



A VIEW FROM THE BAR ON TIME MANAGEMENT IN ADJUDICATION OF CASES

PRESENTATION BY

MR. SIMON PETER M. KINOBE

PRESIDENT, UGANDA LAW SOCIETY

29TH JANUARY, 2020 AT MESTIL HOTEL, KAMPALA

AT THE 22ND ANNUAL JUDGES CONFERENCE

SLATED FOR 27TH – 30TH JANUARY 2020

A VIEW FROM THE BAR ON TIME MANAGEMENT IN ADJUDICATION OF CASES



WELCOMING REMARKS

- The Honorable Chief Justice
- The Honorable Deputy Chief Justice
- The Honorable Principal Judge
- The Deputy Principle Judge
- Serving and Retired Hon. Justices of the Supreme Court
- Serving and Retired Hon. Justices of the Court of Appeal
- Serving and Retired Hon. Judges of the High Court
- Chairperson and members of the Governing Council of JTI
- Chairperson and members of the Judicial Service Commission
- The Chief Registrar
- Registrars Present
- Magistrates Present
- Development Partners
- Distinguished guests
- Ladies and Gentlemen,



Good Morning to you all;

I bring you greetings from the Executive Council, Management and entire membership of the Uganda Law Society (ULS).

It is an honor to be invited to speak at this prestigious conference.

It is a common saying that,
**“JUSTICE DELAYED IS
JUSTICE DENIED.”**



- The growing population of Uganda presents a challenge to justice institutions to provide legal services to the growing amount of people. It is therefore imperative that the dispensation of justice in our legal system today resonates with the available demand for legal services.
- Therefore, the role of the Courts is pertinent in the promotion and dispensation of Justice. However, it is appropriate to conclude that lack of time management in adjudication of cases has a downward effect to the discharge of your mandate as the judiciary.



While the Bar recognizes the developments by the judiciary that are geared towards ensuring timely access to Justice for all persons, there are still noticeable gaps that have greatly hindered the timely progress in adjudication cases.

Some of the gaps include;

- The public' attitude towards the Alternative Dispute Resolution mechanisms as many only believe in the lengthy process of litigation hence causing a delay in time management in adjudication of cases. We need to sensitize the public on ADR
- Insufficiency of Judicial officers in the various courts



Some of the gaps..... Cont'd

- Despite the provisions against charges for court mediation, some judicial officers especially in Magistrate courts charge clients. This has affected the progress of cases especially for parties that are financially constrained.
- Some Judicial Officers unconsciously set the same dates hearing of cases leading to unnecessary adjourn matters hence delaying the hearing and conclusion of matters.
- Failure to keep court time by some advocates as well as some judicial officers especially in upcountry courts. This reduces on the number of cases that are scheduled for the day hence increasing backlog.
- It is also a common practice for advocates to unnecessarily seek for adjournment of cases. On the other hand, judicial officers sometimes give adjournments that are unreasonable which bring about delayed justice. For example, the year has just started but we already have cases that have been adjourned to November.



- To the bar, time is the most valuable resource in practice of our profession. Advocates are by law mandated to charge.
- On the other hand, the more time cases take to be conclude, the more clients lose confidence not only in the legal system but also in their advocate. With this experience, clients may no longer find it viable to pay the advocate's fees. More often than not, such course of events end up unnecessarily with complaints against the advocate before the Law Council. More so, a client or an advocate may lose interest in a case. In all this, members of the bar are resultantly susceptible to lose income.
- Notably, time once lost cannot be gotten back or recreated. This is therefore to provide some guidelines on time management.

Tips on time management



➤ **Self-Assessment**

This can be in the form of;

- ❖ How do you spend your time each day?

- ❖ What amount of time do you spend on billable work, personal phone calls or chatting over coffee with peers?

The answers to the above questions will guide us on how to manage and spend our time better and to be more productive.

➤ **Make a Prioritized To-Do List at the End of Each Day**

While many of us are reluctant to take off time figuring out how to spend our time, taking 15 minutes at the end of the day to prioritize what order the next day's work should be done can be a huge time-saver. For example, you make a plan on how many cases to work in a day or week. This will go a long way reducing case backlog.

Tips on time management..... cont'd



➤ **Master the Art of Delegation**

Delegation is one of the ways through which we can be efficient with our workload. The last thing that you want to do is bear the substantial burden of your workload all by yourself. Whereas most of us always prefer to handle all cases by ourselves, getting a helping hand from our colleagues will not only increase the number of cases handled but also prepare someone to suitably represent you in your absence.

➤ **Procrastinating**

If you find yourself procrastinating, think deeply about why. There is always a reason behind it; it could be because you do not know what to do next. You always go and brainstorm ideas with other colleagues or ascertain what research needs to be done to move ahead.

Tips on time management..... cont'd



➤ **Use an Assortment of Mobile Applications**

There are quite a number of applications available for download in the Google Play and Apple App stores that can help boost our daily productivity while saving time consumption. For instance, you can save a considerable amount of time conducting quality legal research without having to move to various libraries.

➤ **Effective Goal Setting**

Goals act as a compass, pointing to the things you should be concentrating your time on. Once your goals are identified, you will know what is most important for you to accomplish on a daily, weekly, and monthly basis.

Recommendations



➤ **Effective communication**

From both the bench and bar regarding non-appearance in court so as to have cases that are waiting in line to be moved forward. For example in Masindi, in case a judicial officer will not be in court, Advocates are contacted directly to be informed of the next date which gives them time to attend to other pending matters.

Recommendations..... cont'd



➤ **Use of time tracking machines**

Much as this may be looked at as micromanagement tool, having it in place increases the level of productivity in a work place as well as track the performance of staff. For example; with kind of system you be able to monitor if the clerks, legal research assistance among others are executing their duties as they play a big role in the process of adjudication of cases.

Recommendations..... cont'd



- There should be **equal distribution of cases to judicial officers** so as to avoid others being over loaded with cases which often times causes delayed justice.
- To save time in court, **witnesses should be allowed to submit witness statements** and asked questions instead of testifying in court which takes a lot of time.

Conclusion



The law should be a shield for the weak and powerless, not a club for the powerful as it is the cumulative injuries of the lowly that we are here to protect. Learned Hand once stated, “*If we are to keep our democracy, there must be one commandment: THOU SHALT NOT RATION JUSTICE*”. We must endeavor to see that Justice is served to all in the shortest possible time and the lowest possible cost. This is the challenge to every judicial officer and lawyer in Uganda.