



The duty of court employees in Nigerian contemporary justice system

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Abstract

It is often said that a single finger cannot lift a burden, rather the collective fingers joined together can easily lift an object, the same applies to the court system. The Judge alone does not form the court system rather the Judge and other court employees make up the court system.

Often times than not we focus on the Judge to the neglect of the other court employees whose various roles help in the dispensation of justice.

This work will focus on the court employees, exploit the roles they play in the dispensation of justice in Nigeria as well as some of the challenges faced by them and the solutions.

Keywords: justice system, court employees, duty

Introduction

The Nigerian justice system is an offspring of the received English Law. The court employees form an institution which has its roots in common law. Court employees are an integral part of the justice system, without them what would a Judge or Magistrate do?

The court employees serve as intermediary between the court users and the court, from the point of initiating court processes, through the service of processes on designated recipients, to the finalization of the entire process. The ethical, courteous, and respectful conduct of court employees is critical to the administration of justice and the public perception of the integrity of the judicial branch.

The holding of public employment in the judiciary is a public trust justified by the confidence that the citizenry reposes in the integrity of the judiciary. A court employee, faithful to that trust, must observe high standards of conduct so that the integrity and independence of the court may be preserved.

Who is a court employee?

A Court employee in the Nigerian justice system includes the Court registrar, the secretary, the court clerk, and the bailiff/sheriff, employed by the court for wages or salary. These distinct individuals play key roles in aiding the court in its function of dispensation of justice.

The Nigerian Justice system is not what it used to be in the past century. Today, courts are overwhelmed with cases above their human resource capacity. The Nigerian bar represents the largest in Africa; a surfeit of lawyers swarms the court with various processes on a daily basis. Obviously, the judicial officers and the court employees are at the receiving end of this toil. Regardless, they must rise to the task of impeccable organization and communication skills to achieve the objectives of the judicial system.

The legal system has not been left behind in this era of globalization, as such, the emerging judiciary has to cope with the exactitude of the present era of demand for proper management, specialization, information technology and global best practices.

A court employee must uphold the constitution, laws, rules and regulations and never be a party to illegality. Court employees must abide by the code of conduct for court employees; also be ready to expose violations whenever they may appear to exist.

Registrar

The Court Registrar is an important officer of the Court. In Ghana the first contact between a Court user and the Court is the Registry and whatever a Court staff does in his or her capacity affects the quality of Justice as well as the confidence of the litigants in our Courts ^[1].

A Registrar is an officer of Court directly in charge of the staff attached to each of the Courts such as the Court Clerk, Court Recorder, Court Interpreter, and Bailiff among others. The Registrar of a Court is entrusted with the day to day administration of the Court by the Judicial Service of Nigeria, subject to the overriding authority of either the Judge or the Magistrate as the case may be ^[2].

The role of a registrar is key to administration of justice in Nigeria. The registrar plays the following roles in the court system:

1. The registrar receives processes for filing
2. Makes records of proceedings available to parties upon demand
3. Ensure that hearing notices and other court processes are served
4. The registrar prepares the cause list containing the list of all the cases before the court in a day
5. When witnesses are called, the registrar administers oath to witnesses before they testify
6. Preparation of records on appeal and reviews
7. The registrar calls out the cases on the cause list so that the parties and their representatives can identify themselves before the court
8. Interpret or arrange for interpreter to interpret court proceedings to an accused where the latter does not understand the language of the court
9. Ensure that the court file is brought to the attention of the Judge before the date for hearing especially where a new process is filed by a party.

10. When the court makes an order, the registrar keeps a note of the order
11. In a capital offence where the accused is sentenced to death, the registrar shall, as soon as possible forward copies of the certificate issued by the Judge to the prison officer as well as the Sheriff. Generally, he liaises between the court and the attorney general in issues of plea of clemency in capital offences ^[3].

A registrar is well educated and specially trained in judicial processes in addition to having requisite case and court management skills. They ensure early control of cases by making sure that it is duly registered in the court register or computer as the case may be. This is done by proactively sending the case file to the Judge/Magistrate for viewing and fixing the date. This gives the court better control of assigning case before it for speedy disposal.

Even when the court does not sit, the registrar ensures that new dates are given so that no case is left at the registry and in the court pending list unattended.

