

**Executive Summary**  
**The Role of Script Experience in Evidence**  
**in the Palestinian Law of Evidence**  
**"Comparative Study"**

Experts are the collaborators of magistrates in achieving justice, resolving disputes, and squaring rights to their owners. Within the wide scientific development on all levels alongside with the diversity, complicity, and problematic of dealings, it is difficult for the courts to issue rules about the questions presented to them. Especially in case such questions are related to sciences or arts that the court is not familiar with nor are they part of the assumed knowledge of the judiciary system. Courts cannot rule over issues depending only on the personal knowledge of the judges. Experts play a vital role in such cases where facts cannot be reached but through their support especially if there is no way to prove the claim of a party but depending on experience only and there is not enough data in the lawsuit and the presented documents to enable the court make the decision.

Script experience is related to checking documents, both officially and customarily either through accusing them for counterfeiting or through denying either calligraphy or signature in the document. The purpose is examining the credibility of associating the document to the party whose signature appears on it, or to prove the opposite. Such process is a kind of modern judiciary method that contributes in enhancing the accuracy of the ruling and enabling the court to issue its rule based on concrete scientific and technical evidence.

The study aims at exploring the relationship between the antagonists, on the first side, and the court and experts on the other as well as identifying the circumstances in which experience in general and script experience, in particular, is recalled. At the same time, the study seeks identifying the procedures of referring to experience and the limits of applying it and the level of its bolt. The study addressed The Role of Script Experience in Evidence in the Palestinian Law of Evidence, and comparing this law with the Egyptian law. In addition, when needed, there was comparison between the Palestinian law and

some Arabic legislation alongside with highlighting the jurisprudence and judiciary opinion. The purpose was to reach an integrated legal organizing of the script experience.

The study is divided into three chapters. The prelim chapter identified the nature of judiciary experience to distinguish it from other kinds of experience such as serendipitous or consultation. At the same time, distinguish between the judiciary experience and other conflict resolution methods like testimony and observation. The first chapter tackles the rules upon which experts are recruited, that are the rules applied by the court away from the direct role of the expert within such regulations such as ruling to mandate experts, their respond, and duties. The second chapter highlights the regulations related to the role of experience. The regulations are related to the performance of the direct expert including understanding the task, oath, and submitting the required documents and evidences. In addition to that, the second chapter also explores the process of asking the antagonists to rewrite the document in the presence of the expert and then prepare a report to be submitted to the court for discussion. Moreover, dealing with any mistakes in it. The same chapter addresses the emolument of the expert and finally evaluates the role of experience and illustrates its judiciary value.

The study found out that script experience differs from other fields of experience where it is not recruited by the court on its own, but in respond to the request of the antagonists themselves. It has also in some special features as it is related mainly to prove the accuracy of documents. Some regulations and rules related to experience in general are not applicable to script experience such as inviting the antagonists by the expert and in case they are not invited, it does not mean that the experience is invalid.

Finally, the study tackled the legal value of experience and the degree of its imperative to the court once its technical and legal conditions are available.