



TRANSITION FROM MANUAL TO DIGITALIZED COURT PROCESSES: THE MIGRATION TO ECCMIS

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1. Introduction

As you aware the theme of this conference is ‘**The Judiciary Transformation Agenda: Enhanced Access to Justice.**’ My task this morning is to provide a bird’s eye view of the on-going current migration from manual processes to digital processes, in the filing of cases before the courts, hearing of the same, disposal of the same, through to possible appeals before all the courts, execution, and so on until the retirement of the case in our court system, with the on-going implementation of ECCMIS. This process will see a total transfer from manual registers to electronic registers for all courts in the Judiciary. ECCMIS will also allow the processing of case data including all features that have been available in CCAS so that case data can be aggregated and disaggregated or rather processed leading to the availing of all manner of reports to internal and external users who may have certain rights in the system.

At other fora presentations have been made to explain in detail the features of the system and it is not my intention or the desire of the organisers of this conference for me to go in that direction. The process of migration has begun and I hope to be able to explain where we are at, where we are headed, the challenges arising and how we hope to deal with them.

This journey is clearly part of the transformation agenda of the Judiciary.

I intend to make my presentation brief in order to allow for more time for feedback from some of our users, especially the bar and the bench.

2. Background to The Electronic Court Case Management Information System (ECCMIS)

In the year 1995, the Judiciary developed and implemented the Court Case Administration System (CCAS). This was a system that only kept record of the case meta data that included the case number, category, court station and the case stage. This was only accessed by the Court Staff only. In 2010, CCAS was reviewed and it was established that there was need for incorporation of more case management features such as; e-filing, e-payment of court fees, online access to the contents of the case file, provision of access to the advocates and public, integration with other government systems.

These requirements called for a total overhaul of the CCAS. At a Sector level, it was conceptualized that there was need to develop an Integrated Justice Management Information System (IJMIS) that integrated all the Justice, Law and Order Sector stakeholders. In the year 2010, the works for development of the ECCMIS was initiated. Studies, requirements gathering and designs were done. In October 2021, the ECCMIS was commissioned and on 1st March, 2022 the ECCMIS was Launched. **The ECCMIS has the following main functionalities:**



Figure 1: The ECCMIS Main Functionalities

3. ECCMIS Development

The ECCMIS development followed the Systems Development Life Cycle where Users requirements were collected into the Systems Requirements Specification (SRS) document and the Systems Development Document (SDD) developed. The relevant tests were carried out and the ECCMIS was launched on the 1st March, 2022 for implementation. The ECCMIS development process was consultative both internally and externally.

In preparation to the migration to ECCMIS, the following were carried out:

i. The ECCMIS Web-Based Access

The features have been designed to incorporate Web-Access to support e-filing, providing simultaneous access to files by authorized users, submit documents, notifications to parties of new activity in a case, populating forms with data from the case file, provision of analytics, e-docket etc.

ii. Stakeholder Trainings

The Judiciary carried out a number of both Judiciary internal and external holders training.

iii. Change Management including Public Awareness Campaigns

A number of change management sessions including Public Awareness campaigns in both the print and TV/Radio was done.

iv. Data Migration

The CCAS Meta data was imported into the ECCMIS.

v. Phased Implementation

Originally the plan was to migrate to ECCMIS in 2 phases, starting with 18 courts in the first phase. However, it was immediately recognised before launch that in the initial phase there was a need for a lot of hand holding and we had to break up the first phase in 2 clusters. The first cluster of 7 Courts included the Supreme Court, Court of Appeal, High Court

Divisions in Kampala. Further Roll-Out is planned for this Financial Year.

vi. Digitization of the Old Case Files is on-going

For all the newly e-filed Case Files since the launch, the entire file record is electronic. The digitization of all the manual file contents that were created before the ECCMIS is on-going for the cluster 1 courts. However, any new filings to these old pre ECCMIS files is done electronically.

