

ADMINISTRATION OF JUSTICE AND CASE MANAGEMENT IN IMO STATE: A CASE FOR INNOVATION

Prof. Osy Ezechukwunyere Nwebo*

Abstract

The article is premised on the recognition that organizational development is crucial to the building of the capacity of an institution to achieve greater efficiency and effectiveness. Hence, the need for innovation to recalibrate existing strategies, structures and processes to achieve greater efficiency and effectiveness. Based on this, it is argued, that for the judiciary to successfully carry out its mandate of justice delivery, an efficient and effective system of justice administration is not only crucial but also imperative. Unfortunately, justice administration in Nigeria is seriously challenged and this has impacted negatively on its credibility and appraisal as “the last hope of the common man”. Notorious among the challenges include institutional weaknesses and corruption driven by desktop based application and manual filing methods, manual communication of courts records and service of court processes, long hand verbatim recording of proceedings by the judges, high cost of litigation and so on. The article argued that the above factors among others cause long delays and militate against effective justice delivery, leading to frustration and loss of public loss of confidence in the judiciary. Against the above background, the article examined how the judiciary can improve on the quality, efficiency and effectiveness of justice administration in Imo State, in order to meet the expectation of the citizens especially, those who have justiciable issues before the court. The article utilised the doctrinal research methodology and found that there is need for a paradigm shift from manual to digitalized court processes which should involve a proactive and innovative institutional development and case management strategies. The article concluded that a paradigm shift from manual to digitalized court processes will enhance effective monitoring or case tracking systems thereby, providing real time information flow and feed-back mechanism that will enhance timely and expeditious justice delivery and citizens’ access to justice. It therefore recommended that the modernisation of the case management system in Imo State judiciary is timely and urgent, to make the judicial process more cost-effective, faster and qualitative. It is further recommended, that this modernization strategy should include the re-orientation and adequate training of the judiciary staff to make them ICT compliant, coupled with continuing professional development programs to improve their capacity and efficiency.

Keywords: Judiciary; Justice; Administration of Justice; Case Management; Innovation

Introduction

The original as well as the current view is that human society cannot exist without law hence, the Latin expression *ubi societas ibi jus*.¹ This view follows the understanding that the need for law in society arises from its nature as a prerequisite of order in human society and the fact that a civilized living cannot endure in the absence of a legal order.² Thus, right from the origin of society and even creation itself, the existence and need for law in society as a social stabilizer have been taken for granted. Perhaps what may be controversial is its nature, emergence and role in society having regard to the differences in the various theories and schools of law.

However, the conflict theory of society depicts the political society as involving individuals and

* **Prof. Osy Ezechukwunyere Nwebo: LLD, Ph.D, MSC, LLM, BL, LLB (Hons.) Professor of Public Law and International Constitutionalism, Faculty of Law, Imo State University, Owerri, Nigeria.**

¹ OE Nwebo, “The Conceptual Issues Relating to Law in Society”, in *The Political Economy of Administration of Justice in a Developing Society*, ed., OE Nwebo, Versatile Publishers, Owerri. 2004, p 47.

² OE Nwebo, *Law and Social Justice in a Developing Society: A Critical Approach*. International Universities Press Ltd. Owerri, 1985, 1.

groups with different and sometimes opposing interests. Hence, the need for law as a means of reconciling and ensuring stability *via* the social contract by which members of the political society granted the monopoly of the use of force to the leviathan (represented by government in contemporary times), in return for the protection of their life and property. The social contract *faboo* remains the most logical bases for the justification of the obligation of government to protect the security and welfare of the citizens as the primary purpose of Government in a democratic society. This is without prejudice to the fact that there are those in society who, in keeping with the concept of anarchism do not share in the belief that there is need for law in society as a means of maintaining order.³

Justice administration is a corollary of the need for law in society and a crucial part of the democratic process designed to maintain law and order by enforcing the prevention and control of crime, shielding the public from harm, providing detention and rehabilitation services for those convicted of a crime and ensuring justice for all the aggrieved citizens through the judicial system. As one of the fundamental obligations of government to its citizens in a civilized society, government carries out the responsibility of ensuring due enforcement of law and order through the judiciary. The judiciary is the organ of government constitutionally established to guarantee respect for the rule of law and social justice, thereby fostering peaceful and harmonious co-existence. Thus, the role of the judiciary in justice administration is indispensable as a sub-system of governance within the larger system of public administration in the government of a country.

