TOWARDS FAST TRACKING JUSTICE DELIVERY IN CIVIL PROCEEDINGS IN NIGERIA

By

Peter A. Anyebe*

Introduction

Disputes are inevitable in any social context. Human beings are found to disagree on and at almost every point in life. As long as human beings interact, however, disagreements and disputes are bound to occur. The spate of disputes worldwide at the turn of the century has particularly been accentuated by the speed, complexity and frequency of local and global transactions. The fact that disputes occur should not be the crux of the matter, rather their management and resolution.1

Disputes in every society are inevitable in every aspect of human relationship due to conflict of diverse interests. Its resolutions, as integral part of commercial and socio-economic development, are the major functions of law through litigation.2

As the courts grew, delays, formalities, technicalities, corruption and the like crept in. Similarly, the cause lists became overcrowded and court environment and sittings became intimidating and oppressive to the uninformed. There was a realization that rights and revenge are not the focus of most disputes: many disputes involve misunderstandings,

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accidents or other situations where getting the problem resolved quickly is more important than placing blame. These led to a rethinking and hence the emergence of alternative dispute resolution (ADR) and other processes. Thus from resolving disputes in a fixed and identifiable place called a court or courtroom, disputes were taken from the courtrooms to any place. Similarly, ADR represented a move away from a formal process to informal process.  

This paper will take a look at some efforts taken to fast track justice delivery in civil proceedings in Nigeria. In view of this, the paper will briefly discuss the Nigerian system of judicial dispute resolution; some provisions in the 2004 Lagos State High Court Procedure Rules that tend to fast track justice in civil proceedings; fast track court system; fast tracking of civil justice in other jurisdictions and in conclusion, suggestions and recommendations to fast track justice in civil proceedings will be made. However, the best place to start this paper will be a brief look at the Nigerian system of judicial dispute resolution.

The Nigerian System of Judicial Dispute Resolution: The Adversarial System

Nigeria, being a member of the Commonwealth, received the adversarial system practiced in the United Kingdom. Adversarial system is a system for the attainment of justice according to law through the intervention of a supposedly neutral third party who through the interpretation of the law as a judge pronounces upon the rights, obligations and liabilities of each litigant before him. This procedure portends that justice must be dispensed according to the laid down rules of law. The

outcome of such a system is perhaps undoubtedly legal justice i.e. justice according to law.  

The Nigerian legal system as obtains in other common law jurisdictions provides a necessary structure for the resolution of many disputes. However, some disputes will not reach agreement through a collaborative process. Some disputes need the coercive power of the State to enforce a resolution. Perhaps more importantly, many people want a professional advocate when they become involved in dispute, particularly if the dispute involves perceived legal rights, legal wrongdoing, or threat of legal action against them. Therefore, the most common form of judicial disputes resolution is litigation. Litigation is initiated when one party files suit against another. The proceedings are very formal and are governed by rules such as rules of evidence and procedure which are established by the legislature. The outcomes are decided by an impartial judge and are based on the factual question of the case and the application of law. The verdict (or decision) of the court is binding, not advisory. However, both parties have the right to appeal against the judgment to a higher court. The judicial dispute resolution is typically adversarial in nature. In other words, the traditional notion of a courtroom is that of a place where disputants commence a process, typically adversarial in nature, for the resolution of their disputes. This notion therefore makes the courtroom the place where dispute begins. Viewed from this perspective, disputants more often than not and without attempting any other forum for the resolution of their dispute proceed to court with the hope and aspirations of seeking redress and obtaining justice.

**Problems Associated with Adversarial System**

Unfortunately, these hopes and aspirations are often dashed, not just by the adversarial and rancorous nature of the proceedings, but also by the long delay and high cost in terms of both time and money expended. All these are in addition to relationships and/or business destroyed in the process of seeking justice through the adversarial process.\(^5\)

This adversary system is in contradistinction to the continental view in which once the parties have invoked the jurisdiction of the court it is the duty of the court to investigate the facts and the law and give a decision according to its view of the justice of the case with regard to any public interest that may be involved.\(^6\)

The system is not perfect and has some problems. Some of these are: legal justice becomes formalistic and technical. It tends to elevate form over substance: no matter how much the judges insist in rhetoric “that justice is not a fencing game in which the parties engage in whirligig of technicalities”. These complexities became more chronic and costly as litigation went up the judicial pinnacle, thereby making judicial proceedings both mysterious and daunting for most people. This adversely affects the confidence of the ordinary people. Secondly, many people consider the entire legal system as having too much root in English concepts and as, therefore, being basically a colonial relic. Many of these legal concepts have not been part of the African experience and therefore could not cover our existential realities. This tends to exclude the traditional community role of law in our indigenous societies which focused on better

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5. Dele Peters \textit{op. cit} at 438.
management of human relations through conciliation or compromise of disputes.\(^7\)

Beyond this however, a litigant’s success in the court again is dependent on a series of variables and factors. For instance, the concept of legal justice may, to a very great extent, depend on the caliber of attorney whose services a litigant can afford to pay for and hence the monetization of justice and the aphorism that justice is for the highest bidder.\(^8\) Consequently, there is loss of confidence in the whole adversary system. Thus, according to Justice Arthur Vanderbilt:

…It is in the courts and not in the Legislature that our citizens primarily feel the keen, cutting edge of the law. If they have respect for the work of the courts, their respect for law will survive the shortcomings of every other branch of government. But if they lose their respect for the work of courts their respect for law and order will vanish with it to the great detriment of the society.”\(^9\)

The adversary procedure that tends to obstruct the course of justice by encouraging lawyers to tarnish the evidence which is favourable to the opposition while at the same time oppressing evidence favourable to opponents or preventing the falsity of evidence on his side to be discovered\(^10\) needs a reexamination.

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Delay as a factor militating against fast tracking of civil proceedings
The problems besetting procurement of justice through the adjudicatory process in Nigeria are multifarious and multidimensional. They range from too many cases in the courts to trial delays and denial of justice, inadequacy of judicial personnel, archaic system of court adjudication, corruption, lack of modern management technology and the absence of case management techniques.¹¹

As stated earlier, the problem of delays suffered by litigants appears to be the most persistent of them all. Accordingly, like an unattended cancer, it tended to grow bigger and bigger.¹² According to Professor Osinbajo, the situation in Lagos is very daunting and perplexing. According to him, as of May 2000, pending cases at the Lagos High Court were in the order of 40,000.¹³ He gave a further comparative breakdown of the work load in both Lagos and Rivers States thus:

### Table A

<table>
<thead>
<tr>
<th>Year</th>
<th>Court</th>
<th>Fresh Cases Filed</th>
<th>Pending Cases</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>Lagos</td>
<td>10,226</td>
<td>20,169</td>
</tr>
<tr>
<td></td>
<td>Rivers</td>
<td>2,409</td>
<td>8,398</td>
</tr>
<tr>
<td>2000</td>
<td>Lagos</td>
<td>9,969</td>
<td>23,197</td>
</tr>
<tr>
<td></td>
<td>Rivers</td>
<td>3,399</td>
<td>10,699</td>
</tr>
</tbody>
</table>

A 1997 study conducted on the duration of trials in the Lagos High Court indicated the following results.

