

CASE MANAGEMENT: TRACKING AND MANAGING CASES TO DISPOSITION

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Introduction

Efficient case management is fundamental to the administration of justice. It requires the supervision and management of cases from commencement to final disposition. As jurists, we recognise that the expeditious resolution of disputes not only ensures fairness but also sustains public confidence in the judiciary. This Paper discusses the evolution, principles, and challenges of Case Management in our courts. It highlights the necessity for judges to proactively monitor and control case progress, thereby upholding our constitutional mandate for a fair hearing within a reasonable time. Justice delayed as we all know is justice denied, therefore the need for effective case management practices for a speedy resolution of cases cannot be overemphasized.

1. THE CONCEPT AND EVOLUTION OF CASE MANAGEMENT:

1.1 Defining Case Management:

Case management is not merely an administrative function. It is a structured process through which a court oversees the progress of legal proceedings. It involves the systematic recording of case information; including the names of parties, case numbers and the category each case belongs to i.e. Civil, Fundamental Rights, Criminal etc. as well as monitoring the progression of a case from the date of filing to final judgment. This system of tracking cases may be

implemented manually or electronically or a combination of both. The primary aim remains the same and that is to facilitate efficient, timely and just resolution of disputes.

1.2 Evolution: From Passive Adjudication to Proactive Management:

Traditionally, Nigerian courts operate under an adversarial system wherein judges limit themselves to adjudication while counsel present evidence. This method which is quite rooted in our legal system as an established legal tradition, often results in delays as the courts lacked mechanisms to oversee the progress of cases. Therefore, mounting backlogs, protracted adjournments and the continuous accumulation of cases for Rulings and Judgments spurred the judiciary to recognise the need for proactive management of cases. Consequently, administrative reforms have gradually evolved to promote early judicial intervention and continuous oversight from the moment a case is filed and assigned till its conclusion. This evolution reflects a shift in our judicial philosophy; from passive decision making by waiting for the procedural rhythm to unfold to actively dictating that rhythm through effective case administration in service of expeditious justice.

The point being made is that for judges to succeed in proactive case management, they must ensure early and continuous control of cases in their courts which includes complying with the time limits sets for various stages of hearing or proceedings, controlling adjournments

and setting firm dates for hearing and ensuring that proceedings are not unnecessarily delayed. All these are to be administered in a manner that will ensure efficient progression of cases and timely delivery of Rulings and/or Judgements.

1.3 Legal Mandates and Global Comparisons:

The Judiciary plays a critical role in ensuring swift administration of justice and the rights of citizens to a fair hearing within a reasonable time is firmly enshrined in the 1999 Constitution of the Federal Republic of Nigeria. Similar provisions are contained, in the Constitutions of other countries across the globe. Likewise, other renowned international instruments such as the African Charter on Human and Peoples' Rights (1981) via its Article 7 also reinforces this position.¹

Section 36 (1) of the 1999 Constitution as amended provides thus²:

“In the determination of his civil rights and obligations, including any question or determination by or against any government or authority, a person shall be entitled to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such a manner as to secure its independence and impartiality” (underlining mine)

¹ [African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) OAU Doc CAB/LEG/67/3 rev 5, art 7.]

² [Constitution of the Federal Republic of Nigeria 1999 (as amended), s 36(1).]

See also Section 36(4) of the Constitution which is the corresponding section with respect to Criminal Matters.

The Administration of Criminal Justice Act, 2015 by the provisions of Section 1 also emphasizes the importance of expediting justice in Criminal Matters and promoting the speedy dispensation of justice.³ It provides thus:

(1) The purpose of this Act is to ensure that the system of administration of criminal justice in Nigeria promotes efficient management of criminal justice institutions, speedy dispensation of justice, protection of the society from crime and protection of the rights and interests of the suspect, the defendant, and the victim. (Underlining mine).

Therefore, it is safe to say that the position of our laws align with international statutes and global best practices. This convergence of constitutional, statutory and international standards has elevated the role of case management from a minor administrative process to a central pillar in the delivery of justice.