Against the above background, it cannot be gainsaid, that an efficient and effective system of justice administration is critical to the realization of the fundamental rights guaranteed to the citizens under the Constitution of the Federal Republic of Nigeria 1999,⁴ for the peaceful co-existence of the citizens and the enhancement of the socio-economic development of the country. However, in order to determine whether an institution is performing optimally, it is necessary to first understand its governance structure, processes, procedures and mandate. Therefore, it is crucial to carry out an assessment of the performance of the judicial institution in order to determine its level of efficiency and effectiveness in justice delivery. This can be achieved by carrying out a “SWOT analyses”⁵ of the judicial system with a view to improving on its effectiveness by addressing the causal factors if it is failing in its obligations.

It is therefore necessary to examine all aspects of our justice system in terms of quality of justice, access to justice, modernization, training and professional development, with a view to achieving greater efficiency and effectiveness. In this connection it must be noted, that measuring the quality of justice delivery is a very complex thing to do. However, it is common to assess the quality of justice delivery based on a number of indices the most important of which is the time-lines of its outcome, hence “justice delayed is justice denied”. On the other hand, efficiency and integrity of the process are also critical hence “justice hurried is justice buried”.⁶

Therefore, the essence of justice is to achieve it swiftly and surely. This implies that the duration of any trial has implications on the integrity of the outcome and delay in concluding the process can compromise it. Thus: “the term justice delayed is justice denied speaks to the possible futility

³ As above, p 4.

⁴ In this paper referred to as “the Constitution.

⁵ SWOT analysis is a framework for identifying and analyzing an organization's strengths, weaknesses, opportunities and threats. The primary goal of SWOT analysis is to increase awareness of the factors that go into making a business decision or establishing a business strategy. See <https://www.google.com/search?client=firefox-b-d&q=swot+meaning>, (accessed 5 October 2022).

⁶ <https://timesofindia.indiatimes.com/city/visakhapatnam/justice-hurried-could-be-justice-buried-warn-experts/articleshow/73145539.cms> (accessed 7 October 2022).

of justice obtained long after the potential benefits would have waned or disappeared. Put in another way, justice delayed amounts to an academic exercise without any tangible rewards”.⁷ It has been aptly stated that the cost implication in both civil and criminal actions can be humungous and clients and taxpayers are often made to bear the cost of delayed trials and litigations. Equally, the emotional drain on the parties cannot be underestimated and the psychological trauma suspects and victims alike face while the case drags can never be underestimated. Hence, delay of justice delivery in the criminal justice system can be fatal or mortally dangerous. The implication is loss of confidence by the public on the system which can lead to jungle justice.⁸

On the above score, it cannot be gainsaid that judicial administration in this country suffers from credibility deficit in terms of quality, independence and efficiency in the eye of the public. Evidently, the court is not insulated from the endemic corruption that has eaten deep into the fabric of the Nigerian political economic system. To be honest, case management system in Nigeria is so frustrating to the common man and his common lawyer that the general perception is that the court has lost its appellation as a court of justice and is no longer the last hope of the common man.

If the Nigerian Judiciary must rescue its declining glory and battered image, it is imperative that it should adopt a robust and innovative approach to access to justice as an integral aspect of the justice delivery system. This is crucial because an effective justice system that interprets and applies the law fairly, impartially and timely as well, is the bedrock of the protection of the right of the citizens and proper functioning of the socio-political economy of the country.

Thus, as long as the judiciary continues on the old path as it is doing currently, administration of justice will continue to fail on deliverables. Therefore, the time is ripe for a paradigm shift. This will entail structural changes from manual to digitalized court processes with the attendant professional development programs to improve the capacity of judicial officers and the judiciary staff.

In discussing the issues raised above, the paper is outlined in sections as follows: section 1 is this introduction while section 2 briefly explains the key concepts. Section 3 discusses justice administration, case management and innovation. Section 4 discusses the benefits and challenges of innovation in Imo State Judiciary. Finally, section 5 is the closing remarks with emphasis on the theses of the paper and the prospects of innovation *vis a vis* the digitalization of case management in Imo state judiciary.

