

Fifth paper (5)
The role of the expert and his role in judicial proof
before the Egyptian courts
A comparative jurisprudential study
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Abstract:

Islamic jurisprudence and Egyptian law have paid great attention to the means of proof, and one of the most important means of judicial proof is the use and assignment of an expert in lawsuits in which the judge may be faced with some specialized technical matters that require the opinion of experts in them, in order to assist the judge in deciding the lawsuits. And achieving justice between opponents, and from here came the idea of this chapter, and I dealt with it in three chapters as follows: Chapter One: In it, I talked about the nature of the assignment of an expert, its legitimacy, and its conditions in Islamic jurisprudence and Egyptian law. The second chapter: I explained the role of the expert in judicial proof in Islamic jurisprudence and Egyptian law. The third chapter: I discussed some realistic practical applications of appointing an expert before the Egyptian courts.

One of the most important findings of the research is that assigning an expert means that the court seeks the assistance of a person with experience and high competence to assist the judge in assessing technical issues - which the judge cannot understand because they are far from his specialty -; To build a clear and accurate perception; In order to achieve justice - most likely - in disputed cases, and that the court is the supreme expert and has the right to decide on lawsuits without being restricted by the expert's opinion. However, it cannot be denied that the expert has a very important role in judicial proof, which is that his report is a means of proof. Judicial in various lawsuits, whether civil, criminal, economic, administrative or other.

Keywords: expert assignment, proof, judicial, courts, Egyptian.