It is important for a registrar to perfect his or her people management skills because of the supervisory role he or she play to the other support staff of the court. They should be able to adequately manage crisis that come in the course of carrying out the day to day activities of the court.

The registrar ensures proper coordination and harmonization in each case. This process involves making sure that other staff in the department e.g. secretaries, court clerks, bailiffs carry out their duties. In this regard a registrar always confirms whether or not service has been effected on time before hearing of a matter and whether the relevant counsel is aware etc.

In other jurisdictions (common law and non-common law) the duties of registrars are much wider than the Nigerian context. The registrar is a Chief Executive officer of a judicial forum. They are in charge of the entire registry of the department. In common law jurisdictions, registrars are usually judicial officers with the power to hear certain civil matters such as interlocutory applications and assessment of damages. In some jurisdictions they may also hear trials of cases if both parties consent. Registrars are assisted by Deputy-Registrars, who in common law jurisdictions are sometimes called masters. The Registrar is the chief administrator of the department; normally they are the Head of the Department. The post of Registrar is important for the effective running of tribunals, High Courts, Court of Appeals and even the Supreme Court.

Bailiff

Who then is a bailiff and who is a bailiff in Nigeria? The Encarta dictionaries define a bailiff as one whose tasks includes supervising prisoners and maintaining order in court during a trial, who is also empowered to take possession of a debtor's property forcibly and if necessary, serve writs and to make arrests. Similarly, the Oxford dictionary also defines a bailiff as a sheriff's officer who executes writs and processes and carries out arrests. According to Black's Law Dictionary ^[4], a Bailiff: is a Court Officer or attendant who has charge of a Court session in the matter of keeping order, custody of the jury and custody of prisoners while in the Court, one whom some authority, care guardianship or jurisdiction is delivered, committed or entrusted. One who is deputed or appointed to take charge of another's affairs, an overseer or

superintendent; a keeper, protector or guardian, a steward. The Lawyer's Dictionary ^[5] describes him as court officer but may also refer to a peace officer such as deputy sheriff or a marshal, other sources have also described the Bailiff in similar words as follows; an officer, similar to a sheriff or a sheriff's deputy, employed to execute writs and processes, make arrests, keep order in the court, a sheriff's officer who serves writs and summonses, makes arrests, and ensures that the sentences of the court are carried out in the courtroom.

The primary duty of the bailiff is to maintain order, assist with court proceedings by escorting witnesses in and out of the court room, providing evidence to the judge and witnesses as provided by counsel for the parties and in criminal cases, the bailiff may be in charge of ensuring the proper conduct of a defendant in custody during court proceedings. Given the available definitions above, bailiffs are court officials who maintain order during court proceedings, execute writs and service of processes, take possession of debtor's property, take custody of prisoners under arraignment and assist the court during trial with presentation of evidence ^[6].

The Black's Law Dictionary ^[7] goes further to define the common types of Bailiffs as follows;

- Bailiff Errand- appointed by sheriff to deliver writs and serve processes within a particular jurisdiction.
- Bailiff of Hundreds- appointed by the sheriff to collect fines, summon juries, attend court sessions and execute writs and processes in the country districts known as hundred
- Bailiff Franchise- appointed by the sheriff to serve writs, execute processes and perform other duties outside the jurisdiction of the sheriff or in special districts
- High Bailiff- attached to a county and responsible for attending court sessions, serving summons and executing orders, warrants and writs.
- Special Bailiff- appointed at the request of a litigant or state to serve or execute some unit or processes related to a lawsuit ^[8].

The responsibilities of the bailiff are impliedly derived from the provisions of the Constitution of the Federal Republic of Nigeria, the Rules establishing the various cadres of Courts in Nigeria and the relevant provisions of the Sheriff and civil processes Act. The responsibilities required of them include the following.

1. To receive writs and processes of Court issued in accordance with that particular law and to make necessary returns. The sheriff and civil process act provides in Section 8 ^[9], that the sheriff shall receive writs and processes of court issued in accordance with this act and shall be charged with making returns thereto. Also Order 1 Rule 7 of the Judgment (Enforcement) Rules makes provision for return of writs and money in the following words;

At the close of every month each bailiff shall make:-

- a. *A full return to the deputy sheriff in form 30 all writs, orders and warrants which remained in his hands not fully executed at the end of the preceding month, and of all such writs orders and warrants as have been entrusted to him for execution during the past month, and shall set against each such process a statement of what has been done thereunder*

b. *A return in form 31 of all monies received by him during the month* ^[10].

