



THE REPUBLIC OF UGANDA

COURTS OF JUDICATURE

INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) IN THE JUDICIARY

A PAPER PRESENTED AT THE INDUCTION WORKSHOP FOR THE NEWLY
APPOINTED MAGISTRATES GRADE ONE

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1. Introduction

The globalization of the economy, social trends and other factors present new demands on judiciaries internationally, while at the same time technological and communicational advances offer opportunities to judicial policy makers to make justice more accessible, transparent and effective. Many of the current debates in the e-Justice field focus on the development and implementation of e-filing, organizational and cross national borders data exchange and systems integration.

The Legal system has not been left behind in this era of globalisation. As such, our emerging judiciaries have to cope with the exactitudes of the present Era of Good Governance, Propoer Management, Specialisation, Information and Communication Technology (ICT) and Customer Oriented Services. It is therefore important to re-examine our judicial systems and adjust the roles and responsibilities of the Judicial Officers in the field of Judicial Administration. This will in turn dictate the way our Court Administration, our Court Clerks, our ushers, our Recorder, our Court Orderlies, our Security Staff, our Bailiffs and our Secretaries operate. We can not put an old, unperforming car on a new motorway. New machinery is needed and novel methods of work. To cement our judiciaries our judicial support systems have to be reinforced.

The purpose of the Judiciary's Information and Communications Technology (ICT) function is to provide a range of services to Judiciary staff and stakeholders that support the Judiciary's strategic objectives and aspirations. It supports the organisation by contributing directly to transforming the Judiciary into a high achieving Judiciary and by underpinning and enabling the Judiciary to meet all its objectives through the use of ICT.

2. Use of ICT in the Administration of Justice

i. Operation systems for Courts.

The main function of the courts is to provide a fair and effective dispute resolution machinery for the enforcement of court decisions. These areas of legal operations of the courts have several potential applications as well. Case filing and management, case distribution, record keeping, archiving, court management, statistical systems, court fee system, video links for

bail bond hearing, the recording of witness testimony, equipment for the presentation of evidence, systems for jury selection, and court reporting are some examples.

ii. Operation systems for judges and other key professionals.

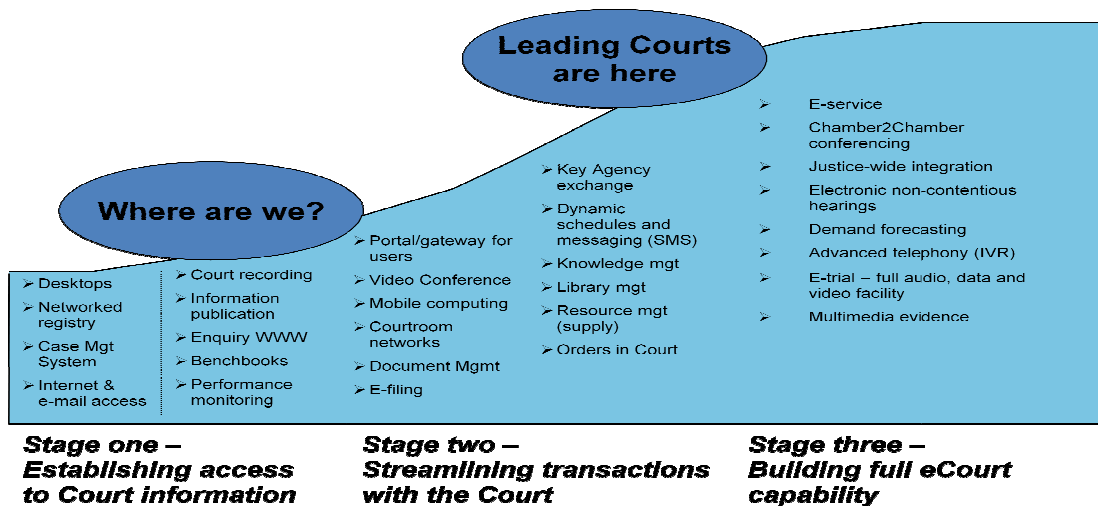
Databases of court decisions and legislation (both local and foreign) are the most common and the fastest growing in view of globalization. The other growing area is that of electronic “Work Bench” and legal information systems, electronic data interchange and other systems that help judges and other legal professionals improve their core legal work (e.g. decision writing). Internal communication systems for email contact and coordination are also widely used in modern judiciaries. “Knowledge sharing” and distance learning through internet and video conferencing are gaining importance and applications. Internet based or PC based continuing education courses for judges and other staff are also being used.

