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The greatness of a nation lies in its fidelity to its Constitution and strict adherence to the rule of law, and above all the fear of God

CJ SPECIAL

INSIDE»



**SUSTAINING JUDICIARY
TRANSFORMATION:
4 years of Maraga**



**PERFORMANCE
MANAGEMENT**



**CASE
TRACKING
SYSTEM**



**CASE
CLEARANCE**

**COURT
ANNEXED
MEDIATION**



INFRASTRUCTURE





what OTHERS said...

“ For a besieged and unsupported Chief Justice, David Maraga has performed exceedingly well. He leaves behind more Court rooms than he found and an exhausted but resolute Judiciary. It is fulfilling when a leader has something tangible to launch in his sunset days in office.
- **Nelson Havi** ”

“ You have a clean conscience and you are a man of integrity. We know all get justice when they appear before you
- **Dr Mercy Deche, JSC Commissioner** ”

“ You have left a great legacy of digitization and e-filing and we assure you that we shall soldier on and carry on with the automation mission
- **Justice William Ouko, President of the Court of Appeal** ”

“ CJ @dkmaraga's advice to the President is neither rushed nor inappropriate. It has been a decade in the making. Parliament has had all the time & repeatedly ignored the advice from courts, thus displaying the highest level of impunity.
- **@MarthaKarua** ”

“ Nairobi Courts go DIGITAL: e-Case Registration & other e-services benefiting entire Justice. Thank you @dkmaraga for ur leadership. @NLinKenya proud contributor to this big achievement.
- **F Makken, Netherlands Ambassador** ”

“ Digital transformation of Judiciary e-filings under CJ David Maraga is a game changer. Court files will no longer be hidden. Biggest beneficiary is DPP who is now allowed to e-file expert evidence without calling them as witnesses. Thieves, Murderers & Corrupt have no room to hide.
- **Donald Kipkorir** ”

“ I welcome the inevitable impetus that yesterday's constitutional advisory by @dkmaraga will give to enhanced political participation for Kenyan women. Gender equality in political life is a challenge for us in much of Europe as well and far from a reality.
- **Simon Mordue, EU Ambassador to Kenya** ”

“ You have been a walking sermon, a man who cannot be bought or sold. You have always called sin by its name
- **Mombasa LSK Branch Chairman, Martin Nyabena** ”

Reflections From Maraga

“

I thank Kenyans who have upheld me in prayers. It is because of you that God has held my hand. You know for us judges, if we endeavour to please everyone we will not do justice. We decide cases based on evidence and the law

~ during the opening of Borabu Court.

”

“

Narok has many land cases & I encourage you to use Alternative Dispute Resolution to resolve them. ADR leaves families intact. Court decisions on land sometimes even become difficult to implement & tear families apart

”

“

“Don't be scared when you are doing the right thing. When the court stands neutral and firm, the citizens respect the institution

~to Judges & Magistrates during opening of Kakamega Court

”

“

Kenyans say we are too steeped in procedure. They want justice expeditiously & are getting restless. We must have a paradigm shift. A succession matter has only 2 issues-beneficiaries & distribution of estate. Why should it take 5yrs in court?

~while opening Narok Court

”

“

We have many children cases esp FGM, defilement & early marriages. I assure you the Judiciary will deal with them firmly so that our girls live in a safe environment

”

“

We started E-filing because it was dangerous to have documents being filed physically. I want to report that in Nairobi & its environs, clients are now able to file cases electronically. Shortly, we will be moving to other parts of the country

”

“

It was 4pm and I was a High Court Judge in Mombasa. The prosecutor asked me to hear some witnesses who'd spent the previous night outdoors at the police station. I sat up to 8pm. That demonstrates how crucial it is to take justice close to Wananchi

”

“

When I assumed office there were over 170,000 cases over 5yrs. Now we only have 39,000. Even that is because of the ones that have turned 5yrs during that period. That is 79% success

~opening of Isiolo Law Court

”



The Process of recruiting a Chief justice



To be appointed as Chief Justice, one must have served as a superior court judge for at least 15 years or have at least 15 years' experience as a distinguished academic, judicial officer, legal practitioner or such experience in other relevant legal field or held the qualifications specified above for a period amounting, in the aggregate, to 15 years.

The Chief Justice is appointed in accordance with the recommendation of the Judicial Service Commission (JSC), and subject to the approval of the National Assembly.

The process of recruiting a Chief Justice under the current constitutional dispensation requires the participation by members of the public, demonstration of fairness

and transparency as well as strict adherence to constitutional principles and best practices.

