

"RELATIONSHIP BETWEEN THE JUDICIAL
ADMINISTRATOR AND THE HEADS OF COURT
AND OTHER JUDICIAL OFFICERS":

BEEING THE TEXT OF A PAPER DELIVERED ON
THE GENERAL THEME :
"ENSURING EFFECIENCY AND TRANSPARENCY IN
JUDICIAL ADMINISTRATION"

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PROTOCOLS:

1. INTRODUCTION:

- ❖ A refresher Course for Persons holding the offices specified as target audience.
- ❖ Implication is that perhaps you might have heard same talks before but now from different perspective.
- ❖ Intended to focus attention on current issues in Judicial administration.
- ❖ Target audience hold their various offices by virtue of appointment or employment under the relevant Laws establishing their Courts as follows:

1. INTRODUCTION: (CONTINUED)

- The Constitution of the Federal Republic of Nigeria
 - The Supreme Court of Nigeria Act
 - The Court of Appeal Act
 - The Federal High Court Act
 - The High Court Laws of all the States
 - The National Industrial Court of Nigeria Act
- ❖ Erroneous reference to staff who are not strictly considered as “judicial staff” as “supporting staff”, this causes suspicion or lack of sense of belonging.
- ❖ Employment of staff (in the judiciary) is regulated by various Rules stipulated by the appointing bodies.

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1. INTRODUCTION: (CONTINUED)

- ❖ Rules regulating employment/appointment and promotion of staff affect how they function thereby impacting their performance.
- ❖ Elevation/movement of persons in the Chief’s cadre and that of Directors is a factor which affects their relationship with other judicial officers (to be discussed further later).
- ❖ My paper discusses the relationship between Judicial Administrators and Heads of Court/Other Judicial Officers and not other staff.
- ❖ The relationship of Judicial Officers and other staff is critical, especially as it affects our adjudication.

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2. THE RELATIONSHIP OF THE JUDICIAL ADMINISTRATOR AND THE HEAD OF COURT

- The Judicial Administrator, in the performance of his duties, is subject to the authority of the Head of Court who superintends over him/her.
- The Administrator supervises other staff under his/her authority but in that regard reports to the Head of Court who may also assign some responsibilities directly where necessary.
- In the discharge of his/her responsibilities, the Judicial Administrator performs some of the following:
 - As the Sheriff he is responsible for the enforcement of the judgments and orders of the Court.

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2. THE RELATIONSHIP OF THE JUDICIAL ADMINISTRATOR AND THE HEAD OF COURT (CONTINUED)

- He is the chief of Administration and also performs related functions.
- The Image maker and spokesperson as may be necessary (subject to matters that are sub judice).
- Relates with other judicial offices as appropriate.
- Functions as the liaison with other Government offices (MDAs).
- Serves as the Chief of Protocol for the Court .

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2. THE RELATIONSHIP OF THE JUDICIAL ADMINISTRATOR AND THE HEAD OF COURT (CONTINUED)

- The Judicial Administrator in the discharge of his duties has the advantage and privilege of having a very close working relationship.
- He has the potential to be the closest confidante and chief adviser to the Head of Court.
- This privilege must however not be abused because it can cause the administrator his position of advantage and even the desired elevation to the Bench as the case may be.
- The Administrator in many circumstances serves as the welfare officer for the Head of Court and other Judicial Officers and their family members.

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2. THE RELATIONSHIP OF THE JUDICIAL ADMINISTRATOR AND THE HEAD OF COURT (CONTINUED)

- He must therefore learn to keep the relationship as the Head of Court wants it and learn to perform the act of balancing such that he does not get hurt himself.

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3. THE RELATIONSHIP BETWEEN THE OTHER JUDICIAL OFFICERS AND THE JUDICIAL ADMINISTRATOR.

- ❖ This is supposed to be the most straight forward but has always proven to be one that is characterized by conflicts and misunderstandings.
- ❖ The Judicial Administrator is expected to be responsible to many masters; thereby defying the Holy Book's injunction that we must not serve "TWO MASTERS".
- ❖ The natural instinct is to lean towards giving more attention to the Head of Court to the detriment of his colleagues and this gives the impression that the other Judicial Officers are being neglected.
- ❖ The tendency to lean more to towards the Head of Court may not be deliberate but due to the human tendency to "over do" .