iii. Systems that promote “user access” and linkages.

Increased public awareness and participation are hallmarks of democratic societies, and ingredients for the successful rule of law. Systems that facilitate public access to court information in the form of KIOSKS, internet web-sites and other tools help improve the justice system. Legislation and court decision databases for public information and research do so as well. Many countries are using such tools to enhance the transparency of the system and instil user confidence. Also, internet based public information notices about court matters and civic responsibilities are increasingly being promoted in view of the information explosion. Certain court operation systems are being offered access through the internet for improving access to justice.

3. The Judiciary ICT Journey

The Judiciary Technology/Law Reporting Committee adopted the ICT Journey summarised in the figure below.



4. The Strategies to Achieve the Judiciary ICT Journey

The Judiciary adopted a number of strategies in a bid to harness the benefits of ICT usage. These include:-

4.1 Establishment of the ICT Section

To better embrace the use of ICT in the Judiciary, an ICT Division headed by the PITO was created to perform the following functions:-

- Alignment of information and communications technology with the Judiciary business requirements to achieve the implementation of the Judiciary strategic plan.
- Deliver the right ICT services to meet the Judiciary requirements
- Ensure the effective utilization of information and communications technology and awareness of the risks and responsibilities involved.
- Provide continued availability of ICT services with minimal disruption to business in the event of a major disaster
- Safeguard information and IT components against unauthorized use, disclosure, modification or loss.
- Co-ordinate ICT related procurement in accordance with policy
- Account for IT resources and manage the IT investment in the Judiciary.

4.2 ICT Enabling Environment

In order to facilitate ICT development in the Judiciary, a Judiciary ICT Policy 2008 and ICT Strategy 2009 -2013 were developed, launched and are being implemented. The ICT Policy provides a definite course of action adopted by the Judiciary in an effort to promote the best ICT practice particular to desired results whereas the Strategy details a plan, or method of approach developed by the Judiciary in an effort to utilise ICT to successfully achieve its overall goal or objective. The strategy points out the tactics (the detail, the procedure, and the order of how to achieve these desired results particular to the strategy). The strategy is thus used to underpin the policy.

4.3 Management of ICT in the Judiciary

The management of the ICT function in the Judiciary is categorized into the following categories.

4.3.1 Strategic Management

- i. **Technology Committee:** Entrusted with the overall responsibility of developing, implementing and reviewing the Information and Communication Strategy of the Judiciary.
- ii. **Technology Committee – Working Sub-Committee:** Entrusted with the responsibility of working as an ICT Competence Centre, charged with monitoring and approving the recurrent ICT systems functionality.
- iii. **Secretary to the Judiciary:** Top-level provision of the funding for all ICT functions
- iv. **Registrar of Planning & Development:** – Top-Level coordination of the ICT Donor supported projects (DANIDA, JLOS, etc.).

4.3.2 Operational Management

- i. **PITO – Head of the ICT Section and the main Data Centre:** Charged with formulating ICT policies and procedures as well as directing and coordinating the general functioning of the Information and Communications Technology section;
- ii. **SITO –** Deputizes the PITO and is the *Head of the Data Centre*;
- iii. **Systems Administrators –** Head Regional /Station Mini Data Centre Data Centres: Supreme Court, Court of Appeal, 12No. out of 13No. High Court Circuits and the 8No. High Court Divisions.