2. CHALLENGES AND CAUSES OF DELAY IN THE JUDICIAL PROCESS

Delays in the administration of justice in Nigeria are a reflection of the inefficiencies of the system and a pervasive lack of accountability

³ [Administration of Criminal Justice Act 2015 (Nigeria).]

across judicial institutions. Various factors contribute to the prolonged resolution of cases, ranging from disorganized administration to an excessive focus on procedural technicalities. A closer look at these challenges is discussed below:

a. Inefficient Registry Systems

The traditional methods of record-keeping and file management continue to be a major impediment. Manual registry systems, unstructured procedures for collating case data, and disorganized staffing practices frequently result in missing files, misdirected processes, and overall inefficiencies. In many instances, the failure to synchronize between registries and various courtrooms delays the scheduling of hearings and prolongs the resolution of cases.

b. Lack of Accountability and Coordination

At the root of many delays is a systemic deficiency in accountability. Staff across different sections sometimes impede the progress of cases without fear of reprisal. In addition, insufficient coordination among these sections often leaves inquiries into a case's status unanswered, leading to confusion about whom to contact or which department holds responsibility. This lack of a unified case-tracking mechanism leads to delays and hinders swift progress from filing to hearing and conclusion of cases.

c. Excessive Focus on Technicalities

An undue adherence to procedural formalities can lead to unnecessary delays. Litigants and counsel often exploit minor technical objections solely as a tactic to obstruct proceedings, a practice that has been repeatedly criticized by the apex court. In **IKUEPENIKAN v. STATE (2015) LPELR-24611(SC)** per Chima Centus Nwaze, JSC), the Court stated⁴:

“True, indeed, this court has not hidden its contempt for technicalities. At every opportunity, it has unequivocally, announced its espousal of substantial justice over technical rules. There is, actually, a rich corpus of case law which exemplifies this court's endorsement of substantial justice for its efficacy in fecundating the invaluable dividends of justice in any legal system anchored on the rule of law, the life blood of democracy.”

This judicial stance underscores the necessity of prioritizing substantive justice over an inflexible adherence to minor procedural rules, which ultimately facilitates a speedy disposal of cases.

d. Infrastructural and Technological Deficiencies

Another significant barrier to efficient case management is the reliance on outdated infrastructural and technological systems.

⁴ [IKUEPENIKAN v State (2015) LPELR-24611(SC).]

Limited access to modern equipment such as computers and robust digital filing platforms, coupled with issues like inadequate office space, insufficient stationery, and unreliable power supply, severely obstructs judicial operations. The transition to digital systems across board remains an urgent priority to mitigate these delays.

Furthermore, the continued reliance on long-hand recording of judicial proceedings, instead of modern, efficient digital methods, hampers the timely progression of cases.

e. Unpreparedness of Counsel or Parties

Delays can also be attributed to inadequate preparedness of legal practitioners and litigants. Factors such as failure of litigants to pay counsel their professional fees, unavailability of key witnesses, failure to secure necessary documents or conflicts arising from multiple concurrent cases often lead to adjournments. These preventable delays not only extend the duration of proceedings but also compound existing backlogs. In addition, the filing of frivolous applications simply to buy time or to frustrate opposing counsel also results in further delays to the trial process.

f. Staffing and Coordination Issues:

The effectiveness of case management also hinges on the performance and morale of administrative staff. Inconsistent training, inadequate staffing, and poor coordination among various

departments and sections contribute significantly to delays in case management.

g. Frequent Adjournments and Inconsistent Scheduling

Lastly, the routine granting of adjournments without compelling justification creates an environment of perpetual delay. In the absence of strict trial dates and rigorous enforcement of schedules, cases languish indefinitely. This is exemplified by the startling reality that, as of 2023, data from the Nigerian Correctional Service showed that an alarming 68 percent of 80,704 inmates were awaiting trial⁵. For instance, while the UK Ministry of Justice reported an average resolution time of 157 days for criminal cases in 2018, criminal trials in Nigeria have historically spanned four to six years before reforms were introduced through the Administration of Criminal Justice Act⁶.

h. Frequent and Sudden Judicial Transfers:

Unexpected transfers of judges disrupt the continuity of cases and forces new judges to restart proceedings *denovo*, therefore delaying resolution of such cases.

⁵ [Nigerian Correctional Service, Inmate Statistics Report (Abuja, 2023).]

⁶ [Ministry of Justice (UK), 'Criminal Court Statistics Quarterly: January to March 2018' (13 September 2018) <<https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2018>> accessed 10 April 2025.]

i. Poor Case Management Practices:

The failure to adopt and consistently apply time saving rules such as pre-trial procedures, summary judgments and default judgments hinders the swift resolution of cases.