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3. THE RELATIONSHIP BETWEEN THE OTHER JUDICIAL OFFICERS AND THE JUDICIAL ADMINISTRATOR. (CONTINUED)

- ❖ The Judicial Administrator is expected to give each Judicial Officer equal attention in receiving and attending to their needs.
- ❖ A friend of mine who worked as a Judicial Administrator at almost all levels of our courts once said that "From the lowest to the highest, all judges feel like they are next to God".
- ❖ The main factor that affects or causes good working relationship has to do with availability of resources to be deployed to meet the needs of the Judicial Officer and his court.
- ❖ Where resources are scarce this breed conflicts as opposed to where resources are abundant and there is nothing to complain about.

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3. THE RELATIONSHIP BETWEEN THE OTHER JUDICIAL OFFICERS AND THE JUDICIAL ADMINISTRATOR. (CONTINUED)

- ❖ The general feeling among some of the other Judicial officers is that since they believe that they are equals and the appointment to the office of Head of Court is an added privilege and they therefore tend to demand equal treatment by the Judicial Administrator.
- ❖ This is where the administrator's skill of balancing the demand for attention. He ought to be able to, even in a situation where he cannot effectively meet the needs of a Judicial Officer, he should be able to make him feel satisfied despite that.
- ❖ The administrator's balancing skills will be demanded in this regard since as the diplomat he should with the appropriate words make the "Master" want to always hug the Administrator.

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3. THE RELATIONSHIP BETWEEN THE OTHER JUDICIAL OFFICERS AND THE JUDICIAL ADMINISTRATOR. (CONTINUED)

- ❖ In addition to other skills that the administrator may need to acquire to handle the responsibilities, he must learn to be more organized and systematic such that promises made are kept, or do not commit to do what you know cannot be done.
- ❖ The Judicial Administrator in the performance of his function as the one that enforces the court's judgments and orders must not attempt to usurp the powers of the court as symbolized by the Judicial officer.
- ❖ Failure to watch how you carefully resolve whatever conflicts, real and imagined, concerning the problems of the other Judicial Officers may lead to some dire consequences for the Judicial Administrator - including negative remarks against recommendation for appointment.

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4. ENSURING EFFICIENCY AND TRANSPARENCY IN JUDICIAL ADMINISTRATION: THE NEED FOR SYNGY BETWEEN THE PLAYERS.

- The suspicious environment in which the players operate calls for a hard look at the question of efficiency and what it takes to operate within this.
- Great pressure is brought to bear on the operators of the system thereby demanding greater level of accountability which can only be achieved through efficiency.
- The judicial administrator is required to be on top of his situation by ensuring that all who work within the system display the requisite skills and competence needed to not only preach transparency but to so act.

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**4. ENSURING EFFICIENCY AND TRANSPARENCY IN JUDICIAL ADMINISTRATION: THE NEED FOR SYNGY BETWEEN THE PLAYERS.
(CONTINUED)**

- Transparency is a factor which the Judiciary ought to be known with since all we do are by law to be done in the open. Our courts sit in places that are open to all, except in few instances and in that respect we do not restrict access to those that come before us.
- When we apply a minimum standard of this openness to all that we do even our relationships will be positively impacted. Friction will be reduced between all involved and the system will work better.
- Instances of flaws in the execution of judgments because some people within the system insist on personal benefits can be eliminated if we enforce minimum standards of transparency.

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4. ENSURING EFFICIENCY AND TRANSPARENCY IN JUDICIAL
ADMINISTRATION: THE NEED FOR SYNGY BETWEEN THE PLAYERS.
(CONTINUED)

- ❑ There are some connections between transparency in the procedure and process of movement of persons into and within various offices in administrative positions and how efficiency is affected.
- ❑ It has to be admitted that even where transparency is not brought to bear in some appointments into administrative offices, certain holders of such offices have acquitted themselves. However many of such appointments breed some of the disrespects we referred to herein before.
- ❑ Wrongful appointments and placements into certain offices also affect performance of the courts where efficiency is sacrificed on the alter of mediocrity.

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5. CONCLUSION

- ❖ Judicial Administrators must all do all they can to balance their dealings with the Heads of Court, recognizing that they call the shots while being sensitive to the needs of the other Judicial Officers.
- ❖ The Administrator is not expected to be a servant of many masters but he has to bear in mind that as the person in charge of administration he has to meet the legitimate expectations of the judicial officer.
- ❖ This is done by being conscious of and having a full understanding of his duties and responsibilities to all.
- ❖ When we keep this in mind we will all win.

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THANK YOU FOR YOUR
ATTENTION

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