vii. Protect the Security of ECCMIS sensitive data

Security on for the ECCMIS has been maintained at all system levels i.e System and User levels. The ECCMIS data has been categorized into public, private and confidential and the best data security and access levels implemented accordingly.

viii. Established an ECCMIS Call Centre/Service Desk

The Judiciary established a Call Centre/Service Desk to which ECCMIS issues are reported, provide support, receive feedback for system improvement. The Call Centre/Service Desk also provides group organised trainings on the ECCMIS.

ix. ECCMIS Kiosks Established at each of the Implementing Court Station/Division

Each of the Implementing Court Station/Division has a fully fledged ECCMIS Kiosks that provides support to all Court Users including training them on the ECCMIS.

4. ECCMIS achievements to-date

To-date, the following achievements have been registered with ECCMIS:

It is too early to assess the major achievements of the ECCMIS, however,

i. Increase use of e-payment methods for Court Fees.

There has been an increase in payment of Court Fees using online/digital modes such as Mobile Payment, Visa/Master Card and Point of Sale (PoS) all supported by ECCMIS.

5. Critical Success Factors

i. Change Management

This has been carried out at all levels of the implementing Court Stations/Divisions. Hon. Justices/Judges, Registrars, Magistrates and other Staff have carried out change management activities during their Court Sessions. I hasten to add though that there are glaring gaps or omissions with regard to internal actors, especially with regard to Judicial Officers.

ii. A Vibrant Uganda Law Society (ULS) and its Members

Constructive feedback has been received from the ULS that has shaped the system operations. Effective

suggestions on ECCIMS steps, priority and operations have been receive and attended to accordingly.

iii. The General Public

The Public has taken keen interest in the operations of the ECCMIS through the notifications about their cases.

iv. An Effective Call Centre/Service Desk

This has provided online support to the ECCMIS users both Internal and External.

v. A Competent IT Team

This has provided the necessary technical support to the system to ensure the ECCMIS availability.

6. Challenges and Proposed Solution for ECCMIS Operations

i. System Imperfections

There were a number of imperfections that resulted in different problems. For instance for sometime it was not possible at the Court of Appeal to generate a cause list. List of pending cases were inaccurate with cases from different courts being reflected in other courts. Some of these imperfections and others have been rectified. However, probably the biggest imperfection was the creation of draft numbers before registration of a new matter. This had no support in the rules of civil procedure or criminal procedure applicable to the filing of matters before our courts.

The absurdities that this draft number has created in the system is illustrated in the High Court Case of Peace Barigye v Rosemary Kiiza Omateker M A No. 2117 of 2022. In this matter an interlocutory application was heard and determined. An application was made to set aside the interlocutory order initially granted and one of the grounds was that by the time the interlocutory application was heard it only had a draft number and had therefore not been filed by the time the interlocutory order was granted. This was accepted by the court and it set aside the interlocutory order granted.

Without questioning why the initial application in fact was heard it is clear that the time of the court and public expense in this matter was wasted. So was the time and expense of the parties. All because of this introduction of a draft number that has no place in our civil procedure.

We have asked our team to ensure that this is corrected with the elimination of draft numbers and the allocation of only one number in accordance with our existing rules.

ii. Legal Synchronisation of the New Environment

At the beginning of our planning for design of ECCMIS we were aware that there would be need to look at our existing rules with a view to amending them and provide for the new process of e-filing. We requested for Legislative drafting expert to do this and one was initially identified. However it was not until rather late in the day

that we effectively engaged her and now this work is in progress and will soon be submitted the Law Reform Committee.

iii. High ECCMIS Operation Costs

The ECCMIS operations require Users like the Law Firms to invest in Technology implementation like procuring IT equipment e.g scanners, computers and subscription to effective internet. It is true that any IT system has high installation costs but these reduce as the system is in operation and the long term benefits out weight the investment costs.

iv. Appreciation of the ECCMIS Operations

This has been a challenge from both internal and external Users. ECCMIS operations on management of an electronic Case file still needs more appreciation. Continuous change management including training of users is proposed as a solution.

v. Change Management Efforts have been insufficient or absent with regard to some internal and external stakeholders

- a. Some Judicial Officers still allow the manual filing of case documents to cases that are fully electronic.
- b. Old cases where the manual files are still at the pretrial stage e.g (Summons for directions) and the registrars have caused their scanning and uploading in ECCMIS for purposes of digital migration, some Judicial Officers have insisted on proceeding with the physical files.