The process starts by formally declaring in the Kenya Gazette, a vacancy, in the Office of the Chief Justice followed by advertising for qualified and interested candidates to apply for the position. The Judicial Service Commission then constitutes a selection panel as required by law and then shortlists persons for nomination by the Commission in accordance with the First Schedule of the JSC Act.

Upon receiving applications from interested candidates, the JSC publishes in the local dailies the names of applicants, including the shortlisted candidates. Since the

process requires public participation, the Commission then invites any member of the public to avail, in writing, any information of interest to the Commission in relation to any of the applicants. To review, verify and supplement information provided by applicants, the Commission is expected to conduct reference checks on the candidate.

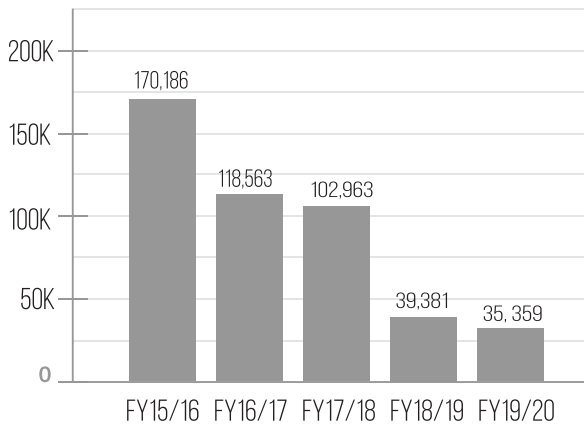
The recruitment process takes about four months to have a new Chief Justice in office, given the statutory timelines that guide the process.

The Chief Justice is the Head of the Judiciary and the President of the Supreme Court of Kenya and at the same time chairs the National Council on the Administration of Justice (NCAJ).

BACKLOG CLEARANCE

79%

The cases older than five years reduced from 170,186 in FY 2015/16 to 118,563 in 2016/17, 102,963 in 2017/18, 39,381 in 2018/19 to 35,359 cases at end of June 2020. A 79 % reduction.



Case Backlog Reduction since FY 2015/16

77%

86%

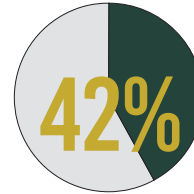


Case backlog reduction of cases older than 5 years between January 2017 and June 2020 in Magistrates' Court and High Court.

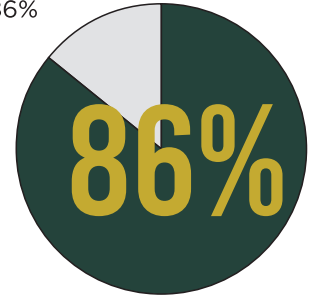
CASE CLEARANCE RATE



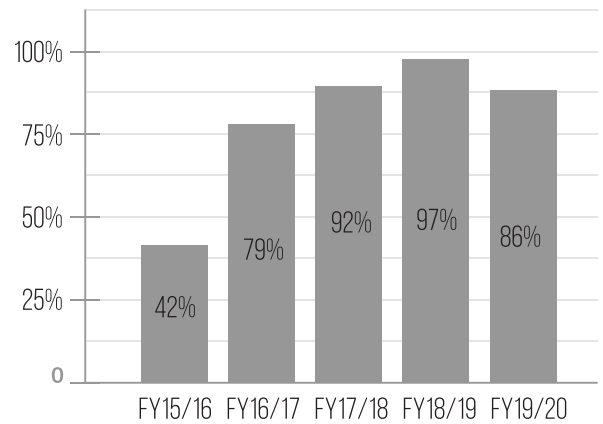
Doubled Case Clearance rate from 42% in 2015 to 86% in 2020



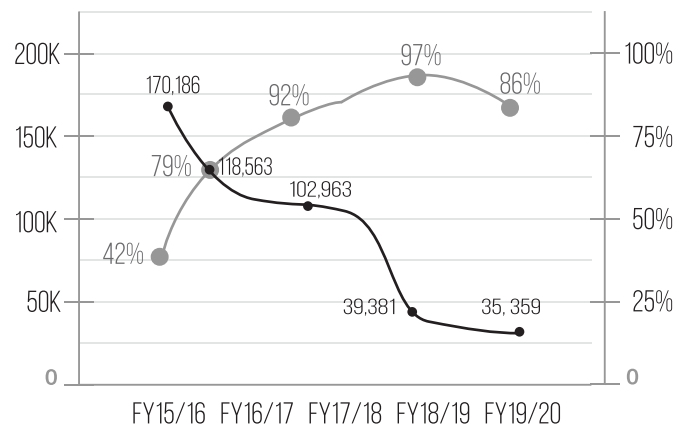
FY 2015/16



FY 2019/20



Trend in case clearance rate since 2015/16



Trend of Case Clearance rate and reduction of case aged 5 years and above

January 2017

201,206
cases over 5 years cleared

June 2020

PRODUCTIVITY

Highest productivity at the magistrate courts with an average of 750 resolved cases by each magistrate every year from the FY 2016/17 to FY 2019/20.



