

Law No. 42-10 on the Organisation of Local Courts

Reference: Dahir No. 1-11-151 of 16 Ramadan 1432 (17 August 2011) promulgating Law No. 42-10 on the organisation of local courts and defining their jurisdiction

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Practice areas: Litigation, arbitration and mediation, Civil law, Criminal law and business crime

Local courts, set up within the Courts of First Instance and in municipalities, sit with a single judge and follow an oral, free and fast procedure for small civil claims and minor offences. They hear personal and movable property claims not exceeding 5,000 dirhams, excluding personal status, real estate and employment matters.

Jurisdiction

- Personal and movable property claims whose value does not exceed 5,000 dirhams (Art. 10), excluding personal status, real estate, employment and eviction disputes.
- Minor offences listed by law, punishable by fines, committed within the court's jurisdiction.
- The judge first attempts to reconcile the parties.

Procedure

- Proceedings are brought by oral or written declaration at the court registry, free of charge and without mandatory representation by a lawyer.
- Judgment is delivered quickly and is not open to appeal; it may be subject to an application for annulment before the president of the Court of First Instance on limited grounds.
- Enforcement follows the rules of the Code of Civil Procedure.

Key articles

ART. 10

Local courts hear all personal and movable property claims whose value does not exceed five thousand dirhams; they do not hear disputes relating to personal status, real property, employment matters or evictions.

Points to watch

- The 5,000 dirham ceiling is assessed on the main claim; above that amount, the Court of First Instance has jurisdiction.

- Since there is no appeal, preparation of the file is decisive: bring all your evidence to the first hearing.
- The application for annulment before the president of the Court of First Instance is subject to a short time limit and confined to specific cases (lack of jurisdiction, breach of the rights of the defence).

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