Explanation of Key Concepts

Judiciary

In contemporary usage, the term judiciary looked at functionally refers to that arm of the government to which is assigned the constitutional function of interpreting the law as may be distinguished from the other organs, that is, the legislature and the executive. The term can also be technically defined as the whole body of lawyers who preside at the courts. The term therefore embraces judges of the superior courts and those of the inferior courts, magistrates and district judges. Looked at from its broader perspective, the term judiciary could be defined to comprehend structure as well as the jurisdiction of courts, appointment and tenure of judges and judicial

⁷ See Epiphany Azinge, “Towards effective justice delivery system in Nigeria”, Memorial lecture delivered in honor of Late Alhaji Abdulahi Ibrahim SAN CON, on 22 March, 2022. <https://guardian.ng/features/law/towards-effective-justice-delivery-system-in-nigeria/> (accessed 7 October 2022).

⁸ As above.

proceedings.⁹ Thus, the judiciary in our own context could be defined to mean the entire system of the courts of law including the judicial officers, the judicial staff involved in the judicial processes or carrying out judicial acts. It should be noted that a judicial act is an act by a judicial officer as may be distinguished from an act, which is merely ministerial or administrative. From the foregoing definition, the role of the judiciary clearly emerges as that organ of government on which the entire system of the administration of justice reposes.¹⁰

Justice

It is a notorious fact that courts of law are often euphemistically described as courts of justice. However, law is not necessarily synonymous with justice, as some laws may be regarded as unjust by their nature or by the nature of the legal process. Accordingly, the question as to what is justice elicits controversial answers. Hence, according to Kelson, only relative values are accessible to human reason, and that means that the judgment to the effect that something is just cannot be made with the aim of excluding the possibility of contrary claim or judgment of value. Therefore, absolute justice is an irrational ideal or what amounts to the same as an illusion. This is why the question as to what is justice remains unanswered and indeed unanswerable right from the days of Plato till today. Nevertheless, justice remains the ideal to which law aspires having regard to the strong value element in law irrespective of its apparent neutral posture. Hence, man's quest for "justice" remains the basis of all discussions on the role of law in society.

Oputa defined justice as the virtue which renders to each his/her own. He further stated that there are three ways by which we socialize and through which this rendering takes place, namely:-

1. at the individual level giving rise to individual justice
2. at the social level giving rise to social justice
3. at the distributive level giving rise to distributive justice.¹¹

It is also possible to distinguish social justice from "legal justice" or "courtroom justice". Legal justice is bound up with strict law and procedure subordinate to social justice, which gives it flesh and blood. Hence, man's very nature is social and assessed only from the point of view of its acceptance to the society as being in accord with right reason and expectation. Social justice is therefore a condition in which a message of justice can be delivered and administered in a manner that is easily comprehensible to the ordinary members of the society or the ordinary man's level of understanding. Hence, justice can be done formally or informally including the various forms of the alternative dispute resolution mechanisms as opposed to the intelligentsia or experts in the field of law and judicial administration of justice, with its inherent complexities and challenges.

Administration of Justice

Man by nature is a fighting animal and is moved by his own interest and passions hence, it is very difficult for individuals to live peacefully in a society without a common power to keep him right on track in the society. Accordingly, living in a society leads to conflict of interests and gives rise to the need for administration of justice. Justice being the first virtue of social institutions, the act of administration of justice or justice administration implies making decisions on the maintenance of the social structure by ensuring harmonious relationships. Therefore, every State with reference to its territory as a society of men, maintains law and order as a condition for civilized living. If

⁹ OE Nwebo, "The Role of the Judiciary in the Administration of Courts in Nigeria" in *The Political Economy of Administration of Justice in a Developing Society*, ed., OE Nwebo, Versatile Publishers, Owerri. 2004, pp. 83-85.

¹⁰ As above.