- c. Some Judicial Officers have not made effort to appreciate the basics of the system for their role. E.g Downloading and uploading electronic documents. This has caused a heavy dependency and a resource gap which has led to unnecessary delays in the trial.

vi. Lack of full control of the E-File

- a. For instances where applications have been signed by the Registrar and are pending a hearing date by the Judge stagnate on the system for months, without assignment of a hearing date, hence, causing anxiety and distress to the parties and advocates.
- b. Refusal to admit e-documents in cases that are already allocated to the Judge.

vii. Incomplete Data

Some Judicial Officers do not upload/avail to the support staff signed Rulings / Judgements for completion of the E-File. This has caused several completed files to hang in the system.

viii. Attitude of Judicial Officers

The transformation from a manual case file to an electronic case file seems like an inconvenience to some Judicial Officers that were accustomed to the manual management of files. This notion

can be changed only if the Judicial Officers the benefits of digitisation.

ix. Working in both manual and electronic environments

For the cluster 1 courts there are of course pre ECCMIS files that were being manually managed while there are the post ECCMIS files that are electronic. Working in both environments has created some problems and encouraged resistance to moving into the new environment. At the same time there have been rushed attempts to go electronic without adequate preparation leading to a push back especially from internal actors like the Judges. There is a need to standardise and regulate this approach in light of the experience that we have had with cluster 1 courts so that the same problems do not arise when we move on to cluster 2 courts in the first phase and finally to the rest of the court system.

x. Limited ICT Support Team

With the increasing level of automation, there is need for ICT support for the systems being rolled out. However, the number of ICT Staff remains small to support the automation agenda. There is therefore need to recruit ICT staff to support this innovation.

7. Conclusion

The timeline originally attached to the ECCMIS Consultancy was 5 years from inception to full national implementation. Due to a number of factors it is clear that migration of ECCMIS to all courts will probably take longer than 5 years. Its full implementation is likely to be a medium term endeavour. We shall continue to require the dedication of all, especially internal actors, in order to successfully migrate to ECCMIS. We need to learn from our experience with CCAS. In spite of its 30 year or so history in the Judiciary by the time a decision was taken to develop a new system we had failed to achieve full migration to CCAS. From the start with ECCMIS it was understood that the target was 100% penetration and this remains our target to-date.

In order to do so for the majority of the courts, especially the first instance courts, it is now a must that in the meantime before ECCMIS arrives on their door step they must fully implement CCAS in order to allow for seamless data transfer of all existing case data at those courts. I know that this is possible. For instance talking the Resident Judge in Masaka in the space of the last 12 months they have been able to clean out CCAS and ensure that their CCAS system is up to date with reliable and up to date data. If this can be done for Masaka High Court Circuit it can be done for each of our High Court Circuits and the magistrates courts provided we provide them with the right equipment and leadership.

We do understand that perfect can be the enemy of good. Or put another way better can be the enemy of good. In spite of the many challenges,

given a number of factors discussed above and not discussed at all in this paper, we have no alternative but to continue on the path of innovation. Issues will arise along the way and we shall overcome. We know and believe we can.

Lastly, apart from all other benefits that are touted for going electronic in terms of case processing and filing these systems [CCAS and ECCMIS] provide a hive of data that can provide significant information for performance measurement and evaluation of both the courts and the individual Judicial and non- Judicial officers should those responsible for these functions to fully understand, measure and evaluate the performance of the Judiciary and its individual officers. Use it rather than chasing the wind!

I thank you for listening to me.