Given the foregoing, the bailiff is required to indorse on the writ immediately after execution, a statement of the manner in which he has executed the judgment and to send a copy of the statement to the judgment creditor.

Also by virtue of Order 46 Rule 9 of the Rules of Supreme Court Practice ^[11], any party at whose instance a writ of execution was issued may serve a notice on the sheriff to whom the writ was directed requiring him within such time as may be specified in the notice, to indorse on the writ a statement of the manner in which he has executed it and to send to that party a copy of the statement, and by Order 46 Rule 9(2) ^[12] if a Sheriff on whom such notice is served fails to comply with it, the party by whom it was served may apply to the Court for an order directing the sheriff to comply with the notice.

2. To give, at the request of person delivering a writ to him for execution, a receipt for that writ stating the time and the date in which it was delivered
3. To make necessary arrangements at the sessions of the court, a sufficient number of police officers as are employed to maintain order in and within the premises of the Court.
4. Where sentence of death is pronounced upon a person by a court of law, to carry out or cause the sentence of death as pronounced to be carried out.
5. Ensuring that goods seized in execution under process of a court shall-
 - a. Be deposited in some fit place; or
 - b. Remain in the custody of a fit person approved by the sheriff to be put in possession by the bailiff; or
 - c. Be safeguarded in such other manner as the sheriff directs
6. Performance of any other duties imposed upon him by any written law.

1. Duties and functions of a court bailiff

As was stated earlier, the duties and functions carried out and discharged by the bailiffs in their official capacity is to aid in the dispensation and administration of justice and give effect to justice as dispensed and administered by the Courts. Also as stated above is the fact that without the diligent and effective discharge of the lawful functions of the court bailiff, matters in court cannot be said to be effectively commenced and even when they eventually do, it would be an exercise in futility, as the task also falls on their shoulders to give effect to the decisions, rulings and judgments of the courts and magistrates as the case may be. The major duties and functions of a court bailiff are as follows;

1. Service of Court Processes
2. Execution of Court Judgments and Orders
3. Receiving Court Processes on behalf of the Court.

1.1. Service of court processes

The service of court processes is carried out through the court bailiff by delivering a verified copy of the document to the person who is named in the originating process and whose address of service is stated under his name or through his named Counsel. This is known as personal service. Other means of service will depend on the kind of party to be served. Individuals are served with Court Processes by

delivering to them a copy of documents duly certified by the registrar as a copy of the original process filed ^[13]. Service may be effected on infants ^[14] by serving the following person or any of these persons; his or her Father, Guardian, or if none of the first two is viable, upon the person with whom the infant resides or under whose care he is, unless a court or judge in chambers orders otherwise. Such orders may be an appointment of a Guardian Ad Litem for such a minor.

When the suit pertains a Corporate Body authorized to sue and be sued in its name or in the name of an officer or trustee ^[15], the document may be served, subject to the enactment establishing that corporation or company under which it is registered, as the case may be, by giving the writ or document to any director, secretary or other principal officer, or by leaving it at the Corporate Office. In *Kraus Thompson Organization Ltd vs. University of Calabar* ^[16], His Lordship Justice Dahiru Musdapher, JSC said thus:

A corporate body in this context, either a company registered under the Companies and Allied Matters Act, 1990 or a statutory corporation such as the respondent in this case, can only be served under the relevant rules of court by giving the writ of summons or document to any director, trustee, secretary or other principal officer of the corporate body to be served or by leaving same at its registered or head office. It is bad or ineffective to serve the documents at any branch office.

When the person on whom service is to be effected is a prisoner in prison, or a lunatic in an asylum, it shall be sufficient service to deliver the document to the superintendent or any person appearing to head the prison or asylum ^[17]. When a person on whom service is to be effected is living or serving on board of a ship, service shall be sufficient if document is delivered to the person on board the ship who at the time of service is in charge of the ship ^[18].