### Table B

<table>
<thead>
<tr>
<th>Types of Case</th>
<th>Trial Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Matters</td>
<td>7 – 8 years</td>
</tr>
<tr>
<td>Personal Matters</td>
<td>3 – 4 years</td>
</tr>
<tr>
<td>Commercial Cases</td>
<td>3 – 5 years</td>
</tr>
<tr>
<td>Family Cases</td>
<td>2 – 5 years</td>
</tr>
</tbody>
</table>

Going by this table, the overall average for cases was 4.25 years. These figures of course assumed that there would be no interlocutory appeals which could drag the process on for an additional 50% - 75% of the average expected duration. Another study conducted by the Lagos State Ministry of Justice in August, 2001 showed that it took an average of 5.9 years for a contested case to move from filing to judgment. Other random studies show that few lawyers who practiced regularly in the Lagos High Court were able to conclude 10 contested cases in 10 years. The Table below shows the length of trial time in civil cases in Lagos State.

**Table C**

<table>
<thead>
<tr>
<th>General civil cases (2001-2006)</th>
<th>National average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court</td>
<td>Years</td>
</tr>
<tr>
<td>High Court</td>
<td>3.4</td>
</tr>
<tr>
<td>Court of Appeal</td>
<td>2.5</td>
</tr>
<tr>
<td>Supreme Court</td>
<td>4.5</td>
</tr>
<tr>
<td>Total</td>
<td>10.4</td>
</tr>
</tbody>
</table>

The situation in the apex court does not fare better either. The position was painted gloomily by the Honourable Justice Dahiru Musdapher, C.J.N, when he stated that during the 2010-2011 Legal Year alone, the Supreme Court disposed of 163 cases, consisting of 78 judgments and 85 motions. However, 1,149 civil appeals, 58 criminal appeals and 177 motions are still pending before the Supreme Court. He continued that even if there were a full constitutional complement of 21 Justices of

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the Supreme Court, it would certainly take several years before the backlog would be cleared.16

Writing on the theme, ‘The Nigerian Legal Profession: Towards 2010, Professor Auwalu Hamisu Yadudu stated that without attributing the cause to any single actor or factor, there is, in contemporary Nigeria, an unacceptable, perhaps indecent, level of dilation and delay in the judicial process which tends to erode confidence in the system and encourage resort to some form of self-help out of desperation17. On the indeterminable delays in the judicial process, the learned author further gave examples of those who suffered delays: a very high judicial officer recently complained loudly that a suit before one of his courts suffered well over (80) eighty adjournments. A European victim of 419 fraudsters has been telling her own tale of adjournment woes, which she portrays, and says so very loudly in Nigeria and abroad, as unabashedly travesty of justice that can only help in further denting of our image.18 These, and many more, the author suggested that they may well lie in some archaic rules of procedure, the inadequacy or non-availability of the facilities which augur for speedy trials, the unwholesome attitude of some counsel who take undue advantage of loopholes in the system and rules and complacency in the society which is not repulsed by some of these shocking revelations and discoveries.19

Perceptions about litigations generally as means of resolving disputes

18. Ibid.
In an empirical research conducted for reforming the Lagos State High Court’s Civil Procedure, 82.4% of the litigants, 85% of Lawyers and 65% of judges interviewed expressed dissatisfaction and frustration with litigation as means of resolving their disputes and enforcing their rights. 90% of lawyers interviewed and 100% of contributors to the research expressed their deep concerns on the frustrating litigation processes and its consequential diminishing returns from legal practice.20

Problem Areas of the Civil Justice System in Descending Order of Magnitude- Table D

<table>
<thead>
<tr>
<th>Judges</th>
<th>Litigants</th>
<th>Lawyers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Problem</td>
<td>%</td>
<td>Problem</td>
</tr>
<tr>
<td>Lack of equipment /supplies</td>
<td>95 %</td>
<td>Lack of</td>
</tr>
<tr>
<td></td>
<td></td>
<td>equipment</td>
</tr>
<tr>
<td>Poor welfare</td>
<td>65 %</td>
<td>Corruption</td>
</tr>
<tr>
<td>Inefficiency</td>
<td>55 %</td>
<td>System related</td>
</tr>
<tr>
<td>System related</td>
<td>45 %</td>
<td>Poor welfare</td>
</tr>
<tr>
<td></td>
<td></td>
<td>inefficiency</td>
</tr>
<tr>
<td>Corruption/understaffing</td>
<td>30 %</td>
<td>Understaffing</td>
</tr>
<tr>
<td>Too many adjournments</td>
<td>5%</td>
<td>-</td>
</tr>
</tbody>
</table>

Perceptions of the quality of Justice rendered by the Civil Justice System

This segment shall be based on the technical report on the Nigerian Court Procedures Project in the Lagos State High Court.

