد ٦		الغرفة ٦
قاضي منفرد ٧		الغرفة ٧
قاضي منفرد ٨		الغرفة ٨
قاضي منفرد ٩		الغرفة ٩
قاضي منفرد ١٠		الغرفة ١٠
قاضي منفرد ١١		الغرفة ١١
قاضي منفرد ١٢		الغرفة ١٢
قاضي منفرد ١٣		الغرفة ١٣
قاضي منفرد ١٤		
قاضي منفرد ١٥		
قاضي منفرد ١٦		
قاضي منفرد ١٧		
قاضي منفرد ١٨		
قاضي منفرد ١٩		
قاضي منفرد ٢٠		
قاضي منفرد ٢١		

نائب عام (۱)

محام عام (۵)

دائرة التحقيق

قاضی تحقیق اول (۱)

قاضي تحقيق (٦)

مجلس العمل التحكيمي (٤)

التَّعْيِيرُ :

محكمة التمييز

الغرفة ١

الغرفة ٢

المغرفة ٣

الغرفة ٤

الغرفة ٥

الغرفة ٦

الغرفة ٧

الغرفة ٨

التبایة العامة

نائب عام (۱)

محام عام (ع)

النيابة العامة المالية

نائب عام (۱)

محام عام (۲)

لبنان الشمالي

<u>محكمة الاستئناف</u>	<u>محكمة الدرجة الاولى</u>	
الغرفة ١	غرفة ١	(١) قاضي منفرد - طرابلس (٧)
الغرفة ٢	غرفة ٢	(٢) قاضي منفرد - حلبا/القيبات (٢)
الغرفة ٣		(٣) قاضي منفرد - زغرتا/اهدن (١)
الغرفة ٤		(٤) قاضي منفرد - بشري (١)
الغرفة ٥		(٥) قاضي منفرد - أميون (١)
		(٦) قاضي منفرد - البترون/دوما (١)

النيابة العامة الاستئنافية

نائب عام (١)

محام عام (٣)

دائرة التحقيق

قاضي تحقيق أول (١)

قاضي تحقيق (٣)

مجلس العمل التحكيمي (١)

جبل لبنان

<u>محكمة الاستئناف</u>	<u>محكمة الدرجة الاولى</u>	
الغرفة ١	غرفة ١	(١) قاضي منفرد - بعبدا (٩)
الغرفة ٢	غرفة ٢	(٢) قاضي منفرد - جديدة العتن (٧)
الغرفة ٣	غرفة ٣	(٣) قاضي منفرد - جونبة (٣)
الغرفة ٤		(٤) قاضي منفرد - جبيل/قرطبا (٢)
الغرفة ٥		(٥) قاضي منفرد - بعقلين (١)
الغرفة ٦		(٦) قاضي منفرد - دير القمر (١)
الغرفة ٧		(٧) قاضي منفرد - عاليه (٣)
الغرفة ٨		(٨) قاضي منفرد - الدامور (١)
الغرفة ٩		(٩) قاضي منفرد - شحيم (١)

النيابة العامة الاستئنافية

نائب عام (١)

محام عام (٥)

دائرة التحقيق

قاضي تحقيق أول (١)

قاضي تحقيق (٦)

مجلس العمل التحكيمي (٢)

البيقاع

<u>محكمة الاستئناف</u>	<u>محكمة الدرجة الاولى</u>
الغرفة ١	غرفة ١ قاضي منفرد - زحلة (٦)
الغرفة ٢	قاضي منفرد - جب جنين (١)
الغرفة ٣	قاضي منفرد - بعلبك (٢)
الغرفة ٤	قاضي منفرد - راس بعلبك (١)
	قاضي منفرد - الهرمل (١)

النيابة العامة الاستئنافية

نائب عام (١)

محام عام (٢)

دائرة التحقيق

قاضي تحقيق أول (١)

قاضي تحقيق (٣)

مجلس العمل التحكيمي (١)

لبنان الجنوبي

<u>محكمة الاستئناف</u>	<u>محكمة الدرجة الاولى</u>
الغرفة ١	غرفة ١ قاضي منفرد - صيدا (٦)
الغرفة ٢	غرفة ٢ قاضي منفرد - صور (٢)
الغرفة ٣	قاضي منفرد - جزين (١)

النيابة العامة الاستئنافية

نائب عام (١)

محام عام (١)

دائرة التحقيق

قاضي تحقيق أول (١)

قاضي تحقيق (٢)

مجلس العمل التحكيمي (١)

النبطية

<u>محكمة الاستئناف</u>	<u>محكمة الدرجة الاولى</u>
الغرفة ١	غرفة ١ قاضي منفرد - النبطية (٣)
الغرفة ٢	قاضي منفرد - مرجعيون (١)
	قاضي منفرد - حاصبيا (١)
	قاضي منفرد - بنت حبيب (١)
	قاضي منفرد - تبنين (١)

النيابة العامة الاستئنافية

نائب عام (١)

محام عام (١)

دائرة التحقيق

قاضي تحقيق أول (١)

قاضي تحقيق (١)

مجلس العمل التحكيمي (١)