- iv. **Station Administrative Heads:** Registrars/ Chief Magistrates/ In-Charge of Stations are in charge of all ICT at the respective stations

5. ICT Infrastructure, Systems, Services and Personnel in the Judiciary

5.1 Infrastructure

1. **Judiciary Local Area Networks (LANs) and a Wide Area Network (WAN)** in the Supreme Court, Court of Appeal, 12No. out of 13No. High Court Circuits/Chief Magistrates/Grade 1 and 2 Courts at the Circuit High Court and the 8No. High Court Divisions. These Stations are:-

- i. Both Local Area Networks (LANs) and a Wide Area Network (WAN): Supreme Court and Mengo Chief Magistrates Court, Court of Appeal, High Court Kampala, Buganda Road Chief Magistrates Court, **Masaka** High Court and Chief Magistrates Court, **Jinja** High Court and Chief Magistrates Court, **Gulu** High Court and Chief Magistrates Court, **Lira** High Court and Chief Magistrates Court, Arua High Court and Chief Magistrates Court, **Soroti** High Court and Chief Magistrates Court, **Mbarara** High Court and Chief Magistrates Court, **Mbale** High Court and Chief Magistrates Court, **Nakawa** High Court and Chief Magistrates Court, **FortPortal** High Court and Chief Magistrates Court and **Masindi** High Court and Chief Magistrates Court.

The High Court Divisions include: Commercial, Lands, International Crimes, Anti Corruption, Bailiffs and Execution, Alternative Dispute Resolution (ADR), Judicial Studies Institute, Criminal and Civil.

Our LAN/WAN also spans the Justice Centre Offices at the High Courts Kampala and Lira and the Tororo Chief Magistrates Court.

- ii. Only Local Area Networks (LANs): Makindye Chief Magistrates Court, Nebbi Chief Magistrates Court, Moyo Chief Magistrates Court, Yumbe G1Magistrates Court, Apac Chief Magistrates Court, Dokolo G1 Magistrates Court, Moroto Chief Magistrates Court, Kotido Chief Magistrates Court, Katakwi G1 Magistrates Court, Bukedea G1 Magistrates Court, Kumi

G1Magistrates Court, Kaberamaido G1 Magistrates Court, Kasese, Budibugyo, Kyenjojo, Bushenyi, Ntungamo, Rukungiri, Busia, Kapchorwa, Tororo, Pallisa, Kibale, Hoima and Kagadi.

2. **Desktop Computers:** Over 850 computers all over the country
3. **File Servers:** Central computers that store shared information over a network [32No. allocated to different Stations with Mini-Data Centres]
4. **Court Recording and Transcription Technology:** A system that allows for the recording and subsequent transcription of court proceedings to make Judges and other judicial officers more effective. This system is operational in the Supreme Court, Court of Appeal, High Courts (Kampala, Mbale, FortPortal, Masindi, Lira, Arua, Nakawa, Gulu, Jinja, Mbarara), Family and Commercial Court Divisions

5.2 Computer Systems

1. **Court Case Administration System (CCAS):** The Judiciary uses a Court Case Management System called the Court Case Administration System (CCAS). The system facilitate the registration, maintenance, retrieval and dissemination of court case information. The diagram below summarizes the current off and on system process of the Uganda Judiciary Case Management System. The Reports from the CCAS include:-Cause-list, Case Maintenance Sheets, Proceedings Report, Bring-up Report, Pending Cases Report, Completed Cases Report, Statistics per Judicial Officer, Statistics per Case Category, Statutory Bail Report, Monthly Case Returns.
2. **Management Information System (MIS):** This is the Judiciary Management Information System that stores and reports on information that is used by the Judiciary management for decision making. Information about the following can be accessed through this system:- Court Case Information, Inspection Information, Personnel Information, Estates Information, Transport Information
3. **Court Recording System (CRS):** This is a system that assists Judges and Magistrates presiding over cases to maintain an in-depth electronic detail of court proceedings that can subsequently be transcribed into hard copies. Below are a few advantages:-
 - i. Allows presiding officers to concentrate more on reading victims, accused and/or witness' demeanour other than writing too much detail