**Table E**

<table>
<thead>
<tr>
<th></th>
<th>Litigants</th>
<th>Lawyers</th>
<th>Court Administrators</th>
<th>Judges</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
<td>%</td>
</tr>
<tr>
<td>1. The system is just in its results</td>
<td>59.4</td>
<td>40.6</td>
<td>50.0</td>
<td>50.0</td>
</tr>
<tr>
<td>2. The system is fair in treating</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Litigants generally</td>
<td>64.5</td>
<td>35.5</td>
<td>50.0</td>
<td>50.0</td>
</tr>
<tr>
<td>ii) Rich litigants</td>
<td>81.2</td>
<td>18.8</td>
<td>85.0</td>
<td>15.0</td>
</tr>
<tr>
<td>iii) Poor litigants</td>
<td>42.4</td>
<td>57.6</td>
<td>45.0</td>
<td>55.0</td>
</tr>
<tr>
<td>iv) Private citizens</td>
<td>45.5</td>
<td>59.5</td>
<td>42.5</td>
<td>57.5</td>
</tr>
<tr>
<td>v) Government</td>
<td>81.2</td>
<td>18.8</td>
<td>77.5</td>
<td>22.5</td>
</tr>
<tr>
<td>vi) Female litigants</td>
<td>80.0</td>
<td>20.0</td>
<td>79.5</td>
<td>20.5</td>
</tr>
<tr>
<td>3. It works at reasonable costs</td>
<td>53.1</td>
<td>46.9</td>
<td>50.0</td>
<td>50.0</td>
</tr>
<tr>
<td>4. It works at reasonable speed</td>
<td>17.6</td>
<td>82.4</td>
<td>15.0</td>
<td>85.0</td>
</tr>
<tr>
<td>5. It is adequately resourced and organized</td>
<td>11.8</td>
<td>88.2</td>
<td>10.3</td>
<td>89.7</td>
</tr>
<tr>
<td>6. It encourages resort to litigation without adequate procedures for alternative measures</td>
<td>66.7</td>
<td>33.3</td>
<td>61.5</td>
<td>38.5</td>
</tr>
<tr>
<td>7. It is understandable to those who use it</td>
<td>60.0</td>
<td>40.0</td>
<td>70.0</td>
<td>30.0</td>
</tr>
<tr>
<td>8. It is responsive to those who use it</td>
<td>40.0</td>
<td>60.0</td>
<td>37.5</td>
<td>62.5</td>
</tr>
<tr>
<td>9. It provides certainty</td>
<td>60.2</td>
<td>30.8</td>
<td>64.1</td>
<td>35.9</td>
</tr>
</tbody>
</table>
Towards fast Tracking Justice Delivery in Civil Proceedings in Nigeria

10. It offers adequate access to citizens

<table>
<thead>
<tr>
<th>Question</th>
<th>Agree 1</th>
<th>Agree 2</th>
<th>Agree 3</th>
<th>Agree 4</th>
<th>Agree 5</th>
<th>Agree 6</th>
<th>Agree 7</th>
<th>Agree 8</th>
</tr>
</thead>
<tbody>
<tr>
<td>10. It offers adequate access to citizens</td>
<td>41.2</td>
<td>58.8</td>
<td>53.8</td>
<td>46.2</td>
<td>70.0</td>
<td>30.0</td>
<td>78.9</td>
<td>21.1</td>
</tr>
</tbody>
</table>

11. It is culturally sensitive and relevant

<table>
<thead>
<tr>
<th>Question</th>
<th>Agree 1</th>
<th>Agree 2</th>
<th>Agree 3</th>
<th>Agree 4</th>
<th>Agree 5</th>
<th>Agree 6</th>
<th>Agree 7</th>
<th>Agree 8</th>
</tr>
</thead>
<tbody>
<tr>
<td>11. It is culturally sensitive and relevant</td>
<td>37.1</td>
<td>62.9</td>
<td>41.2</td>
<td>58.8</td>
<td>70.0</td>
<td>30.0</td>
<td>55.6</td>
<td>44.4</td>
</tr>
</tbody>
</table>

This Table revealed the perceptions of respondents’ quality of justice rendered by the civil justice system in the High Court of Lagos State.21

The cumulative result of this fast failing court system in the dispensation of justice are the loss of “the last hope” of the common and uncommon man, in the Nigerian judicial system, loss of confidence of the commercial sectors in the judicial process, to mention a few, and of course the consequential decline in the lucrativeness and beauty of legal practice.22

The Courts are therefore overburdened. The effect is that, as stated by Ronald L. Olson, Chairman of the American Bar Association Special Committee on Dispute Resolution:

Increased urbanization, broadening government involvement in everyday life, and waning of non-judicial institutions traditionally engaged in dispute resolution have combined to produce an unprecedented explosion of formal litigation. Judicial institutions have not kept pace. As a result, courts have been congested, living costs and delay have reduced the effectiveness of the judicial system, and justice as well as mercy has become more remote.23

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21. Ibid at p. 20.
Although the courts are recognized as the most visible dispute settlers, it is recognized that while litigation is one way of resolving legal controversies, it is not always the most effective or efficient method.

**Fast tracking Justice Delivery in Civil Proceedings in Nigeria**

Prior to the transition programme in 1999, it was widely acknowledged that the justice delivery system in Nigeria was in need of urgent reform. There were delays whereupon a case could take several years for a resolution; there were also docket congestion and unpredictable trial costs. All these served to affect the efficiency of justice delivery and projected the courts in a very bad light as the public perception of courts as accessible and effective was discouragingly low.

The above major highlight of developments and reforms in the Nigerian judiciary led to the introduction of the various States’ High Courts (Civil Procedure) Rules which are geared towards fast tracking civil justice administration in the States. The rules in no doubt have banished the all too familiar snail speed adjudications. The new High Court civil procedure rules have been internalized in the judicial system of the States and have reduced significantly the time between filing the court process and date of judgments.

Lagos State led the vanguard of institutionalizing new Civil Procedure Rules which strove to do away with major drawback of the old rules of court previously guiding trial cases, with the Federal Capital Territory, Anambra, Rivers, Benue, Kano and Kwara following suit with minor variations. Justice C.C.Nweze captures this development in the following terms:

The evolution of what is now known as the regime of new rules in Nigeria dates back to 2004. Following the Woolf Reforms in England and Wales, the prototype enactment which
incorporated the major features of the said reforms first emerged in Lagos State in 2004. With time, a comity of States in Nigeria evolved opting for the innovations warranted by the new regime… [The challenge that this development]… imposes on advocacy is the challenge of fidelity to the new techniques: techniques which, if diligently complied with, would surely eventuate to the restoration of the confidence of the court users.24

In addition, on the 1st day of September 2007, the new Court of Appeal Rules came into effect and the Court of Appeal issued a Practice Direction specifying a new cost regime governing award costs.

Again, the courts in the various jurisdictions, including Nigeria, have adopted interventionist and pro-active strategies and processes to fast track civil proceedings in order to avoid the twin evils of trial delays and denial of justice. These include the following:25

(a) Case Law Management Systems (or Case Flow Management) (this also includes the Review of Court Procedure Rules)
(b) Fast Track Court System;
(c) Multi-Door Courthouse;
(d) Court Connected A.D.R. Systems;
(e) Simplified Method of Initiating Actions in Court;

(f) Obligatory Time Linked Pre-Trial Procedural Systems; and
(g) Small Claims Courts.

However, for the purpose of this paper, only Case Management Systems (majorly the reviewed Lagos State Civil Procedure Rules) and Fast Track Court Systems will be considered.