¹¹ CA Oputa, "Access to Justice", in *Law and Practice Law Journal*, vol. 1 ed. 1988, p.3: see generally, OE Nwebo, *Law and Social Justice in a Developing Society: A Critical Approach*, n 2 above, pp. 136-142.

any State fails in its duty to maintain law and order and deliver justice to the citizens, it becomes a failed State. Hence, as George Washington aptly said, “the due administration of justice is the firmest pillar of government”.¹²

The main aim of the administration of justice is the protection of individuals' rights, enforcement of laws and punishment of criminals. Thus, there are two types of wrongs, civil wrongs and criminal wrongs. The main object of administration of criminal justice system is to protect the public from harm, while the main object of the administration of civil justice is to provide relief by way of compensation or other reliefs to the injured party. Accordingly, there are two systems or processes of justice administration, Civil and Criminal. In summary, administration of justice is the process by which the legal system of a government is executed, with a view to delivering justice to all those who have access to the legal system.¹³

Case Management and Case Tracking

In the normal course of human activities various cases arise for the conduct of investigation. The case may be that of a service request that must be fulfilled or an incident or issue that must be resolved. Such cases may require recording, monitoring and analysis necessary for the processing of the data, procedures, and related content that are involved in dealing with the case. Case Management is a collaborative process which: assesses, plans, implements, co-ordinates, monitors and evaluates the options and services required to meet an individual's health, social care, educational and employment needs, using communication and available resources to promote quality cost effective outcomes.¹⁴ Case management solutions are designed to improve knowledge-driven work as well as to improve general processes to optimize outcomes. It can be defined as a process for managing data relationships, documents and processes for cases, like service requests, investigations, or incidents that require action and resolution. In our context, case management relates to managing data relationships, documents and processes for cases before the court.

Case tracking is part of case management processes specifically meant to facilitate the accurate capture of key cases based on court transactions on daily basis and ultimately to generate management information through performance reports. This can be produced monthly, quarterly, and annually or on demand for official purposes according to need and this also enables for comparison of data with previous period if need be. For example, the case management system of the Judiciary enables it to track and monitor the developments on the pending cases, court performance and most importantly enables the Judiciary to monitor the progress of cases and track their details and progress until final judgment.¹⁵

Innovation

Innovation is the outcome of a learning process, research and exploration processes which aim to produce new products, new techniques, new organizational forms and institutional changes that may be technological or social. An organization's ability to innovate can be understood as the potential to generate new or improved product and services. It depends on the synergistic interrelationships between culture, internal, processes and the external environment of the organization. Innovation may be radical, incremental, need-based efficiency driven, top-down, or bottom up. However in the context of justice administration we are particularly interested in

¹² <https://www.redbubble.com/i/poster/The-due-administration-of-justice-is-the-firmest-pillar-of-government-by-stuwdamdorp/123635382.LVTDI> (accessed 10 September 2022).

¹³ <https://www.ohchr.org/en/taxonomy/term/729?page=5> (accessed 26 September 2022).

¹⁴ <https://www.hyland.com/en/resources/terminology/case-management/what-is-case-management> (accessed 27 September 2022).

¹⁵ <http://www.prawa.org/new-case-management-system-for-criminal-justice-delivery-in-nigeria/> (accessed 30 September 2022).

efficiency driven innovation which aims to make existing system of justice delivery more efficient.

Justice Administration, Case Management and Innovation

The administration of justice is a crucial part of our democracy and it is designed to prevent and control crime, shield the public from harm, provide detention and rehabilitation services and finally, ensure equal justice for all citizens through the judicial system. Accordingly, in the administration of justice the judiciary is expected to act Judicially, implying that in the performance of their duties, the judicial officers are under legal obligation to act in strict compliance with due process of law, that is, adherence to formal rules of court to ensure that justice is not only done but also seen to have been done in a particular case. In view of this, formal courts are established under the Constitution with powers to adjudicate on all matters between persons in the country to determine their respective rights.

Accordingly, the role of the judiciary is organized in such a manner as to guarantee its independence so that it is in a position to dispense justice without fear or favor. Hence, in many common law and Western countries, justice is portrayed as a blindfolded woman carrying a sword and a set of scales, symbolizing the fair and equal administration of the law, without corruption, greed, prejudice, or favor. The implication is that the court of law commences the trial of a dispute with no prior knowledge of it and with complete impartiality, resulting in a fair outcome.¹⁶

However, access to justice or effective justice administration cannot be possible without proper case management which involves the process of managing data relationships, documents and processes for cases that require action and resolution.¹⁷ As we have earlier alluded to, in the context of justice administration, case management can be defined as the management of court processes ranging from court administration and other processes that are directly related to case processing from the stage of filing to the end of the proceedings. This can be distinguished from the court management which involves activities like planning or development of operational strategy to achieve the expected outcome, human resource management, research and development, technology, funding and maintenance of the working environment.¹⁸

Against the above background, it is considered imperative to adopt a case management strategy that is capable of enhancing the achievement of effective administration of justice. To this effect, deliberate proactive system must be put in place, requiring the judiciary to change its case management paradigm hence, the need for innovation. Our position is that our judiciary can modernise the management of court processes by electronically managing cases from the filing stage and assignment of the cases to judges up to the disposal stage, as against the current desktop and paper based case management process. This will enhance reduction of the time lost as a result of frustrating long span of cases majorly caused by manual court processes. Accordingly, it will improve on the quality of justice delivery to the citizens whose cases are pending before the court for determination.