2.1 Reflections from the Bench

The entrenched nature of these delays is perhaps best illustrated by the personal experience of Hon. Justice Olajide Olatawura, JSC (rtd), which was commented on by Hon. Justice Timothy Oyeyipo (rtd) in a presentation on the Evaluation of the Role of Judges where he recounted the experience thus:

The problem of delays in disposal of cases has long been a cause of concern to all stakeholders in the administration of justice in Nigeria. The situation has a long history and is sometimes very pathetic. In his lecture delivered at the induction course for newly appointed judges and kadis in 1992, his Lordship, Hon. Justice Olatawura, JSC (rtd) gave a personal experience about a case file he had originally opened as a clerk in 1957, which resurfaced before his Lordship as a judge in 1971. Commenting on the unfortunate situation, his Lordship said;

“It was when I was going through the case file that I discovered the endorsement in the case file and some of the hearing

notices issued were in my handwriting. I became curious and wanted to find out why it had taken almost 14 years. The pleadings were completed in 1957, but the plaintiff, who had used the process of the court as a stop-gap for the sale of an attached house, had effectively let the matter lapse. Meanwhile, the registry, overwhelmed by the burgeoning number of cases, only attended to those matters for which counsel actively requested hearing dates. This is scandalous.”⁷

This distressing account, along with the apex court’s directive to steer clear of technicalities in favour of substantial justice, clearly illustrates the urgent need for comprehensive reforms in case management.

Likewise, His Lordship Hon. Justice Amina Augie JSC (Rtd) also recounted her experience while she was the Presiding Justice of the Court of Appeal, Lagos Judicial Division. His Lordship, speaking at an event hosted by the Aig-Imoukhuede foundation last year 2024, discussed why the judiciary appears to have collapsed and narrated her experience where her registry staff in Lagos threatened to deal with her because she tried to bring order to the Registry to ensure proper case flow.

In the words of his Lordship;

⁷ Paper presentation on the Evaluation of the Role of Judges organized by the National Judicial Council by Hon. Justice Timothy Oyeyipo (Rtd)

When we are talking of the judiciary, everybody looks at the judges, they look at the judicial officers, they forget the staff that run the whole place, that the lawyers have to file processes in court, that everything has to be done before we would then come to sit in court. So they blame the court, they blame the judges, they blame everybody without looking at the staff that have to run the place to put things together before those files are put there. Can you imagine young registry staff in the registry where they filed their papers, and 36 years later, these lawyers are Senior Advocates of Nigeria, they are big men. But these registry staff are still seated there. So, when they want a case to go on, they would know how to do it and if they don't want a case to go on, they would just hide the file or the papers are not there. Now we are overworked. I go into court and we have so many cases to do, then a lawyer says he has an application to make but it is not in the file. Why is it not in the file, the bailiff has not served or if the bailiff has served, we can't find it. What do we do, we are overworked, it is therefore a case of taking an adjournment and an adjournment can take you another two years. And what has happened? One of the lawyers on the other side has bribed the staff there to remove the process.

To bring order and sanity back to the Registry, his Lordship stated;

...So, when I got back to my chambers, I asked for the files of all my staff, which department they were in and how long they had been there. It was at the Registry where they sent me this threatening message that I discovered that more than 20 of them had been in the registry for 36 years. They were there for 36 years, changing jeeps and everything.

I now attached all of my findings and wrote a memo that my registry had collapsed, this is what has happened there, they have been working there but they do not have any digital sense... So, I wrote this, attached everything and sent it to the President of the Court of Appeal who acted on it. And before you knew it, 16 of them had been transferred from Lagos to Yola, to Ilorin to Gombe, to wherever. They were all thrown out.

After the proactive steps taken by his Lordship, she stated all the staffs fell in line and faced their work squarely as they knew no godfather would save them if they 'messed up' in the course of their duties.

The above narration goes to show that the role we judges have to play in ensuring good case management begins from having control over the staffs from the moment a case is filed before it is brought for assignment and then hearing of same. In our courts, if a judge has a huge number of cases and it is not properly managed, a case may not even be mentioned for two quarters and the judge would not be

aware, even though such a judge works tirelessly, the results would not be a proper reflection of the efforts and hard work put in. Therefore, we must properly and firmly be in charge of our courts.

I will now proceed to the next section.