Case Flow Management Approach System
The Case Flow Management Approach affords the court the opportunity to take responsibility and initiatives to facilitate prompt, economical and fair processing of cases from commencement to final disposition. An important purpose of a case management system is to eliminate delay as much as possible. Case law management is wide enough to encompass several aspects in both civil and criminal justice administration, but basically its success depends on the Rules of court guiding the procedure of the court from the institution of a case all the way to the post-judgment aspect of a case. This issue spans across three phases, namely, institution of a case, conduct of the trial of the case as well as the post-judgment phase.

In order to appreciate the system, some relevant provisions of the 2004 Lagos State High Court Procedure Rules will be considered.

The Lagos State 2004 High Court Procedure Rules: Background
Prior to the 2004 High Court Procedure Rules of Lagos State, practice in the High Court of Lagos State was governed by the High Court of Lagos State Civil Procedure Law, Chapter 61 of

27. *Ibid*.
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1994 and the Rules of Procedure made there under. These rules were based on the Uniform Civil Procedure Rules in use in all State High Courts in Nigeria. The rules do not differ too much in substance and content from the erstwhile rules of 1972 previously in force in Lagos State. The enactment of the Lagos Rules is against the background of the fact that the 1994 Lagos State High Courts (Civil Procedure) Rules, which was the operative Rules prior to the coming into force of the Lagos Rules, was revised about a decade before 2004 and the 1994 Rules lacks the modern case management techniques which made the procedures under the 1994 Rules to become too slow and inadequate to meet the needs of commercial interests in a predominantly commercial city like Lagos, resulting in apparent failure of the civil justice system. Therefore, to address the problem of cause list congestion, in 2004, Lagos State became the first State Government in Nigeria to adopt new Civil Procedure Rules which radically overhauled the civil justice system.

Overriding Objectives of the Rules
The declared objective of the Lagos State 2004 High Court Procedure Rules is the “achievement of a just, efficient and speedy dispensation of justice”. According to Justice C. C. Nweze, implicit in this philosophy of Order 1 of the Lagos Rules is the anxiety of the draftsperson to canalize the resolution of conflicts so that the machinery of operation is lubricated in the inveterate canons of justice and fair play attained with transparent efficiency and commendable speed rather than the indeterminate rules in societies. The objective

31. Order 1 r. 2.
of the rules may, thus, be characterized as the lifeblood that runs in the statutory veins of the rules: animating them and rendering them into supple tools of a target-compliant legislation. As it were, every judge and all advocates are expected to wear this objective as a badge to constantly remind them of the need for expediting trials.\textsuperscript{33}

Another author opined that it is evident that after May 1999, no State in Nigeria has given practical expression to speedy dispensation of justice as Lagos State has. The new High Court of Lagos State (Civil Procedure) Rules 2004 seeks to enthrone fair, efficient and speedy justice delivery system.\textsuperscript{34}

Comparatively, in the United Kingdom, the Civil Procedure Rules were introduced in 1999 by Lord Woolf with the intention of achieving a cheaper, simpler and more efficient dispute resolution process for all litigants, to be implemented through quicker, less adversarial litigations with emphasis on case preparation and encouragement of early settlement. In particular, Civil Procedure Rules 1 states that the ‘overriding objective of the civil procedure process is to enable the court to deal with cases justly which includes ensuring that the parties are on an equal footing; saving expense; dealing with the case in ways which are proportionate to the amount of money involved to the importance of the case, to the complexity of the issues, and to the financial position of each party; ensuring that it is dealt with expeditiously and fairly; and allotting to it an appropriate share of the court’s resources while taking into account the need to allot resources to others.\textsuperscript{35}

\textsuperscript{33} Ibid, p.8.
\textsuperscript{35} Thompson, CPR 1, The Civil Procedure Rules, Vol.1, (Sweet & Maxwell, 2007).
Recently, the Lagos State Ministry of Justice in partnership with Nigerian Bar Association’s Section on Legal Practice organized a one day summit on the review of the 2004 Civil Procedure Rules. There was consensus among opinions that the rules introduced unprecedented Managerial Judge Concept, Front Loading, and Fast Track Courts and Pre-Trial Conference which have to a large extent drastically revolutionized justice administration in the State. These shall be the provisions to be considered in this segment.

**Front-Loading**

Front-loading is a term used to describe the act of producing the oral and documentary evidence required in the prosecution of a case or its defence at the onset of the case and not having to get to trial before doing so. The rationale for the concept was given in the case of *Gambari and Anor v. Mahmud and Anor*, thus:

> The rationale for the statutory endorsement of this concept is that through its espousal the configuration and delineation of the contours of forensic contests may be attained with considerable facility such that their resolution could be achieved at the earliest opportunity and with minimal costs. The ultimate objectives of this technique, and the other equally innovative features of the rules, are for the evolution of a user friendly trial procedure in which the Judge can effectively and efficiently manage the flow of cases in the court.

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38. [Appeal No. CA/IL/38/2006, delivered on May 11, 2009].
Front-loading is a statutory process for checking the abuse of court process. One of the greatest advantages this technique confers on the new regime is that it ensures “that only serious and committed litigants with *prima facie* good cases and witnesses to back up their claims would come to court.”

Justice Agube, J.CA. was more explicit when he put it in the following way:

There is no doubt that the philosophy behind frontloading procedure is to quicken the dispensation of justice and that Judges of the High Court where such procedure is adopted are no longer adjudicators and/or umpires or interested in the trial of disputes in the court room only, but have become managerial Judges who must effectually utilize the technique and tool of case management and judicial control to achieve/facilitate just, efficient and speedy dispensation of justice. However, in the course of the emphasis on efficiency, care must be taken not to sacrifice justice on the altar of efficiency.

Another value of this technique in enhancing the objective of the expeditious disposal of cases has equally been acknowledged. By compelling the claimant “to place all his cards on the table”, this device is also aimed at affording the defendant “the full knowledge and adequate notice of the case of the claimant.” In this way, delays in trials are avoided. That is one way of attaining the objective of speedy administration of justice under the new rules. The essence of

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frontloading is case management. Thus, Order 3 Rule 2(1) of the Lagos State High Court Civil Procedure Rules 2004 provides that:

“All civil proceedings commenced by writ of summons shall be accompanied by:
(a) Statement of claim;
(b) List of witnesses to be called at the trial;
(c) Written statements on oath of the witness and
(d) Copies of every document to be relied on at the trial.

Where a claimant fails to comply with Rule 2 (1) above, his originating process shall not be accepted for filling by the Registry.

