

**THE REPORT OF THE FAMILY DIVISION  
FOR THE YEAR 2012**

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The Family Division is a specialised division of the High Court. It was created a few years ago to oversee and handle all matters relating to family life. It is housed at Crusader house which is in the heart of Kampala City.

### 1. The Staff:

In the year 2012 the staff of the Family Division comprised the following:

**(a) 3 Judges namely:**

- (i) Justice Billy Kainamura;
- (ii) Justice Moses Mukiibi (Deputy Head); and
- (iii) Justice E.S. Lugayizi (Head).

**(b) 2 Registrars namely:**

- (i) Mr. Deo Nizeyimana (Assistant Registrar); and
- (ii) Ms. Margaret Mutonyi (Deputy Registrar).

**(c) 2 Research Assistants namely:**

- (i) Shiphrah Nandudu; and
- (ii) Rebecca Akello.

- (d) 25 others officers** assisted in the day to day activities of the Division.  
**(See Annexure "A" to this report).**

### 2. Schedule of Work:

Work in the Family Division roughly fell into 9 categories:

- Administration causes
- Family causes (i.e. legal guardianship and adoption)
- Civil suits arising from Administration causes
- Divorce causes
- Miscellaneous applications
- Miscellaneous causes
- Originating summons
- Revisions
- Appeals

### 3. Performance:

The detailed performance of the Division in each month of the year 2012 in all the above areas of work is shown in **Annexure "B" to this report.**

The summary showing the number of cases that the Division disposed of in the year 2012 in each of the above areas of work is as follows:

Administration causes	-	1581
Family causes	-	183
Civil suits	-	138
Divorces causes	-	51
Miscellaneous apps.	-	114
Miscellaneous causes	-	25
Originating summons	-	19
Revisions	-	2
Appeals	-	<u>6</u>
<b>Total (of cases disposed of in 2012)</b>	-	<u><b>2119</b></u>

The last returns under **Annexure “B” to this report** reveal that the Division has, in all areas of work, entered the **New Year** with a total of 2633 cases which need to be disposed of.

All in all, the Division registered better performance in the year 2012 than it did the previous year. (See **Annexure “C” to this report.**)

#### **4. Collaboration:**

The Division held three meetings with various stakeholders during the year 2012.

- 1) The first meeting took place on 4/7/2012. It was an interactive meeting with the legal staff of the Administrator General’s office/Public Trustee. We finally made important resolutions directed towards enhancing access to justice in the administration of estates. (For this is the Division’s core function since it accounts for over 70% of the Division’s workload).
- 2) The second meeting took place on 13/7/2012. The meeting was held with key stakeholders in the administration of Justice for Children. Its focus was on issues affecting children and widows out of deceased persons’ estates.
- 3) The third meeting took place on 7/9/2012 at the Golf Course Hotel. It was about Family Justice; and took the form of a dialogue. The Family Division and the Centre for Justice Studies and Innovations (CJSI) organised the meeting; and the Commonwealth Judges and Magistrates Association (CMJA) funded it.

## **5. The Challenges:**

The challenges that the Family Division faced during 2012 were largely the usual ones; and were as follows:

- Inadequate professional and support manpower.
- Lack of a permanent and suitable home.
- Lack of office furniture. (The office furniture that the Division had in 2012 basically consisted of old and tattered left over from the Commercial Division).
- Lack of trained recorders and transcribers to manage the court recording machines.
- Irregular power supply which affects the machines that we use in doing our work.
- Forgeries of grants of Letters of Administration and Probate.
  
- Increasing numbers of contentious matters arising from grants of Letters of Administration and Probate.

## **6. Way forward:**

- (i) The Division urgently needs the following staff to cope with the increased workload:

2 Grade One Magistrates to help in identification and mediation  
1 Office Supervisor  
1 Accounts Assistant  
1 Research Assistant  
1 Records Assistant in-charge of registration of cases  
3 Office Attendants (i.e. one to take charge of the Children's and Breast Feeding rooms and two to be in-charge of offices on 2<sup>nd</sup> floor.)

- (ii) With regard to a permanent and suitable home, the Division has learnt of a proposal to shift it to Mengo Court (i.e. the initial seat of the Supreme Court). However, before such proposal is implemented, the Mengo Court building would need heavy renovation to make it habitable.
- (iii) With regard to office furniture, the Division would like to make this proposal: The Estates Manager should, as soon as possible, pay the Division a visit with the sole aim of assessing its needs in the area of office furniture.
- (iv) The Information Technology department should arrange to train the Division clerical staff in the area of recording and transcribing of court proceedings.

- (v) The Division proposes to have an interface with the officials of the Land Registry with a view to finding ways and means of avoiding to register land transfers that are based on forged grants.
- (vi) The Division will, this year, take steps to encourage the grantees of Letters of Administration and Probate to fulfil their statutory obligations in respect of such grants (i.e. the filing of inventories, statements of accounts and finally distributing the estates to their rightful beneficiaries.)