- ii. Ability to produce a detailed transcript of proceedings faster (if the sufficient transcription resources are available)
 - iii. Ability to store backup copies of proceedings in different formats (for reference and security purposes)
4. **Fixed Assets Management System (FAMS):** A system aimed at recording and keeping track of all Judiciary assets
 5. **Electronic Funds Transfer System (EFT):** The System facilitates the transfer of Judiciary Customers payments to their accounts.
 6. **Integrated Financial Management Information System (IFMS)** –It is an IT based budgeting, accounting and reporting system which aims at enabling the Government of Uganda (and subsequently the Ministries, Departments and Agencies) to plan and use its financial resources more efficiently and effectively. All Government payments like the Operational Funds, disturbance allowances, mileage etc are paid using the IFMS.

5.3 ICT Services

1. **Service (Help) Desk Services (*Flyer Attached*):** This is responsible for providing first line ICT support for all Judiciary ICT Users:
 - **The Goal of the Service Desk is to** “Improve customer satisfaction through a single point of contact for all ICT users, thus providing clear communication lines to the Data Centre and back to the users”.
2. **Internet Service** This Service links the Judiciary Computer users to the rest of the World for research, data exchanges, news and opinions.
3. **Email Services:** Official mailing system of the Judiciary (instead of communicating officially using facilities such as Yahoo, Gmail, etc. which are prone to viruses, spam, and other cyber attacks) – format is username@judicature.go.ug
4. **Intranet Services (*Flyer Attached*):** : This is a portal for the Judiciary staff to internally share information such as:- Judiciary announcements/notices; Judiciary Calendar, Judgments Section, A staff directory/ Contacts, A repository of shared documents and forms like Stores Requisition, Appraisal Forms, Employee handbook, Organizational charts.

URL Link: - <http://intranet.judicature.go.ug/sites/highcourt>

5. **Judiciary Website:** The Judiciary maintains a website (currently being re-engineered) whose main purpose is for the dissemination of information about the Judiciary to the Public. *This is a very important tool for the Judiciary Public Relations Office (if used effectively and efficiently).* [Old Site:- www.judicature.go.ug] ; [New Site:- www.judicature.go.ug/joomla/]

6. Procedure of obtaining an ICT Service

There are different forms of ICT Service that could be requested for:-

- **Equipment, Service and Software Procurement** [e.g. new computer, Internet Service implementation at a High Court Circuit, procurement of Specialized Software]: Major procurements will strictly be directed to the **Secretary to the Judiciary (Accounting Officer)**.
- **New ICT Service** [e.g. Creation of an email Account, connection to the Internet, etc]: All these requests will be directed to the **Judiciary Service (Help) Desk**.
- **Service Change** [e.g. shifting of equipment form one office to another, installing a new computer, etc.]: These requests will be directed to the **Judiciary Service (Help) Desk**.
- **ICT Problem/Incident** [e.g. Computer fails to start, Printer fails to print, etc.]: These requests will be directed to the **Judiciary Service (Help) Desk**.

The Service desk and respective officers will abide by the **Judiciary ICT Policy (and also designated working hours)** in provision of all ICT services. All ICT Users should be aware that the Judiciary has limited resources (Personnel, Transport, and Consumables) meaning that request for services outweighs the service provision (implying possible delays).