In front-loading the Statement of defence, the rules provide that the statement of defence shall be a statement in summary form and shall be supported by copies of documentary evidence, list of witnesses and their written statements on oath.\textsuperscript{44}

Other variants of front-loading requirements include application to: add a Claimant or Defendant shall annex the deposition of the new party to the application\textsuperscript{45}; amended pleadings shall annex the list of additional witness(es), document and deposition of witness(es) to the application\textsuperscript{46}; other additional witnesses shall annex the deposition of the new witness(es) to the application.\textsuperscript{47}

However, the courts still retain the power to decide whether or not processes filed without complying with the “accompaniment rule” are competent or not.\textsuperscript{48}

Pre-trial Conference

\textsuperscript{44} O. 17 r.1.
\textsuperscript{45} O 13 r.17 (2).
\textsuperscript{46} O. 24 r. 3.
\textsuperscript{47} O. 30 r. 10.
\textsuperscript{48} I.N.E.C. v. Intama, supra.
As the name suggests, the Pre-trial Conference is a conference of parties and their counsel and it is brokered by a judge designated as a “Pre-trial Conference Judge”. The duty of a Judge at the pre-trial conference is that of case management.\footnote{Adewuyi Olateru-Olagbegi, \textit{op. cit.} p.129.} The pre-conference deals with civil cases commenced by way of writ of summons. It is designed to be informal in nature, with the Judge and counsel not robed. The role of the judge is to see if he can resolve the issues between the parties. It is in effect, a build-in of the Alternative Dispute Resolution where the Judge mediates.\footnote{A.A.I.Banjoko, \textit{op. cit.}} Consequently, Order 25 r.1 (1) of the Lagos High Court Civil Rules, 2004, states that within 14 days after close of pleadings, the claimant shall apply for the issuance of a pre-trial conference notice.\footnote{As in Form 18.} If the claimant does not make the application for the issuance of a pre-trial conference notice, the defendant may either do so or apply for an order to dismiss the action.\footnote{O 25 r.13, \textit{op.cit.}}

The main objectives of the pre-trial conference are as follows:

(a) Dispose of all those matters that can be dealt with on interlocutory applications;

(b) Give such directions as to the future course of the action as appear best adopted to secure its just, expeditious and economical disposal and

(c) Promote amicable settlement of the case or adoption of alternative dispute resolution.\footnote{O 25.r 2 (a).}

From the phraseology of these objectives of the pre-trial conference, it leaves no one in doubt that, unlike the old practice which had provisions on “summons for direction”: a procedure that left the progress of the case entirely in the hands of parties

\footnotesize{49. Adewuyi Olateru-Olagbegi, \textit{op. cit.} p.129.}  
\footnotesize{50. A.A.I.Banjoko, \textit{op. cit.}}  
\footnotesize{51. As in Form 18.}  
\footnotesize{52. O 25 r.13, \textit{op.cit.}}  
\footnotesize{53. O 25.r 2 (a).}
or their counsel, the pre-trial conference is firmly under the Judge’s control.\(^{54}\) Therefore, at the pre-trial conference, the Judge is mandatorily required to consider and take appropriate action with effect to such matters as follows:

(a) Formulation and settlement of issues;
(b) Amendments and further and better particulars;
(c) The admissions of facts, and other evidence by consent of the parties;
(d) Control and scheduling of discovery, inspection and production of documents;
(e) Narrowing the field of disputes between expert witnesses by their participation at pre-trial conference or in any other manner;
(f) Eliciting preliminary objections on point of law;
(g) Giving orders or directions for separate trial of a claim, counter-claim, set-off, cross-claim or third party claim or of any particular issue;
(h) Settlement of issues, inquiries and accounts under Order 27;
(i) Securing statement of special case of law or facts under Order 28;
(j) Determining the form and substance of pre-trial order;
(k) Such other matters as may facilitate the just and speedy disposal of the action.\(^{55}\)

The pre-trial conference or series of pre-trial conference with respect to any case shall be completed within three months of its commencement and the parties and their Legal Practitioners shall cooperate with the Judge in working within the time table. As far as practicable, pre-trial conferences shall be held from day to day or adjourned only for purposes of

\(^{54}\) Chinma C.Nweze, *op. cit.*, p.18.

\(^{55}\) O 25 r.3.
compliance with pre-trial conference orders, unless extended by the Chief Judge.\textsuperscript{56} It is interesting to note that many suits terminate at the pre-trial conference in several instances and the pre-trial conference Judge may enter final judgment at the pre-trial conference as the circumstance of the case demands.\textsuperscript{57} At the conclusion of conference, the pre-trial conference judge shall prepare his report and send same to the Chief Judge; the report shall contain the following: suit number, the names of the parties, summary of the claim, counter-claim or defence and a statement of the issues for determination.\textsuperscript{58}

In summing up the essence of the procedure of pre-trial conference, Justice Chima C. Nweze, J.C.A. opined among others thus:

\begin{quote}
It is expected that every pre-trial Judge will maximally utilize the techniques of pre-trial conference for the effectuation of the objectives of the rules. It cannot be otherwise. After all, there are both general and special provisions in the rules all geared towards the actualization of the objective of the speedy disposal of matters.\textsuperscript{59}
\end{quote}

In the Federal Capital Territory judiciary, the Judge can take the initiative of advising counsel and parties on the propriety of the case being referred to the Multi-Door Court House or any other private alternative dispute resolution centres. Under Order 17 of the Federal High Court Rules, a court or Judge with the consent of the parties may encourage settlement of any matter before it by either a) Arbitration b) conciliation c)

\begin{itemize}
\item \textsuperscript{56} O 25 r.4.
\item \textsuperscript{57} See orders 11, 25 and 28 respectively.
\item \textsuperscript{58} O 25 r 6.
\item \textsuperscript{59} Chima C.Nweze, \textit{op.cit.}p.21.
\end{itemize}
mediation d) any other lawfully recognized method of dispute resolution.  