750

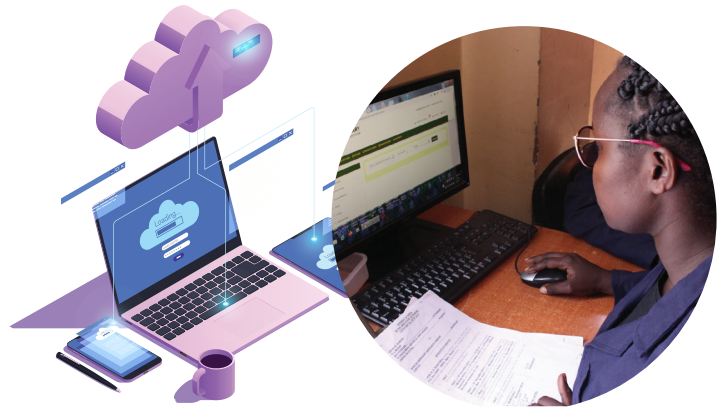
CASES PER JUDICIAL OFFICER

PRODUCTIVITY



Development of Case Tracking System (CTS), a key feature of Judiciary's digital strategy. As at June 30, 2020, Case Tracking System in 61 of courts had been operationalised.

E-FILING SYSTEM.



The e-filing system initially piloted at the Commercial Division of the High Court in Nairobi.

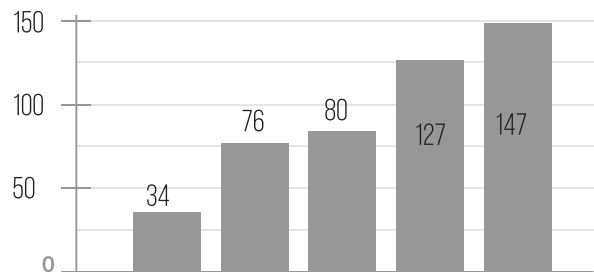
KSh250 Million

Court fees & Fines collected by E-filing system

20,000+

Cases Filed as at September

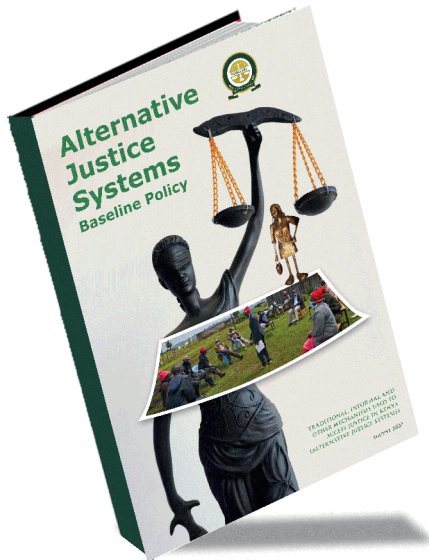
INTERNET CONNECTIVITY



Trend in growth of internet connectivity in court stations

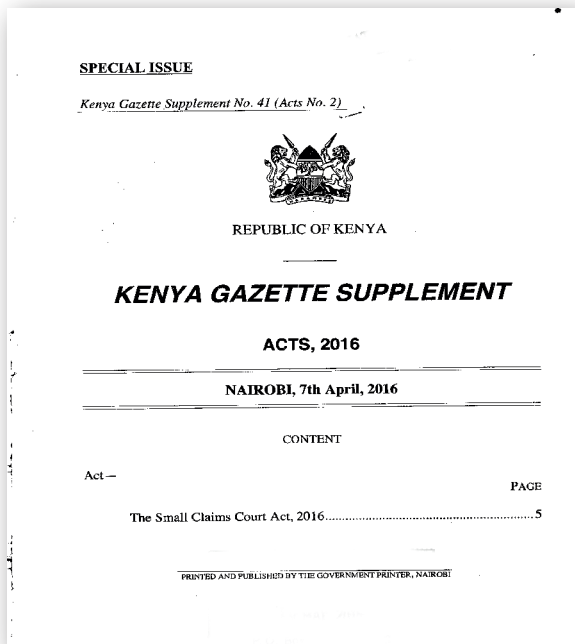
AJS POLICY

Developed Policy on Alternative Justice Systems (AJS) after completion of a multi-stakeholder process that led to the adoption of an institutional policy on alternative justice systems.