7. Role of Magistrates in the ICT Success

- Taking a lead role in requesting for and using ICT Services:** This could be done through the Chief Magistrates, Registrar to whom you report or your self directly to the Secretary to the Judiciary..
- Monitoring data entry and using reports from Computer Systems (e.g. CCAS, Court Recording and Transcription System):** By requesting for reports

from the systems through the Clerks/ Registrars (or using the system to generate reports). Also through:-

- a. Verification and validation of data in the CCAS as well as for the output produced based on this data.
- b. Timely production and distribution of documents and reports e.g completed cases, pending cases, statistical, case returns.
- c. Monitoring of workflow related to court cases.

iii. Timely submission of Case Statistics by the In-Charge Stations to Data

Centre- High Court Kampala: This will enable timely and accurate response to the statistical reporting requests. These Statistics are used for:-

- a. **Report on Performance:** The Judiciary physical and financial Performance consists of the number of cases handled and the budgetary provision toward this extended to the Judiciary in a particular period of time say a Financial Year.
- b. **Donor Financing:** Justification for attraction of Donor financing is also based on the available workload to be handled. Little or no workload will attract little or no funding.
- c. **Budgetary Estimates for the Judiciary Budget and Operational Funds:** Justification of budgetary provisions from Parliament are based on the work load to be handled.
- d. **Policy formulation and Scholarly Purposes:** The Public uses the statistics as ingredients during the Policy Formulation process as well as research.
- e. **Annual Confidential Reports (Appraisal).** Annual outputs against targets are inputs during the Staff Appraisal system. The statistics in form reports (completed and pending cases) provide a vital measure for staff performance. Therefore the degree of accuracy of these statistics will have a significant impact on the decisions made using these statistics.

iv. Adequate financing of the Statistical Reporting Function: This support is to facilitate the processes of data collection, processing, analysis and reporting.

8. Law Reporting

The Uganda Legal Information Institute (ULII) is charged with the function of Law Reporting. The ULII website on the URL <http://www.ulii.org> is used as a facility to provide the public with free access to legal information relating to Uganda, with a view of promoting and supporting the free access to Legal Information Movement. It contains decisions of courts published from all courts of record.

8.1 Uploading of Judgements

The Judiciary maintains a website with the URL <http://www.ulii.org> where all the judgements from all the Courts are uploaded. This website can be accessed directly using the above URL, through the Judiciary Website and Intranet. The prevailing challenge is the access to soft copies of these judgements for upload.

9. Current Initiatives to improve the ICT Service in the Judiciary

i. Acquisition of more Computer Hardware and Software

The current computer coverage of 38% (coupled with Technological obsolescence) is very low. There is need to procure more computers and their relevant licensed softwares to increase staff productivity.

ii. Provision of Notebook Laptop Computers and Internet Modems to the Lower Bench.

Plans are underway to provide laptop computers with relatively specifications and internet modems to the Lower Bench (the Registrars and the Magistrates). This will ease access to databases of court decisions and legislation (both local and foreign), enable electronic data interchange, Knowledge sharing and distance learning through internet. This will increased productivity of the Lower Bench.

iii. Re-Engineering of the Court Case Management System

The Re-Engineering process is aimed at incorporating more features such as; web-based, storage of scanned copies of the case file contents, incorporation of an up-to-date offences' list, easy maintenance, e-filing and so on.

iv. Implementation of an Interactive Voice Response (IVR) System

Interactive Voice Response (IVR) systems allows callers to interact with your communications system over the telephone. IVR is used to enable the caller to retrieve information from a database and enter information into a database enabling efficient exchange information while reducing clerical processing.

v. Implementation of the E-Case System

Studies are underway for the implementation of the e-Case System. It is envisaged that with the help of one's mobile phone and the knowledge of one's Court Case Number, any information on the progress on that particular case should be relayed to the Phone user. Such information would include; the case stage, date of hearing, judicial officer handling the case and son on.

vi. Implementation of Digital Evidence Presentation Systems (DEPS)