The Division will be able to go ahead with the above exercise safely because in the middle of last year, the Chief Justice (through the Principal Judge) gave it a go-ahead to issue forms (i.e. inventory forms, accounting forms, etc) to guide the above grantees in discharging their statutory obligations.

It is hoped that the above exercise will bring about a realisation that the beneficiaries of a deceased person's estate are the legal owners of the estate and **not** the grantee of Letters of Administration or Probate of such estate.

In turn, such realisation will translate into a reduction of contentious matters arising out of the grants of Letters of Administration and Probate.

**CONCLUSION:**

I thank the staff of the Family Division for the hard work done in the year 2012; and wish you all a prosperous New Year (i.e. 2013).

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**E. S. LUGAYIZI (J)**  
Head, Family Division.  
11/01/2013

## **Annexure”A”**

### **STAFF OF FAMILY DIVISION AS AT 20/12/2012**

#### **JUDGES**

- 1) Hon. Justice Edmund Sempa Lugayizi
- 2) Hon. Justice Moses Mukiibi
- 3) Hon. Justice Billy Kainamura

#### **DEPUTY REGISTRAR**

- 4) Her Worship Margaret Mutonyi Mafabi

#### **ASSISTANT REGISTRAR**

- 5) His Worship Deo Nzeyimana

#### **SYSTEM ADMINSTRATOR**

- 6) Jjemba Ismail

#### **OFFICE SUPERVISOR**

NONE

#### **RESEARCH OFFICERS**

- 7) Nandudu Shiphrah
- 8) Akello Rebecca

#### **RECORDS ASSISTANT**

- 9) Annet Mukhama

#### **CLERICAL OFFICERS**

- 10) Nansubuga Sauda Shaban
- 11) Prossy Nsaire
- 12) Irene Nalunkuma
- 13) Cissy Nakayima
- 14) Kiggwe Nabil
- 15) Peace M. Kaudha

**OFFICE TYPISTS/SECRETARIES**

- 16) Khakasa Margaret
- 17) Adioli Jenepher
- 18) Nandutu Christine
- 19) Nnakaggwa Mary

**PROCESS SERVERS**

- 20) Musinguzi Justus
- 21) Harriet Nakiganda

**OFFICE ATTENDANTS**

- 22) Auma Jane Victoria (Mrs)
- 23) Kitimbo Michael
- 24) Connie Nakalema

**BODYGUARDS**

- 25) Muhumuza Ronald
- 26) Nabulime Eva
- 27) Kitutu Joseph
- 28) Were John

**DRIVERS**

- 29) Sebyuma Ronald
- 30) Bigambira Apollo
- 31) Luyimbazi Luyima
- 32) David Twinomugisha

## Annexure "B"

### FAMILY DIVISION STATISTICS FOR THE YEAR 2012.

Month	Jan-12			
Category	B/F	Registered	Completed	Pending
AD	1976	80	29	2027
CS	411	15	2	424
DC	90	4	1	93
FC	228	12	5	235
MA	367	19	2	384
MC	32	1	0	33
OS	31	2	1	32
CR	6	0	0	6
CA	28	0	0	28
<b>TOTAL</b>	<b>3169</b>			<b>3262</b>

Month	Feb-12			
Category	B/F	Registered	Completed	Pending
AD	2027	68	38	2057
CS	424	9	14	419
DC	93	5	0	98
FC	235	23	15	243
MA	384	22	15	391
MC	33	2	0	35
OS	32	4	1	35
CR	6	1	0	7
CA	28	1	1	28
<b>TOTAL</b>	<b>3262</b>			<b>3313</b>

Month	Mar-12			
Category	B/F	Registered	Completed	Pending
AD	2057	77	113	2021
CS	419	12	32	399
DC	98	7	11	94
FC	243	21	25	239
MA	391	16	13	394
MC	35	1	14	22
OS	35	3	4	34
CR	7	0	0	7
CA	28	0	1	27
<b>TOTAL</b>	<b>3313</b>			<b>3237</b>



## Annexure "B"

Month	Apr-12			
Category	B/F	Registered	Completed	Pending
AD	2021	75	810	1286
CS	399	9	28	380
DC	94	7	10	91
FC	239	27	25	241
MA	394	24	32	386
MC	22	5	4	23
OS	34	3	5	32
CR	7	1	0	8
CA	27	0	2	25
<b>TOTAL</b>	<b>3237</b>			<b>2472</b>

Month	May-12			
Category	B/F	Registered	Completed	Pending
AD	1286	74	172	1188
CS	380	21	17	384
DC	91	4	15	80
FC	241	22	27	236
MA	386	19	7	398
MC	23	6	1	28
OS	32	1	1	32
CR	8	0	2	6
CA	25	0	2	23
<b>TOTAL</b>	<b>2472</b>			<b>2375</b>

Month	Jun-12			
Category	B/F	Registered	Completed	Pending
AD	1188	60	96	1152
CS	384	26	10	400
DC	80	5	1	84
FC	236	27	14	249
MA	398	20	10	408
MC	28	1	1	28
OS	32	4	2	34
CR	6	0	0	6
CA	23	0	0	23
<b>TOTAL</b>	<b>2375</b>			<b>2384</b>