Information and Communications Technology (ICT) allows each court to submit information directly and automatically on demand, subject to necessary quality controls. Electronic Court Case Management System allows information on court processes to be collected automatically and centrally. Thus, a well developed and implemented Electronic Court Case Management System

¹⁶ <https://www.legalserviceindia.com/legal/article-856-administration-of-justice.html> (accessed 27 September 2022).

¹⁷ <https://www.hyland.com/en/resources/terminology/case-management/what-is-case-management> (accessed 28 September 2022).

¹⁸ As above.

will make it possible for a court to stick to a published standard schedule and timetable. It will also facilitate case tracking, control the use of resources and enable seamless information accessibility to all stakeholders with respect to pending cases without necessarily being physically present in court. In other words, the benefits of automated case management system include rapid access and tracking of data of cases under litigation and even those that have been closed.

It is instructive to note, that electronic case management through the automation of court processes or introduction of communication technologies (ICT) in courts is not a new development. The practice has been in vogue for long in a number of national judiciaries especially, among the advanced industrialized economies with variation in scope and levels. This implies that even as at date, only a few countries have attempted comprehensive integration and automation of court case records, case management, document management, and electronic transmission and receipt of records. In Nigeria, electronic case management has been introduced in some states of the Federation including Lagos state and the Federal Capital Territory Abuja, to more or less extent.

In Lagos State, the electronic filing system has been established in the state Judiciary as far back as since 2013. Known as Judiciary Information System (JIS), the filing of processes in the High Court of Lagos State is through the e-filing by which method cases can be filed from anywhere in the world using internet. In the Lagos state judiciary, online listing of cases, case management system, filing system, use of verbatim recording among others, have already been in use for such a long time. Users are required to have their login credentials in order to file a case online. The system will calculate fee associated with a case automatically based on the total cost prescribed in the Court Rules. The total Court Fee is payable online through Debit/Credit Card only. Other means of payment includes; Bank Payment (require payment to designated banks) and Manual/Cash Payment (require walk-in to the Judiciary). Lawyers and law firms will be required to sign up and create a profile on Court's App which can be downloaded from the Court's website signed in with one's e-mail address and password to enable the court record their details for subsequent filings. The service of all court processes is done across the App.

For the avoidance of doubt, e-Filing is the method of filing a suit electronically over the internet through Judiciary Information System.¹⁹ With this technological innovation, cases can be filed anywhere in the world anytime. Legal Counsels can file from the comfort of their chambers, homes or anywhere so long as there is internet. Individuals can also file suits from their homes or offices over the internet. For this purpose, lawyers or individuals are required to have a login credentials by creating e-filing account before filing for the first time. Legal Counsel or individuals can subsequently use the same account for next processing, using Mobile Phone/Electronic device/computer system from the comfort of their home. It is interesting to note that JIS maintains case history, therefore, one can access the cause list, track changes and status of all case details and data filed into the system.²⁰

It was gathered that on December 18, 2020 the FCT Chief Judge (CJ), Justice Ishaq Bello, launched an e-filing and case management system in an effort to improve justice delivery in the FCT, through the development of online courts and digital processes.²¹ The software has the capacity to accommodate online payment and every sundry attachment to the court processes including easy access to the weekly Cause list and the tracking of existing cases in various courts in the FCT High

¹⁹ <https://www.google.com/search?client=firefox-b-d&q=e-Filing+is+the+method+of+filing+a+suit+electronically+over+the+internet+through+Judiciary+Information+System> (accessed 28 September 2022).

²⁰ As above.

²¹ See <https://www.vanguardngr.com/2020/12/fct-judiciary-launches-e-filing-case-management-system/> (accessed 28 September 2022).