Installation of the DEPS will be implemented to permit counsel to present evidence to the court through the use of electronic presentation tools that improve both the quality and the efficiency of how evidence is introduced. The courtroom is equipped with a presentation communicator, illustrator, and visual image printer in addition to flat screens and monitors. The court's DEPS also has a high-quality Video Cassette Recorder (VCR) attached to it that allows videotapes to be played in real-time or frame-by-frame mode.

vii. Implementation of ICT for Remote Trials and Video Conferencing

As a means of taking evidence from vulnerable witnesses such as children at a location away from the physical court room environment where such witnesses might feel intimidated, plans are underway to provide both audio and visual links between the court rooms and the remote locations. This will also be applicable to hostile witnesses.

viii. Other ICT Projects to be implemented

- a. Establishment of a Digital and on-line Library
- b. Installation of Closed Circuit Television (CCTV) Systems
- c. Installation of Electronic Display Boards.

ix. Establishment of a Fully Fledged Uganda Legal Information Institute

The re is urgent need to establishment of a Fully Fledged Uganda Legal Information Institute to take on the prevailing challenges and work load more efficiently and effectively. More staff and facilitation is required to this end.

x. Judiciary to host and Maintain the ULII Website

The ULII website was developed under the support of the International Legal Information Institute with the South African Legal Information Institute (SAFLII) providing technical expertise to the different countries through the development and hosting of their websites. All information including judgements are currently sent to SAFLII for upload. This inconveniences the upload process due to the slow response time. However, ULII is to be hosted and maintained internally as a way of enhancing efficiency. Weekly journals, monthly bulletins and bench bulletins will be published on the ULII website.

xi. Publication of Law Reports

In conjunction with LawAfrica, we plan to publish Law Reports from all the judgments handled down as far back as the year 2000.

xii. Establishment of Research Centres

Plans are under way to create a Call-in Center where Judicial Officers who are doing research can easily call-in or send an e-mail about a subject and they will receive instant reply. Research Assistants will centrally be placed in this Research Centre to attend to various request.

xiii. Provide at least a Computer to all Court Stations. This is continuous

10. Opportunities

- i. **Existence of a Fully Fledged Computer Lab** at the Judicial Studies Institute; Magistrate can access the Lab for Training and Internet Access
 - o Contact the Registrar – Research & Training (JSI)

11. Constraints and Challenges

- i. **Limited Computer Maintenance Capacity Upcountry.** There is adequate supplier capacity for maintenance of ICT equipment. This results into equipment being transported to Kampala which inconveniences the system users.
- ii. **High Cost of Bandwidth. The LAN/WAN Connectivity** including the Internet that contribute almost to over 80% of the ICT budget.
- iii. **Insufficient Funding** to cater for training, maintenance of computer systems and equipment. A lot of our ICT programs remain un implemented due to the limited available funding.
- iv. **Resistance to Change** towards the use of ICT in the Judiciary
- v. **Reluctance in supervision by Action Officers/usage the Information Systems** and/or updating of information in the computer systems
- vi. **Limited Sources of Power.** This poses a challenge to the required need for computerisation in all our Court Stations for ease of information processing and communication.
- vii. **Technology Projects other than Business Projects:** All ICT related projects should be considered as core business related projects other than mere ICT Projects
- viii. **Implementation of non-aligned ICT Services** to the Judiciary Strategic objectives and ICT Strategy: Haphazard implementation of ICT without adhering to the ICT Strategy.

12. Way Forward

For effective implementation of ICT in the Judiciary, the following is the path to take in the future:-

- i. **Change Management for Judiciary Reform towards use of ICT:** To ensure the Judiciary's readiness to undertake change (towards the use of ICT)
- ii. **Enforcement and adherence to the ICT Policy 2008 and Strategy (2009 – 2013):** ICT should be implemented following the Judiciary policy.
- iii. **More funding consideration for ICT** (Implementation, Training, maintenance and improvement according to strategy)
- iv. Collective and coordinated responsibility over ICT by all Judiciary staff.

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