## Annexure "B"

Month	Jul-12			
Category	B/F	Registered	Completed	Pending
AD	1152	61	107	1106
CS	400	27	10	417
DC	84	5	2	87
FC	249	28	22	255
MA	408	23	13	418
MC	28	1	1	28
OS	34	4	2	36
CR	6	0	0	6
CA	23	0	0	23
<b>TOTAL</b>	<b>2384</b>			<b>2376</b>

Month	Aug-12			
Category	B/F	Registered	Completed	Pending
AD	1106	76	84	1098
CS	417	13	9	421
DC	87	6	4	89
FC	255	35	6	284
MA	418	19	9	428
MC	28	4	1	31
OS	36	2	2	36
CR	6	0	0	6
CA	23	1	0	24
<b>TOTAL</b>	<b>2376</b>			<b>2417</b>

Month	Sep-12			
Category	B/F	Registered	Completed	Pending
AD	1098	84	50	1132
CS	421	18	4	435
DC	89	2	4	87
FC	284	40	2	322
MA	428	27	2	453
MC	31	3	1	33
OS	36	1	0	37
CR	6	0	0	6
CA	24	0	0	24
<b>TOTAL</b>	<b>2417</b>			<b>2529</b>

## Annexure "B"

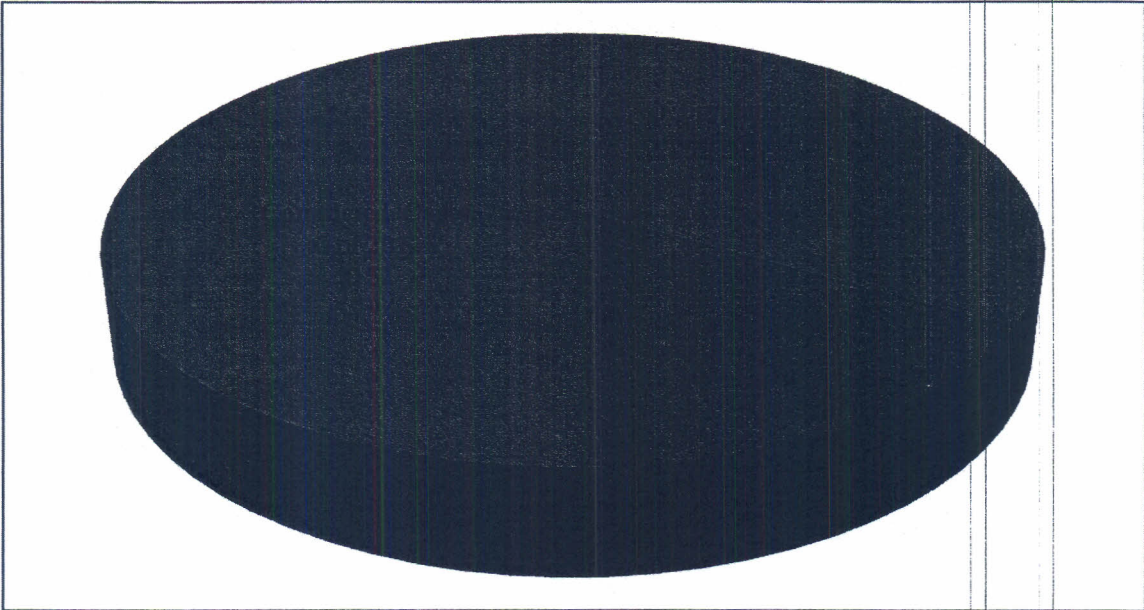
Month	Oct-12			
Category	B/F	Registered	Completed	Pending
AD	1132	62	41	1153
CS	435	17	6	446
DC	87	5	3	89
FC	322	26	40	308
MA	453	19	7	465
MC	33	1	2	32
OS	37	1	1	37
CR	6	1	0	7
CA	24	1	0	25
<b>TOTAL</b>	<b>2529</b>			<b>2562</b>

Month	Nov-12			
Category	B/F	Registered	Completed	Pending
AD	1153	47	41	1159
CS	446	15	6	455
DC	89	3	0	92
FC	308	16	2	322
MA	465	7	4	468
MC	32	2	0	34
OS	37	3	0	40
CR	7	0	0	7
CA	25	1	0	26
<b>TOTAL</b>	<b>2562</b>			<b>2603</b>

Month	Dec-12			
Category	B/F	Registered	Completed	Pending
AD	1159	30	31	1158
CS	455	7	0	462
DC	92	3	0	95
FC	322	9	1	330
MA	468	13	1	480
MC	34	0	0	34
OS	40	1	0	41
CR	7	0	0	7
CA	26	0	0	26
<b>TOTAL</b>	<b>2603</b>			<b>2633</b>

**Annexure "C"**

**FAMILY DIVISION COMPLETED CASES BY END OF 2012 COMPARED END OF 2011.**



**FAMILY DIVISION PENDING CASES BY END OF 2012 PENDING END OF 2011.**