Court with an intention to monitor the stages of proceedings and eventual delays, if any. It was further gathered that the FCT has also launched a digital speech recording machine and video transcription system, for quick and efficient court proceedings.²²

Again, it was recently gathered that the Bayelsa High Court has introduced an electronic affidavit to ensure efficient and effective administration of justice and to block associated revenue leakages. The development was also meant to fish out touts and ensure the integrity of court affidavits. By the new process, “Payment procedure for affidavits was henceforth through the online payment portal,” and “Applicants who desire to swear affidavits are required to log on to the website, create accounts and apply by submitting the required information”. Upon successful submission of details for the affidavit, including passport photographs and online payment, approval would be given, while the applicant could print out the affidavit.²³ This is a bold but incremental initiative in the right direction, hoping that in future the entire court processes will be digitalized in the state. It goes to demonstrate that the idea of innovating the justice system to promote efficiency is gradually being embraced.

Putting the Judiciary on the path of this 21st century requires the mastery and use of modern technology. Court Records Management System (known as the CRMS), as its name implies, is the technological tool for recording and keeping all files and other information safe for accurate and quick reference. CRMS computers are configured to be multifunctional; and with regard to a case file, CRMS will reveal the parties in the case, the pleadings, the status and age of the file and all orders that have been made in the case.

In another development in Enugu State, albeit on a pilot level, a new and improved case management system in the criminal justice system was introduced by Justice for All J4A program, as a multi-user, interactive database management system designed to meet the needs of diverse purpose for all organizations whose missions are linked directly with provision of justice to the accused persons. This is against the background that the criminal justice system in Nigeria has a cross sectoral implication involving Nigerian Police, Judiciary, Ministry of Justice, the Nigerian Prisons Service and even the Nigerian Bar Association, Legal Aid Council of Nigeria and other stakeholders in the criminal justice sector. The Case Management System will enable the collation and management of all information related to on-going cases in the courts, with the police office, ministry of justice and or the prisons relatively easy and accessible through the click of a button. The new system helps to streamline, automate, and accelerate decision-making across various interrelated institutions, offices and individuals in this criminal justice delivery process especially as it concerns getting the case of accused person resolved faster and qualitatively with accurate information needed to determine and deliver justice to the accused persons seeking to obtain justice.²⁴

Benefits and Challenges of Innovation

Benefits of Innovation

Based on the foregoing, a number of benefits are derivable from innovation in our justice administration and case management. Indeed, the benefits derivable by transiting from analogue

²² N 6 above

²³ The information was gathered from a statement by Julius Nyananyo, a spokesperson for the Bayelsa Judiciary Headquarters, on behalf of the chief registrar on Wednesday 28 September, 2022. See <https://thenigerialawyer.com/bayelsa-high-court-introduces-electronic-affidavits/> (accessed 30 September 2022).

²⁴ <http://www.prawa.org/new-case-management-system-for-criminal-justice-delivery-in-nigeria/> (accessed 7 October 2022).

or manual case management system to digitalized or paperless court case management system are not quantifiable. In the first place, a digitalized system will enhance the capacity of the judiciary to efficiently and effectively manage cases from the initiation stage to the post-disposition stage. This is because the system will minimize manual procedure, production of physical documents and human interaction. Thus, the benefits include:

- Ability for litigants to electronically file and track cases in any court and wherever they are.
- Virtual sessions that are scheduled and conducted in one single environment
- Online payment of court fees via card or mobile phone.
- Secure storage of all case information in one place.
- Possibility to track the case via email and push notifications.
- Collaboration environment for several people to work on the same case simultaneously.
- Informed decision making using real-time reports and dashboards.²⁵

Of special advantage is the digital speech recording machine and video transcription system, for quick and efficient court proceedings. This will relieve the judges of the stress of the excruciating manual recording of court's proceedings. The ultimate benefit to the society is the speedy dispensation of justice and elimination or at least, drastic reduction of corruption among the judiciary staff thereby, redeeming the image of the judiciary.

Challenges of Innovation

It goes without saying, that the implementation of every innovation in an existing institution has its challenges. In the case of changing from analogue court case management system to a digitalized system, the process must be confronted with a number of challenges which are either internal or external. In the first place, the major internal challenge arises from the fact that the legal profession is a very conservative profession. As such, the judicial officers are accustomed to doing things the old way and resistance to change even when the old system is obviously not working is most likely particularly, from those who are the beneficiaries of the old order.

