

Law No. 38-15 on the Organisation of the Judiciary

Reference: Dahir No. 1-22-38 of 13 Hijja 1443 (14 July 2022) promulgating Law No. 38-15 on the organisation of the judiciary

Practice areas: Litigation, arbitration and mediation, Civil law, Administrative law, Commercial law and debt recovery

Law 38-15 overhauls the organisation of the Kingdom's judiciary: Courts of First Instance (with family sections and civil, criminal and employment chambers), Commercial Courts and Administrative Courts, ordinary, commercial and administrative Courts of Appeal, and the Court of Cassation. It enshrines the principles of independence, local justice, collegiality and administrative management of the courts.

Courts

- The Court of First Instance is the court of general jurisdiction; it has civil, criminal and employment chambers and a family justice section, with the possibility of specialised courts (civil, criminal, employment).
- Commercial Courts and Administrative Courts retain their own jurisdiction; the corresponding Courts of Appeal rule at second instance.
- The Court of Cassation ensures the uniform interpretation of the law.

Operating principles

- Collegial benches for major cases and a single judge for simple cases, in accordance with the rules of procedure.
- Public hearings, free access to justice subject to court fees, and use of the Arabic language with translation provided.
- The president of the court and the public prosecutor are responsible for administrative management; an annual general assembly organises the chambers.

Key articles

ART. 1

The judicial organisation comprises courts of first instance, courts of appeal and the Court of Cassation; courts are established, and their seat and territorial jurisdiction determined, by decree.

Points to watch

- Identify the competent court from the outset: bringing a case before the wrong court (commercial, administrative, family) leads to a transfer and delays.

- The family sections in Rabat deal with marriage, divorce, custody and maintenance; property matters between spouses may fall within other chambers.
- The rules on territorial jurisdiction in the Code of Civil Procedure continue to apply.

Sheet prepared by Maître Mouad Lahfaia, lawyer at the Rabat Bar. 69 Rue Tansift, Apt 6, Agdal, Rabat 10090, Morocco · +212 808-507367 · cabinetlahfaia@gmail.com

General information document and unofficial English translation. Only the version published in the Official Bulletin of the Kingdom of Morocco is authoritative; the articles cited may have been amended since this sheet was written. Last updated : 13 October 2026.