**Limitation of Oral Evidence-in-Chief**

As a way of fast tracking the civil proceedings in the courts, the Lagos State Civil Procedure Rules, 2004 provide for limitation of oral evidence-in-chief.\(^6^1\) It is about the most time saving provisions of the rules. It is to the effect that witness oral testimony during his evidence in chief shall be limited to confirming his written deposition and tendering in evidence all disputed documents or other exhibits referred to in the deposition. All agreed documents and other exhibits are to be tendered from the bar or by the party where he is not represented by a legal practitioner.\(^6^2\) This provision limiting the evidence-in-chief of a witness to confirming his deposition has several advantages as it saves a considerable time particularly in suits where the facts are complex, scientific, and mathematical or by its nature disposed to lengthy facts as is the case in chieftaincy and land matters; the effect of stage-fright is reduced in the case of witnesses of truth who are otherwise disadvantaged not being accustomed to court environment or not being oratorical.\(^6^3\)

**Compulsory Written Addresses**

Another provision in the rules that fast tracks the proceedings deal with compulsory written addresses by counsel. These apply to all applications\(^6^4\) and upon the conclusion of the trial.\(^6^5\) Consequently, addresses must contain a brief statement of facts, the issues arising from the evidence and a statement of

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60. A.A.I.Banjoko, *op. cit.*
61. O 32 r. 1 (3).
62. O 32 r.1 (2).
64. O 39 r. 1 (2).
65. O 33 rr.13-16.
argument on each issue incorporating the purport of the authorities referred to together with full citation of each such authority. According to Justice A. A.I. Banjoko, this procedure has remarkably condensed the life span of case determination in the Nigerian Court system as time is saved by eliminating endless recording of addresses, which in some cases are lengthy and cumbersome.

**Judicial Control**

In addition to the above specific rules, the Rules also provide for the Judge to take active control of all proceedings. Order 27 Rule 13 provides as follows:

> If it shall appear to the Judge that there is any undue delay in the prosecution of any proceedings, the Judge may require the party having the conduct of the proceeding to explain the delay and may thereupon make such order with regard to expediting the proceedings or the conduct thereof, or the stay thereof and as to the costs of the proceedings as the circumstances of the case may require; and for the purposes aforesaid any party may be directed to summon the persons whose attendance is required, and to conduct any proceeding and carry out directions which are given”.

**Fast Track Court System**

This system was introduced by the former President of Nigeria, Chief Olusegun Obasanjo in response to inordinate delays that characterized the Nigerian court system. The fundamental objective of the fast track system is to reduce to the maximum

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66. O 31 rr.2 and 3; see also Adewuyi Olateru-Olagbegi, *op. cit.* p. 147.
67. A.A.I. Banjoko, *op. cit.*
of six months (averagely) the total time for disposal of a case from the date of filing to the delivery of the final judgment.

There were about five of such courts set up by the Federal Government with two each in Abuja and Lagos High Courts and one in Federal High Court.68

Primary features of the system include electronic case flow management which monitors each step of the judicial process from the registry/counter, the process and scanning clerks through the office of the bailiff all the way to the Judge and eventually to the Chief Judge. Other offices are the Court Manager and the quality controller/Coordinator. It is also an automated court, which is networked and linked to the supervisor. There is also allowance for conferencing by the Judges hooked unto the system for ready consultations if needed and the Judges can read judgments and rulings electronically. Proceedings are scanned and notices are issued within 24 hours. Orders of the courts are produced almost immediately and signed by the Judge.69

A Case Tracking System (CTS) and a Court Automated Information System (CAIS) were introduced in Lagos in partnership with Lagos State Government to reduce delays in both civil and criminal trials. As a result of collaborative effort between Security, Justice and Growth (SJG) and Lagos State Government, the court automated information system of the High Court of Lagos State (also known as CAIS) was developed and began its operations in January 2005. The project was aimed at reducing delays by improving the flow and management of civil cases in the High Court of Lagos Sate.70

The main focus was the creation of an electronic network for tracking and managing the flow of civil cases from filing to disposition by all the High Courts in the State supported by

68. Ibid.
69. Ibid.
70. www.j4a-nigeria.org/joomdocs/Case_Management_andTracking.pdf
wide area managed private network (MPN) with high speed VSAT bases and Fixed Wireless Internet Access. The purpose of the project was to implement and maintain an automated information system as part of efforts of the Lagos State Government to ensure a more efficient civil justice system. Additional benefits were expected to reduce delay in the administration of justice and improvement in the rate of disposal of civil cases. Therefore, a court automated information system has been installed and working. There is therefore, a speedier disposal of cases as this has been enhanced by the introduction of a fast tracking system in civil cases. Installation of local Area and Wide Area Networks (LAN and WAN) with about 200 access points in four Judicial Divisions of Ikeja, Lagos Island, Ikorodu and Badagry and over 300 court staff and 50 Judges have been trained. The Kaduna State Judiciary ICT Roadmap for the complete computerization of all the courtrooms of the High Court Judges is therefore in the right direction. In addition, all the nineteen Judges of the Kaduna State High Court have been equipped with the state of the art Tablet PCs and trained to use them.

Fast Tracking of Civil Justice System in other Jurisdictions
In Ghana, the government has equally introduced numerous reform initiatives under the umbrella of a judicial reform and modernization programme housed in the Ministry of Justice and the Attorney-General’s department. Among the highest profile innovations have been the introduction of ‘fast-track’ automated courts and the creation of a new Commercial Division of the High Court with redesigned procedures aimed at reducing delays in the administration of justice. These innovations have

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71. Ibid.
72. Ibid.
helped to expedite cases for litigants with the resources to use them. Particularly interesting is the introduction of pre-trial settlement conferencing in the commercial courts.\footnote{Ghana Justice Sector and the Rule of Law—a discussion paper, Reviewed by Afrimap and The Open Society Initiative for West Africa and the Institute for the Democratic Governance, published by the Open Society Institute Network, 2007: also available at \url{www.afrimap.org} and \url{www.osiwa.org} Accessed on 10th March 2012.}

In April 2010, the United Kingdom updated its Civil Procedure Rules and made important changes. The most significant was the introduction of the Electronic Working Scheme which provided for the electronic filing of court documents. The Electronic Working Scheme allows for a large proportion of litigations to be conducted electronically in Admiralty, Commercial and London Mercantile Courts, Technology and Construction courts, Chancery Division of the Royal Courts of Justice (including the Patents Court and the Bankruptcy and Companies Courts). The Rules apply to any claims including Arbitration and Admiralty Proceedings started on or after 1 April 2010 and which has already been commenced electronically under the earlier pilot scheme. The scheme provides for electronic filing of Claim Forms, Particulars of Claim, Defences and several other documents. The new scheme changed the ways documents are dealt with by the courts:

(1) Electronic filing can take place 24/7 on any day of the year;
(2) Forms only need to be filed once, without paper copies required in most cases, and automatic acknowledgements will be sent by e-mail and
(3) The court encourages parties to send all communications to the court and each other by e-mail and it is all assumed
that parties are content to accept service of documents by
e-mail.\textsuperscript{75}

In Brazil, with the deployment of appropriate technology, its courts have succeeded in rendering speedier and more
effective and efficient justice. In 2010, Brazil had 85.6 million
law suits pending. Approximately, 20.6 million new cases are
filed yearly. In the State of Rio Grande do sul, 1.5 million new
cases were filed in the year 2008, a proportion of 14 new cases
per 100 inhabitants. However, with the deployment of the
appropriate technology to cope with these cases, average time
lapse between the beginning of a case and final judgment has
been reduced from 2 years and 1 month to 2 months and 3
days.\textsuperscript{76}

In the Republic of South Korea, the Supreme Court has
made steady efforts in order to improve the civil proceedings in
a substantial and efficient way. With the New Case
Management Model in operation at courts throughout the
country since 2001, and the new Civil Procedure Act in force
from July 1, 2002, epochal improvement of civil proceedings
has been achieved.