For instance, the old paper-based system, manually processed and manually carried from one desk to the other is a major factor in the delay of justice usually abused to the advantage of the corrupt judiciary staff. In other words, in a number of cases, clients and their counsel come for the filing of court processes, assignment of cases and service of processes are routinely exploited by the judiciary registry staff who even negotiate bribes and collect same with impunity. In some other cases, unscrupulous counsels are known to have bribed registry staff to hide and even destroy documents or the files of parties on the other side in order to frustrate a case. For these set of judiciary staff and criminally minded counsels, innovation by way of digitalization of court processes will obviously be a bad market. On the other hand, the leadership of the judiciary and the judges most of whom are analogue must be willing to be trained to become ICT compliant in line with the transformation process. Even the litigation lawyers and their clients will be compelled to adjust from the old order to the new order.

With regard to the external aspect of the challenges, it must be emphasized, that the technological innovation in the case management system in the judiciary cannot be achieved without the procurement of the required equipment. This will involve proper visibility study, proper costing and engagement of reputable ICT Consulting Firm with the professional capacity to develop the infrastructure and the necessary software, including the courts App. On the other hand, the financial implication of training of the Judiciary staff to be ICT compliant needs to be factored in

²⁵ <https://www.synisys.com/synergy-ecase/court-case-management/> (accessed 7 October 2022).

the transformation program, for the development of the capacity to apply the new system.

In addition to the above and even more importantly, it must be noted that it is not enough to put the required infrastructure in place without guaranteeing the security of the Courts and its officers especially these days of the so called “unknown gun men”. Hence, the need for the adequate protection of the Courts and the judicial officers without which justice cannot be delivered without fear. On the other hand, the availability of power 24/7 for the effective utilization of the electronic infrastructure cannot be overstressed. Thus, against the background of the scourge of the perennial power outage in this country, the provision of alternative source of energy to empower the system for optimal utilization is a desideratum.

The foregoing constitutes the major external challenges that must be seriously addressed for the successful execution of any innovation in our court case management system. This is against the background of the lack of financial autonomy for the judiciary, which incapacitates the institution to innovate and which also impacts negatively on its independence. This implies that implementation may be a challenge without external intervention. Therefore the effective execution of a digitalized case management system will depend on the willingness of the other arms of government to approve and provide the necessary fund for its execution.

Concluding Remarks

The article has demonstrated that justice administration in Nigeria faces serious challenges which impact negatively on its quality and credibility as “the last hope of the common man”. Notorious among these challenges include prohibitive cost of litigation, scandalous delays in Court proceedings, institutional indiscipline, systemic corrupt practices, discredited justice, among others. It further advanced the recognition that an efficient and effective case management system of justice administration is key to the realization of the fundamental rights guaranteed for the citizens under the Constitution and by extension, peaceful co-existence and enhancement of the socio-economic and political development of the country.

The era of paperwork in administration is fast eroding, hence digitalization of court processes is the way to go and the capacity of both the administrative and judicial officers should be developed accordingly. Thus, justice administration cannot be insulated from the digital revolution, especially with the technological development going on in the present digital world. Therefore, the Imo state judiciary should not be frightened by it or left napping. Rather, digital technology should be embraced and harnessed to provide better and more improved and efficient access to justice for the citizens of Imo state without further delay.

Thus, there is urgent need for institutional development that will modernize the operations of the judiciary in order to effectively address its challenges thereby, improving on its battered image and rather live up to the appellation as “the last hope of the common man”. In a nutshell, it is submitted, that the judiciary in undertaking its justice administration obligation must grow with the growth of technology and strengthen with the strength of ICT and survive in a digitalized global environment and thereby live up to the expectation of the citizens. Replicating the examples of the Lagos state judiciary, the FCT and others, by launching online listing of cases, e-filing system, use of verbatim recording among others, is highly recommended as a revolutionary panacea to the current challenges confronting justice administration in Imo State.

The expected outcome is the restoration of public confidence in the Judiciary of Imo State, as a State where the common man as well as investors can run to, and be assured of timely, corrupt-free and effective justice delivery system. Moreover, this will enable the judiciary to properly key into the already unveiled laudable agenda of the Government, which is, to position Imo State as a leading digital economy State in Nigeria.