3. FUNDAMENTALS AND BEST PRACTICES IN CASE MANAGEMENT

Effective case management requires the integration of several essential principles and best practices, which include the following:

3.1. Judicial Oversight and Early Intervention:

As stated earlier, Judges must assume an active role in managing the progress of cases from the moment a file is opened. This involves setting firm timelines for each stage of the process and monitoring compliance with all instructions given especially to court staff.

Also, establishing clear hearing dates and strict deadlines for the submission of evidence and written addresses mitigates unnecessary delays.

3.2. Modernisation of Infrastructure and Technology:

i) Electronic Case Management System (ECMS):

The importance of transitioning from paper-based systems to digital platforms cannot be overemphasized. An electronic case management system facilitates real-

time case tracking, enables efficient retrieval of data, and supports overall judicial decision-making.

ii) Enhanced Court Facilities:

It goes without saying that investment in physical infrastructure, such as modern courtrooms, secure filing systems, and reliable digital networks will create an environment for easier and more efficient adjudication of cases.

3.3. Classification of Cases: Tracking by Complexity

One of the core features of effective case management is the categorisation of cases into various classes based on their nature and complexity. Generally, cases are classified as either Civil, Criminal or Fundamental Rights, however, for more effectiveness, it is my humble view that it is necessary to recognise and further categorise matters based on complexity. For example, straightforward civil matters such as Originating Summons could be classified as Track One (1), while more complicated cases that require calling of several witnesses could be classified as Track Two (2).

By differentiating cases, courts can allocate resources appropriately and set realistic timelines for resolution. This approach ensures that simpler cases are not unduly delayed by processing of more complex matters and it also makes it

more efficient to track quarterly return of cases for each category.

3.4. Enhanced Collaboration and Accountability

Effective case management also hinges on the seamless collaboration between the Bench, the Registries and the Bar. Regular training sessions, improved communication channels and coordinated case conferences will go a long way in fostering effective administration of cases and foster a culture of accountability.

3.5. Performance Metrics and Monitoring

Quarterly Returns sheet is commonly tagged as the “The report sheet for Judges” and rightly so because it serves as the performance metric which contains detail of cases concluded and pending every quarter of the year. It helps identify which categories are lacking as well as the predominant cases in every court. Therefore, Judges must treat Quarterly Returns with keen attention for efficient case management.

4. CASE MANAGEMENT AND ITS IMPACT ON JUDICIAL ACCOUNTABILITY AND PUBLIC CONFIDENCE

Effective case management as stated earlier, is not solely an administrative issue; it is a cornerstone of judicial accountability. When cases are processed efficiently and transparently, the public's trust in the judicial system is significantly boosted.

Improved case management reduces the backlog of pending cases, prevents prolonged pre-trial detentions, and ensures that litigants receive timely justice. The resultant increase in efficiency also serves to motivate judicial officers and administrative staff, creating a virtuous cycle of enhanced performance and public confidence.

Furthermore, improved case management directly benefits judicial officers and support staff. With streamlined processes and modernised systems, the burden on court personnel is significantly reduced, thereby promoting an environment of diligence, accuracy, and fairness. Such enhancements are crucial for building a judiciary that is not only efficient but also accessible and responsive to the needs of the public.

Moreover, by leveraging technology and modern administrative practices, the judiciary not only meets constitutional mandates but also sets a benchmark for accountability. In an era where public scrutiny is intense, demonstrable improvements in case management are essential for sustaining the legitimacy and credibility of the legal system.

5. POLICY RECOMMENDATIONS AND FUTURE DIRECTIONS

In summary and in furtherance of an improved and enhanced case management system in Nigeria, the following recommendations are proposed:

i. **Comprehensive Digital Transformation:**

Adoption of fully integrated electronic case management systems across all court levels. This should include investment in IT infrastructure, training for judicial and administrative personnel, and the establishment of centralized databases.

ii. **Standardisation of Procedures:**

Developing and enforcing uniform case management protocols to ensure consistency across jurisdictions. Standardisation will reduce the variability and inefficiencies currently plaguing different regions.

iii. **Incentivisation and Accountability Measures:**

Introducing incentive schemes for judicial officers and court staff who consistently meet performance benchmarks is essential. Simultaneously, the implementation of accountability frameworks to address and rectify recurring delays or administrative failures or bottlenecks is paramount.