The following Tables show how efficient the civil justice of the
Republic of South Korea is:

\begin{table}[h]
\centering
\begin{tabular}{|c|c|c|c|c|c|c|c|}
\hline
\hline
\textbf{Small claims} & & 906,293 & 934,473 & 868,470 & 967,588 & 901,488 & 944,712 & 780,220 \\
\hline
\textbf{Single Judge hearing} & & 210,927 & 218,029 & 210,890 & 279,804 & 267,296 & 265,269 & 238,848 \\
\hline
\textbf{Panel hearing} & & 33,852 & 37,729 & 45,529 & 41,595 & 45,021 & 49,050 & 55,168 \\
\hline
\end{tabular}
\end{table}

\textsuperscript{75} Civil Procedure Rules Changes 2010 available at

\textsuperscript{76} \url{www.thenationonline.net} Accessed on 14th March 2012.
(4) **Civil Cases Appeals: Intermediate/Final - Table G**

<table>
<thead>
<tr>
<th>Year</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intermediate Appeal</td>
<td>33,511</td>
<td>35,778</td>
<td>39,557</td>
<td>41,244</td>
<td>43,971</td>
<td>45,827</td>
<td>48,597</td>
</tr>
<tr>
<td>Final Appeal</td>
<td>7,143</td>
<td>7,357</td>
<td>7,807</td>
<td>8,859</td>
<td>9,278</td>
<td>9,975</td>
<td>10,704</td>
</tr>
</tbody>
</table>

Source: Copyright 2008 Supreme Court of Korea

The benefits of computerization are to:

(i) Ensure efficient and speedy processing of court documents;
(ii) Make it possible for court process to be filed electronically (e-filing) thereby saving valuable time;
(iii) Fast track compilation (and transmission) of records of proceedings and other vital documents;
(iv) Make it possible for a Judge, with the click of a mouse, to find out if new processes have been filed and give appropriate directions;
(v) Enable Judges, litigants, lawyers researchers and the general public to have easy access to online legal databases;
(vi) Enable court registries to device electronic mailing lists through which the larger society is kept abreast through alerts, of current judicial developments;
(vii) Provide a veritable platform for networking;
(viii) Engender an informal system of peer review of judicial decisions; given that Judges of comparable standing of other jurisdictions can access our judgments; and
(ix) Provide a platform for comparative jurisprudence.


Suggestions and Recommendations to fast track civil proceedings in Nigeria

This paper has briefly highlighted some causes of trial delays in civil matters and also advocated some measures aimed at fast tracking or minimizing these delays. In addition, without going into details, the table below highlights some other measures recommended for improving civil justice system in Nigeria. The measures are geared towards fast tracking justice delivery in civil proceedings in Nigeria. Some of the measures include but not limited to the following: avoidance of litigations where possible; reductions in length of trials; reductions in cost of litigations; reduction in bureaucratic delays; better management of cases and reductions in tactical delays and abuse of procedures by counsel.

Table H-Measures recommended for improving the Civil Justice System

<table>
<thead>
<tr>
<th>Measure</th>
<th>Lawyers</th>
<th>Litigants</th>
<th>Judges</th>
<th>Court Administrators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avoidance of Litigation wherever possible</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Encourage use of ADR</td>
<td>80.0</td>
<td>20.0</td>
<td>80.0</td>
<td>20.0</td>
</tr>
<tr>
<td>People should learn to live together in peace</td>
<td>-</td>
<td>-</td>
<td>2.9</td>
<td>97.1</td>
</tr>
<tr>
<td>Set up smaller, specialized courts/tribunals</td>
<td>-</td>
<td>-</td>
<td>5.7</td>
<td>94.3</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Registrars should be allowed to settle cases administratively</th>
<th>-</th>
<th>-</th>
<th>5.7</th>
<th>94.3</th>
<th>5.0</th>
<th>95.0</th>
<th>10.0</th>
<th>90.0</th>
<th>0</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nothing to be done</td>
<td>10.0</td>
<td>90.0</td>
<td>-</td>
<td>-</td>
<td>15.0</td>
<td>85.0</td>
<td>15.0</td>
<td>85.0</td>
<td>0</td>
</tr>
<tr>
<td>2. Reduction in length of trials (a) committed officials</td>
<td>20.0</td>
<td>80.0</td>
<td>14.3</td>
<td>85.7</td>
<td>-</td>
<td>-</td>
<td>35.0</td>
<td>65.0</td>
<td>0</td>
</tr>
<tr>
<td>(b) better working conditions</td>
<td>2.5</td>
<td>97.5</td>
<td>5.7</td>
<td>94.3</td>
<td>15.0</td>
<td>85.0</td>
<td>25.0</td>
<td>75.0</td>
<td>0</td>
</tr>
<tr>
<td>(c) grant fewer adjournments</td>
<td>17.5</td>
<td>82.5</td>
<td>22.9</td>
<td>77.1</td>
<td>15.0</td>
<td>85.0</td>
<td>40.0</td>
<td>60.0</td>
<td>0</td>
</tr>
<tr>
<td>(d) fix deadline for completion of cases</td>
<td>22.5</td>
<td>77.5</td>
<td>25.7</td>
<td>74.3</td>
<td>15.0</td>
<td>85.0</td>
<td>30.0</td>
<td>70.0</td>
<td>0</td>
</tr>
<tr>
<td>(e) reduce case load of Judges/increase number of Judges</td>
<td>20.0</td>
<td>80.0</td>
<td>17.1</td>
<td>82.9</td>
<td>10.0</td>
<td>90.0</td>
<td>5.0</td>
<td>95.0</td>
<td>0</td>
</tr>
<tr>
<td>(f) shorten procedures/prompt action</td>
<td>27.5</td>
<td>72.5</td>
<td>28.6</td>
<td>71.4</td>
<td>25.0</td>
<td>75.0</td>
<td>15.0</td>
<td>85.0</td>
<td>0</td>
</tr>
<tr>
<td>(g) computerize</td>
<td>5.0</td>
<td>95.0</td>
<td>2.0</td>
<td>97.1</td>
<td>10.0</td>
<td>90.0</td>
<td>15.0</td>
<td>85.0</td>
<td>0</td>
</tr>
<tr>
<td>(h) penalize erring officials</td>
<td>5.0</td>
<td>95.0</td>
<td>2.9</td>
<td>97.1</td>
<td>5.0</td>
<td>95.0</td>
<td>10.0</td>
<td>90.0</td>
<td>0</td>
</tr>
<tr>
<td>3 Reduction in cost of litigation</td>
<td>-</td>
<td>-</td>
<td>2.9</td>
<td>97.1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(a) reduce court fees</td>
<td>10.0</td>
<td>90.0</td>
<td>17.1</td>
<td>82.9</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(b) certain types of litigations e.g. human rights be free</td>
<td>-</td>
<td>-</td>
<td>2.9</td>
<td>97.1</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(c) minimize delay/adjournment</td>
<td>20.0</td>
<td>80.0</td>
<td>34.3</td>
<td>65.7</td>
<td>45.0</td>
<td>55.0</td>
<td>15.0</td>
<td>85.0</td>
<td>0</td>
</tr>
<tr>
<td>(d) bribe and unofficial fees be discouraged</td>
<td>-</td>
<td>-</td>
<td>14.3</td>
<td>85.7</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
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<tr>
<td>(e) reduce/regulate lawyers’ fees</td>
<td>2.5</td>
<td>97.5</td>
<td>2.9</td>
<td>97.1</td>
<td>-</td>
<td>-</td>
<td>5.0</td>
<td>95.0</td>
<td>0</td>
</tr>
<tr>
<td>(f) legal aid for poor litigants</td>
<td>-</td>
<td>-</td>
<td>5.7</td>
<td>94.3</td>
<td>-</td>
<td>-</td>
<td>15.0</td>
<td>85.0</td>
<td>0</td>
</tr>
<tr>
<td>(g) improve economy</td>
<td>10.0</td>
<td>90.0</td>
<td>2.9</td>
<td>97.1</td>
<td>5.0</td>
<td>95.0</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(h) no need for reduction</td>
<td>32.5</td>
<td>67.5</td>
<td>11.4</td>
<td>88.6</td>
<td>35.0</td>
<td>65.0</td>
<td>25.0</td>
<td>75.0</td>
<td>0</td>
</tr>
<tr>
<td>(i) government to subsidize litigation</td>
<td>32.5</td>
<td>67.5</td>
<td>11.4</td>
<td>88.6</td>
<td>35.0</td>
<td>65.0</td>
<td>25.0</td>
<td>75.0</td>
<td>0</td>
</tr>
</tbody>
</table>