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جداول المحاكم

الجدول الاول
محاكم الدرجة الاولى
١ - محكمة الدرجة الاولى في محافظة بيروت :

عدد القضاة	نطاق الصلاحية	المركز	العدد
٣٣ رئيس وعضوان لكل غرفة وثلاثة اعضاء اضافيين .	محافظة بيروت	بيروت	١٠ - الغرف
٥٥ (قاض منفرد لكل قسم)	محافظة بيروت	بيروت	٢ - الاقسام
١٤ رئيس وعضوان لكل غرفة وعضوان اضافيان .	محافظة لبنان الشمالي	طرابلس	٤ - الغرف
١٤ (قاض منفرد لكل قسم)	قضاء طرابلس	١٤ في طرابلس	٢ - الاقسام
٤ (قاض منفرد لكل قسم)	قضاء عكار	٤ في حلبا - القبيات	
٢ (قاض منفرد لكل قسم)	قضاء زغرتا	٢ في زغرتا - اهدن	
١ (قاض منفرد لكل قسم)	قضاء بشري	١ في بشري	
١ (قاض منفرد لكل قسم)	قضاء الكوره	١ في اميون	
٢ (قاض منفرد لكل قسم)	قضاء البترون	٢ في البترون - دوما	
٢ (قاضي عقاري في مركز المحافظة)			

٣ - محكمة الدرجة الاولى في محافظة جبل لبنان: المرسوم رقم ٩٠٢٥ تاريخ ١٩٩٦/٨/٢٦:

العدد	المركز	نطاق الصلاحية	عدد القضاة
١ - الغرف ٦	بعبدا	محافظة جبل لبنان	٢٠ (رئيس وعضوان لكل غرفة وعضوان اضافيان)

تقيم ثلاث غرف في الجديدة وتنتظر في دعاوى اقصية المتن وكسروان وجبيل.

العدد	المركز	نطاق الصلاحية	عدد القضاة
٢ - الاقسام ٣٦	١٠ في بعبدا	قضاء بعبدا	١٠ (قاض منفرد لكل قسم)
	١٠ في الجديدة	قضاء المتن	١٠ (قاض منفرد لكل قسم)
	٥ في جونية	قضاء كسروان	٥ (قاض منفرد لكل قسم)
	٢ في جبيل - قرطبا	قضاء جبيل	٢ (قاض منفرد لكل قسم)
	١ في دير القمر	منطقة دير القمر	١ (قاض منفرد لكل قسم)
	١ في بعقلين	منطقة بعقلين	١ (قاض منفرد لكل قسم)
	٤ في عاليه	قضاء عاليه	٤ (قاض منفرد لكل قسم)
	١ في الدامور - شحيم	منطقة الدامور - شحيم	١ (قاض منفرد لكل قسم)
	مركزان	محافظة جبل لبنان	٢ (قاض عقاري في مركز المحافظة).

٤ - محكمة الدرجة الاولى في محافظة لبنان الجنوبي :

٧ (رئيس وعضوان لكل غرفة وعضو اضافي)	٧	محافظة لبنان الجنوبي	صيدا	٢ - الغرف
(قاض منفرد لكل قسم)	٧	قضاء صيدا	٧ في صيدا	٢ - الاقسام
(قاض منفرد لكل قسم)	٢	قضاء صور	٢ في صور - جويا	
(قاض منفرد لكل قسم)	١	قضاء جزين	١ في جزين	
(قاضي عقاري في مركز المحافظة)	١			

٥ - محكمة الدرجة الاولى في محافظة النبطية :
عدل هذا الجدول بموجب المرسوم رقم ٤٧٠ تاريخ ١٠/٢٢/١٩٨٧ .

٤ (رئيس وعضوان وعضو اضافي)	٤	محافظة النبطية	النبطية	١ - الغرف
٣ (قاض منفرد لكل قسم)	٣	قضاء النبطية	النبطية	٢ - الاقسام
١ (قاض منفرد لكل قسم)	١	قضاء بنت جبيل	بنت جبيل - تبينين قضاء بنت جبيل	
١ (قاض منفرد لكل قسم)	١	منطقة تبينين	١ في تبينين	
١ (قاض منفرد لكل قسم)	١	قضاء مرجعيون	١ مرجعيون	
١ (قاض منفرد لكل قسم)	١	قضاء حاصبيا	١ حاصبيا	
١ (قاضي عقاري في مركز المحافظة)	١			

الجدول الثاني
محاكم الاستئناف

١ - محكمة استئناف بيروت :

مجموع القضاة	قاضى	قاضى تحقيق اول	محام عام	نائب عام	مستشار اضافى	مستشار	رئيس	عدد الغرف	نطاق الصلاحية	المركز
٦٤	٦	١	٦	١	٥	٣٠	١٥	١٥	محافظة بيروت	بيروت

منهم رئيس اول

٢ - محكمة استئناف محافظة لبنان الشمالي: (بمقتضى المرسوم ١٠٢١ تاريخ ١٩٩٩/٧/٢٩)