SMALL CLAIMS COURT

Regulations to guide the operations of the Small Claims Courts, and the code of conduct for adjudicators who will preside over the courts, were completed and gazetted.



COURT ANNEXED MEDIATION.

Court Annexed Mediation (CAM) was introduced as a further strategy to enhance access to justice.

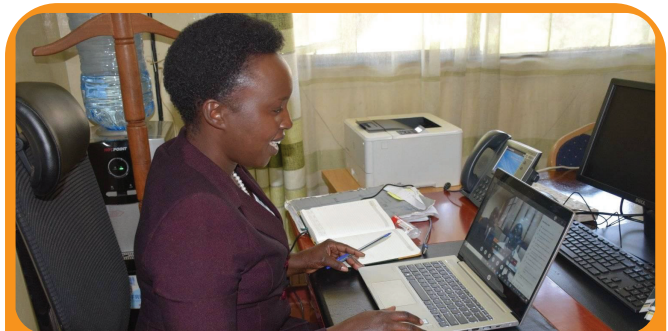
KSh4.5 Billion
released to the economy



DURATION FOR CASE SETTLEMENT IN CAM



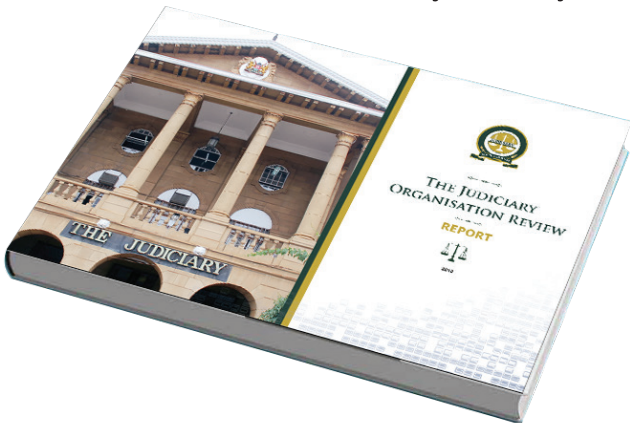
3,589
Matters refered to CAM



Virtual Court Annexed Mediation (CAM) rolled out to (7) seven court stations

ORGANISATIONAL REVIEW

The Judiciary completed a comprehensive review of its institutional and organisational structures. The implementation of the review is already underway.



**Optimum staffing levels
now stand at 8,657**



**Career Progression
Guideline Framework in
place for all staff**

PERFORMANCE MANAGEMENT

92%

**Overall
Judiciary
performance
for courts'
was 91.95%**



**469,359
CASES RESOLVED**

**REVENUE COLLECTED
KSh2.19
Billion
IN THE FY2019/20**

67%

**The overall satisfaction
index for the Judiciary
stood at 67 % in 2019**

Improving Access To Justice:



Isiolo Law Courts



Vihiga Law Courts



Nakuru Law Courts



Oi Kalou Law Courts



Chuka Law Courts



Kigumo Law Courts



Kangema Law Courts

New Court Buildings Opened



Oyugis Law Courts



Makueni Law Courts



Kahawa Law Courts



Molo Law Courts



Tamu Law Courts



Kakamega Law Courts



Narok Law Courts

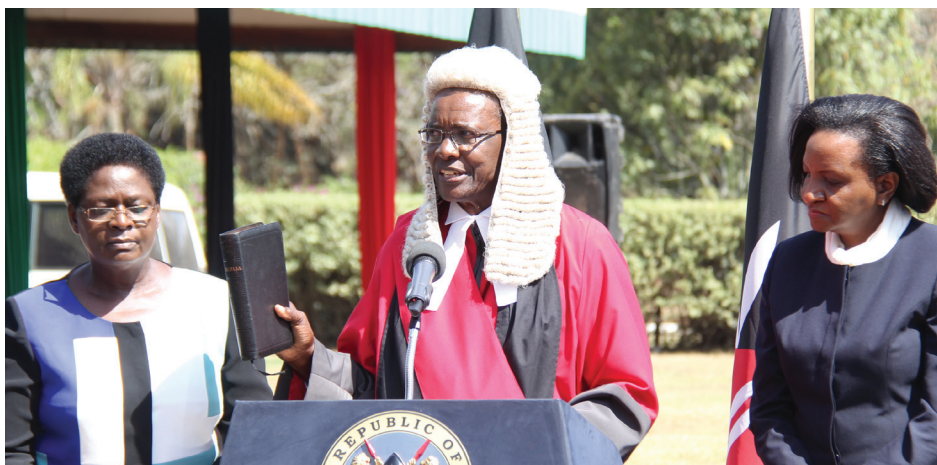
Chief Justice David Maraga's Recruitment