iv. **Enhanced Inter-Agency Collaboration:**

Encouraging stronger partnerships between the judiciary, law enforcement, and other relevant agencies to facilitate the smooth transfer of information and coordination of processes will further promote effective administration of justice.

v. **Attention to good health and proper rest mechanisms:**

This paper would be incomplete if I do not make reference to this often overlooked but critical aspect of judicial efficiency which is the health and well-being of judicial officers. The demanding nature of adjudication, marked by long hours, intense mental exertion, and high public expectation requires structured mechanisms to support physical and mental wellness. We must prioritise regular health assessments, manageable caseloads, and scheduled periods for rest and vacation. Thus, it is essential to encourage and promote wellness programmes and ensure that judicial officers are not overburdened as it will significantly improve concentration, decision-making, and overall productivity, thereby enhancing the quality and speed of justice delivery.

vi. Periodic Review and Feedback:

Independent oversight bodies should be established to periodically review the efficacy of case management practices. Feedback from these reviews can drive incremental improvements and adjustments to policies and management practices.

6. CONCLUSION

The evolution and implementation of robust case management practices in Nigeria are imperative to the quest for a just, efficient, and

accountable judicial system. It serves as a response to historical challenges and a proactive strategy for ensuring the timely administration of justice. By transitioning from a passive system ad hoc system to one that is driven by modern technology, structured protocols, and proactive judicial oversight, the Judiciary can significantly reduce delays and enhance public trust.

As Judicial Officers, we are custodians of justice, and must lead the transformation by embracing reforms that promote accountability, transparency, and efficiency. As this paper has demonstrated, robust case management is indispensable for upholding the rule of law and securing the legitimacy of the judiciary in this era of increasing public scrutiny. These reforms are not merely administrative improvements they are essential to and strengthening public confidence in our courts. Therefore, through continued investment in infrastructure, technology, and human capital and by implementing targeted policy reforms, the judiciary can meet its constitutional mandate of efficient delivery of justice within a reasonable time, thereby affirming our role as the cornerstone of a fair and just society.

REFERENCES

1. Constitution of the Federal Republic of Nigeria 1999 (as amended), ss 6(1), 6(2), and 36.
2. [Administration of Criminal Justice Act 2015 (Nigeria).]
3. African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force 21 October 1986) OAU Doc CAB/LEG/67/3 rev 5, art 7.
4. Nigerian Correctional Service, *Inmate Statistics Report* (Abuja, 2023).
5. Ministry of Justice (UK), *Criminal Court Statistics Quarterly: January to March 2018* (13 September 2018) <https://www.gov.uk/government/statistics/criminal-court-statistics-quarterly-january-to-march-2018> accessed 10 April 2025.
6. *IKUEPENIKAN v State* (2015) LPELR-24611(SC).
7. Justice Olajide Olatawura JSC (Rtd), 'Delays in the Administration of Justice: A Personal Reflection' (Lecture, Induction Course for Newly Appointed Judges and Kadis, 1992).
8. *Amadi v Nigerian National Petroleum Corporation (NNPC)* [citation details unavailable, but commonly referenced case on jurisdiction and delay].
9. Federal Judicial Service Commission, *Annual Reports on Judicial Appointments and Transfers* (FJSC, various years).
10. Nigerian Law Reform Commission, *Report on Justice Sector Reform in Nigeria* (Abuja, 2016).
11. Centre for Democracy and Development (CDD), *Justice for All? Assessing Nigeria's Criminal Justice System* (CDD, 2022).
12. National Judicial Council (NJC), *Revised Guidelines and Procedural Rules for the Assessment of Judicial Officers* (NJC, 2014).
13. Nigerian Institute of Advanced Legal Studies (NIALS), *Working Papers on Procedural Reform and Case Management in Nigeria* (NIALS, 2020).

- 14.United Nations Office on Drugs and Crime (UNODC), *Strengthening the Rule of Law through Effective Administration of Justice in Nigeria* (UNODC, 2021).
- 15.Ajayi AT, 'Judicial Case Management in Nigeria: Bridging the Gap Between Delay and Dispensation' (2020) 15 *Nigerian Bar Journal* 1.
- 16.Okonkwo CO and Naish J, *Criminal Law in Nigeria* (2nd edn, Spectrum Books 2012).
- 17.Ezeani EO, 'Enhancing Justice Delivery Through Effective Case Management' (2021) 8(1) *Journal of Law and Practice* 34.