

# Jurisdiction and Competence: Key Aspects of the New Civil Procedure Code

The reform of the Civil Procedure Code is based on this premise and is committed to a fundamental transformation: far from limiting itself to superficial modifications, it introduces a profound change that redefines the allocation of functions among judges, with the aim of bringing justice closer to citizens, facilitating access to it, and ensuring timely responses, essential aspects that underpin the central purpose of this reform.

Unlike the previous Judicial Code, the new Code unifies criteria by recognizing arbitral jurisdiction as part of the justice system, allowing arbitrators and arbitral tribunals, whether domestic or foreign, to hear civil matters in accordance with current legislation.

In terms of jurisdiction, the Code of Civil Procedure emphasizes the incorporation of the figure of the natural judge as a procedural guarantee linked to the constitutionality of the process, which implies that all matters must be heard and decided by a competent, impartial, independent, and suitable judge. Even in the event of a substitution, the judge who takes over a case in place of another judge must meet the same conditions.

One of the most visible changes is the modification of jurisdiction by amount. Previously, small claims were those whose amount did not exceed B/5,000.00; today, that category extends to B/10,000.00, falling under the jurisdiction of municipal judges. Cases involving larger amounts, exceeding that amount, are handled by circuit judges. The aim is to enable more citizens to file their claims in courts close to their homes, obtaining decisions within more reasonable time frames. The purpose is clear: to reinforce adequate judicial protection as the philosophical pillar of the reform.

It is also important to note that the law introduces relevant innovations such as the figure of associate judges, who are judicial officials who act in support of trial judges, operating “preventively,” which means that they can act alongside the principal judge in certain proceedings, such as precautionary measures, without replacing them. It



also introduces the creation of the Judicial Office, which assumes the administrative and logistical management of the courts. With this latest measure, judges can focus on the substantive aspect: resolving conflicts impartially, while optimizing time and resources for the benefit of system users.

The new Civil Procedure Code introduces significant changes in terms of jurisdiction and competence, focusing on streamlining procedures and ensuring that competent and impartial judges hand down decisions within a reasonable timeframe.

At Alcogal, we are closely following these reforms, confident that they are key to a more accessible, transparent, and reliable justice system.



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