4 Access to poor and
<table>
<thead>
<tr>
<th>Disadvantaged Litigants</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Enhanced/Improved Legal Aid Scheme</td>
<td>60.0</td>
<td>40.0</td>
<td>54.3</td>
<td>45.7</td>
<td>10.0</td>
<td>90.0</td>
</tr>
<tr>
<td>(b) Reduce Court Fees</td>
<td>7.5</td>
<td>92.5</td>
<td>11.4</td>
<td>88.6</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(c) Minimize Delay</td>
<td>3.2</td>
<td>96.8</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(d) Better Improvement of NGOS in Legal Aid</td>
<td>5.0</td>
<td>95.0</td>
<td>8.6</td>
<td>91.4</td>
<td>5.3</td>
<td>94.7</td>
</tr>
<tr>
<td>(e) Encourage Use of ADR</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>(f) Government to Provide Subventions to CLO and Others Providing Legal Aid</td>
<td>-</td>
<td>-</td>
<td>17.1</td>
<td>82.9</td>
<td>68.4</td>
<td>31.6</td>
</tr>
</tbody>
</table>

5 Reduction of Corruption

| Adequate Wages/Improved Welfare of Officials | 45.5 | 57.5 | 45.7 | 54.3 | 35.0 | 65.0 | 55.0 | 45.0 |
| Punishing Erring/Corrupt Officials and Reward Honest Officials | 20.0 | 80.0 | 25.7 | 74.3 | 25.0 | 75.0 | 10.0 | 90.0 |
| Judges Must Be Impartial and God Fearing | 5.0 | 95.0 | 8.6 | 91.4 | 5.0 | 95.0 | - | - |
| Better Supervision | 12.5 | 87.5 | 2.9 | 97.1 | 5.0 | 95.0 | - | - |
| Introduce Moral/Religious Instruction | 12.5 | 87.5 | 2.9 | 97.1 | 5.0 | 95.0 | 5.0 | 95.0 |
| Nothing Can Be Done | 15.0 | 85.0 | 11.4 | 88.6 | 5.0 | 95.0 | 5.0 | 95.0 |
| Improved Economy | - | - | 2.9 | 97.1 | 5.0 | 95.0 | 5.0 | 95.0 |
| Change Society | - | - | - | - | 5.0 | 95.0 | 10.0 | 90.0 |

6 Reduction in Bureaucratic Delays

<p>| Better Training/Increased Professionalism | 15.0 | 85.0 | 14.3 | 85.7 | 15.0 | 85.0 | 10.0 | 90.0 |
| Supervision/Disciplinary Measures When Required | 22.5 | 77.5 | 22.9 | 77.1 | 30.0 | 70.0 | - | - |
| Computerize/Modern Technology | 20.0 | 80.0 | 22.9 | 77.1 | 30.0 | 70.0 | 30.0 | 70.0 |
| More Judges/Reduce Cases per Judge | 2.5 | 97.5 | 2.9 | 97.1 | 5.0 | 95.0 | - | - |</p>
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<td>77.1</td>
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<tr>
<td>(g) dedicated/committed officials</td>
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<td>7 Better management of cases and counsel by individual Judges</td>
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<tr>
<td>(a) introduce computers/modern technology</td>
<td>12.5</td>
<td>87.5</td>
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<td>85.7</td>
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<td>77.5</td>
<td>14.3</td>
<td>85.7</td>
<td>20.0</td>
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<tr>
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<tr>
<td>(d) better wages/working conditions</td>
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<td>92.5</td>
<td>2.9</td>
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<td>(k) prompt action/objectivity</td>
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<td>8 Reduction in tactical delays and abuse of procedures by counsel</td>
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(d) parties should shy away from corruption

(e) judges should be firmer

(f) mutual respect

(g) frequent discussion of problem

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<td>(g) discussion</td>
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Whatever be the case, there is the need to ensure that Nigerians have access to justice and justice should be dispensed without delays in the courts.