المركز	نطاق الصلاحية	عدد الغرف	رئيس	مستشار	مستشار اضافة
طرابلس	محافظة لبنان الشمالي	٧	٧ منهم رئيس أول	١٤	٢

نائب عام	محام عام	قاضي تحقيق اول	قاضي تحقيق	مجموع القضاة
١	٤	١	٤	٣٣

٣ - محكمة استئناف محافظة جبل لبنان: (بمقتضى المرسوم ٩٠٢٥ تاريخ ١٩٩٦/٨/٢٦)

المركز	نطاق الصلاحية	عدد الغرف	رئيس	مستشار	مستشار اضافي
بعدا	محافظة جبل لبنان	١٢	١٢ منهم رئيس اول	٢٤	٣

نائب عام	محام عام	قاضي تحقيق اول	قاضي تحقيق	مجموع القضاة
١	٦	١	٦	٥٣

- نقيم اربع غرف في الجديدة وتنتظر في استئناف القضايا المدنية والجزائية لأفضية المتن وكسروان وجبيل.

٤ - محكمة استئناف محافظة لبنان الجنوبي:

المركز	نطاق	الصلاحية	عدد	الغرف	رئيس	مستشار	مستشار	اضافي	نائب	عام	محام	عام	قاضى	تحقيق	اول	قاضى	تحقيق
صيدا	محافظة لبنان الجنوبي	٣	٣	٦	١	١	٢	١	٢	١	٢	١	٢	١	٢	١	٢
					منهم رئيس												
					اول												

مجموع القضاة

١٦

٦ - محكمة استئناف محافظة النبطية :

المركز	نطاق	الصلاحية	عدد	الغرف	رئيس	مستشار	مستشار	اقتصادي	نائب	عام	محام	عام
النبطية	محافظة	النبطية	٢	٢	٢	٤	١	١	١	١	١	١
أحدهما رئيس أول												
مجموع القضاة												
١١												
قاضي تحقيق أول												
١												

الجدول الثالث
محكمة التمييز

عدد الغرف	رئيس اول	رئيس غرفة	مستشار	نائب عام	محام عام	مجموع عدد القضاة
١١	١	١١	٢٦	١	٧	٤٦

— مستشاران لكل غرفة واربعة مستشارين اضافيين لجميع الغرف.

الجدول الرابع
١ - القضاة المدنيون لدى القضاء العسكري (١):
الوظيفة العدد

رئيس محكمة التمييز العسكرية	١
مفوض الحكومة	١
معاون مفوض الحكومة	٣
قاضي تحقيق	٥
منهم قاضي تحقيق اول	
مستشار	٣

المجموع : ١٣
—*

الجدول الخامس
القضاة العدليون في وزارة العدل

الوظيفة	العدد
قاض	٣٠
ملحقين بالمديرية العامة وهيئة القضايا وهيئة التشريع والاستشارات .	
قاض	٥
ملحقين بوزير العدل .	

—*

(١) المادتين ١٣ و ١٧٣ من القانون رقم ٦٨/٢٤ الصادر في ١٣/٤/١٩٦٨ (قانون القضاء العسكري):
المادة ١٣ - يعين القضاة العدليون لدى المحاكم العسكرية من قضاة الملاك العدلي بمرسوم بناء على اقتراح وزير العدل والدفاع وبعد موافقة مجلس القضاء الاعلى واستطلاع رأي السلطة العسكرية العليا .
يبقى هؤلاء القضاة خاضعين لنظامهم وتابعون لوزارة العدل في كل ما يتعلق برواتبهم وترقيتهم وتأديبهم ، ويمكن في اي وقت كان اعادتهم الى القضاء العدلي وفقا للاصول المبينة لتعيينهم فسي المادة السابقة على انه لا يمكن نقلهم قبل الفصل في الدعاوى التي ختمت المحاكمة فيها .
يخضع مفوضو الحكومة لدى المحاكم العسكرية ومعاونوهم لسلطة النائب العام لدى محكمة التمييز ومراقبته .
المادة ١٧٣ - يحدد ملاك القضاة المدنيين في القضاء العسكري وفقا لقانون التنظيم القضائي ويمكن عند الاقتضاء انتداب بعض القضاة الى القضاء العسكري بالاضافة الى وظائفهم الاساسية .
اما مفوض الحكومة لدى محكمة التمييز العسكرية ومعاونوه والحكام المنفردون العسكريون فيعينون بوظائفهم لدى المحاكم العسكرية وبالاضافة الى اعمالهم الاساسية لدى المحاكم العدلية .
تجري التعيينات والانتدابات بمراسيم وقرارات تتخذ وفقا لاحكام هذا القانون .

الجدول السادس

ملاك التفتيش القضائي

مفتش	مفتش عام	رئيس
٦	٤	١

—*—

الجدول السابع

ملاك المساعدين القضائيين والمستكثبين والحجاب في الدوائر القضائية

٣١	رئيس مصلحة
١٨٠	رئيس دائرة
١٠٥٠	رئيس كتبة وكاتب
٦٢٥	مباشر
٢٠٠	مستكتب اول او ثاني
١٠	موزع هاتف
١٨٠	حاجب او خادم

المجموع العام : ٢٢٧٦