Justice David Maraga appearing before JSC for interview for the position of Chief Justice



Justice David Maraga when he appeared before National Assembly JLAC for vetting for the position of Chief Justice



Justice David Maraga before National Assembly JLAC

Justice David Maraga being sworn in as Chief Justice at State House Nairobi

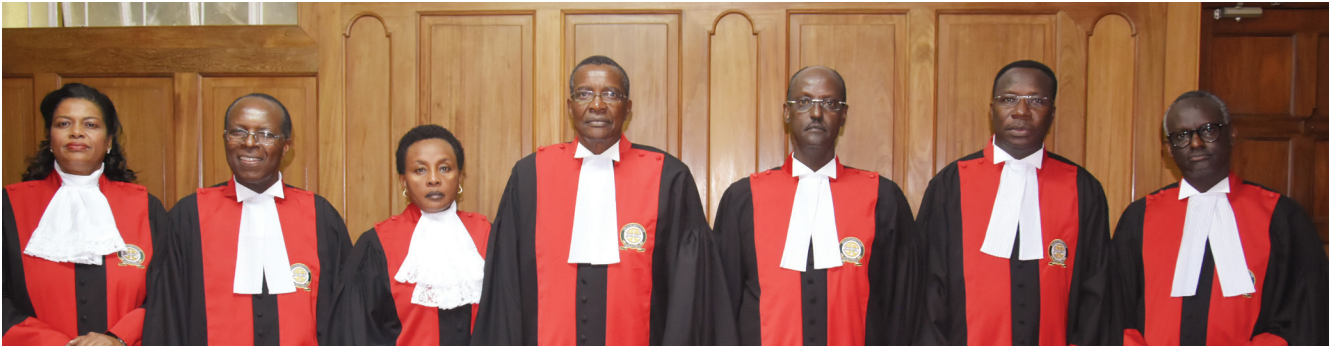
Chief Justice David Maraga's Early Days



1. SC Judge Ibrahim Mohammed welcomes him into office
2. In his office moments after assuming office
3. Inspection of a registry at Millimani Law Courts
4. Interacting with members of judiciary staff.
5. At the ground breaking ceremony of a court building



Chief Justice: Jurisprudence



Chief Justice David Maraga who was also the President of the Supreme Court led the bench in hearing and determining cases.

With him are Hon Lady Justice Njoki Ndungu, Hon Justice Prof J.B. Ojwang, Hon Lady Justice Philomena Mwilu, Hon Justice Mohammed K. Ibrahim, Hon Justice Dr Smokin C. Wanjala and Hon Justice Isaac Lenaola.



Chief Justice: Outreach



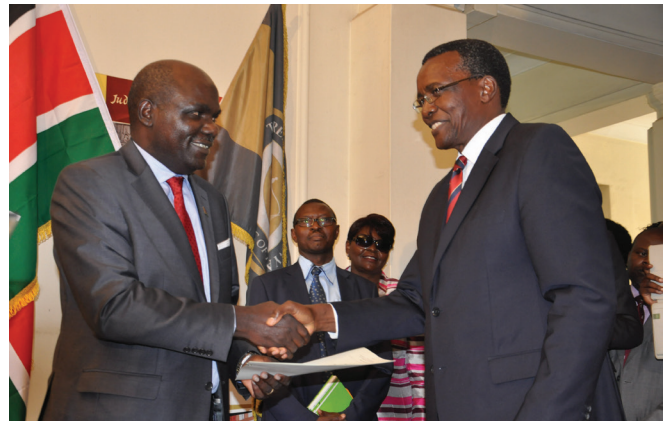
Chief Justice David Maraga met and conferred with many leaders during his tenure

JSC & NCAJ ACTIVITIES



Chief Justice David Maraga chaired the JSC and NCAJ during his tenure of office

SWEARINGS-IN & ADMISSIONS



Chief Justice David Maraga presided over swearing-in ceremonies and Admission of advocates to the Bar

MENTORSHIP & CHURCH ACTIVITIES



Chief Justice David Maraga was involved in numerous mentorship and church activities

MEETING THE PEOPLE



Chief Justice David Maraga interacted with members of the public and staff at various levels

**Chief Justice David
Kenani Maraga served
the Judiciary as
Chief Justice between
Oct 2016 - Jan 2021**