Where service is to be effected on a partnership, the process may be served either upon anyone or more of the partners or at the principal place of business or upon any person having at any time of the service the control or management of the partnership business there. Such service will be deemed a good service upon the firm or partnership ^[19].

Where service is to be effected on a person residing out of jurisdiction, but carrying on business within the jurisdiction in his own name or under the name of a firm through an authorized agent, and the proceeding is limited to a cause of action which arose within the jurisdiction. The writ or other documents may be served by giving it to that agent and such service shall be equivalent to personal service ^[20].

Where the Court after an attempt at personal service or without an attempt at personal service reaches an opinion that for any reason, personal service cannot be conveniently effected, the court may order that service be effected either by:

- Delivery of the document to some adult inmate at the usual or last known place of abode or business of the person to be served; or
- Delivery of the document to some person being an agent of the person to be served, or to some other person being proved that there is reasonable probability that the document would in the ordinary course, through that agent or other person, come to the knowledge of the person to be served; or

- Advertisement in the federal gazette, or in some newspaper circulating within the jurisdiction; or
- Putting up notice at then Principal Court House of, or a place of public resort in the judicial division where the respective proceeding is instituted, or at the usual or last known place of abode or business, of the person to be served; or
- E-mail or any other scientific device now known or later developed; and
- Courier service or any other means convenient to the court.

Having served the process, the bailiff is required to swear an affidavit of service ^[21], which shall be prima facie proof of service. The affidavit of service is a very important court document and the Court relies wholly on it in reaching its conclusion whether or not service was actually effected as alleged. The bailiff is also required to record the service in a book kept for that purpose and anything recorded in that book shall be prima facie evidence of its content. The record book ought to contain the particular Court issuing the process, the method, whether personal or otherwise, the manner in which the person serving ascertained that the process was served on the right person, and where any process has not been duly served, then the cause of failure shall be stated ^[22].

1.2 Enforcement and execution of judgment and orders

The very essence of adjudication is the resolution of disputes ensuing between the litigants in Court and settling legal issues according to the dictates, provisions and stipulations of the Laws in force at the time. Except in cases of declaratory orders and some few others, every other order, ruling, pronouncement and judgment of Court ought to be obeyed and enforced to the latter. Full effect must be given to such pronouncements and this falls also within the ambit and scope of the duties and functions required of Bailiffs. The Sheriff and Civil Processes Act ^[23] is the statute that chiefly regulates the enforcement and execution of judgments and orders of court. Subsidiary legislation in his regard is the Judgment (Enforcement Procedure) Rules. By the provisions of section 20 of the Sheriff and Civil Processes Act, judgment debt in respect of money maybe recovered by execution against the goods, chattel, and immovable property of the Judgment Debtor ^[24]. However, where there is an Order of the Court that the judgment debt should be paid in installments, a writ of execution shall not be issued or levied until after the judgment debtor defaults in the payment of some installments ^[25]. Where also a judgment debtor before the actual sale of the property is able to pay or cause to be paid or tendered to the registrar of the Court from which the writ was issued, or to the bailiff holding the writ, the sum of money and cost inserted or endorsed on the aforesaid writ, or such part thereof as the judgment creditor agrees to accept in full satisfaction, the execution shall be superseded, and the property of the Judgment debtor shall be discharged and set at liberty ^[26].

In levying execution on movable property, the law does not permit seizure of the following items:

- Wearing apparel;
- Bedding of the Judgment Debtor or his family;
- Tools and implements of trade;
- Household Utensils ^[27].

In the case of execution of a writ of possession, it is not necessary to remove any good or chattel from the premises

2.1 Custody of seized goods

The law requires that the seized goods be put in a fit place and safeguarded ^[28]. This is because the purpose of seizure is not to inflict punishment but to sell the goods and recover the judgment debt. If the goods are not kept in a fit and safeguarded place and they get destroyed before they are sold, the purpose of the seizure will be defeated, also given the fact that the Judgment debtor's equity of redemption is in existence and it will be wrong if he is unable to recover his goods because they have been destroyed. The goods may also be kept in the custody of a fit and proper person approved by the sheriff to be put in possession by the Bailiff or be safeguarded in such other manner as the Sheriff Directs ^[29].

2.2 Sale of seized goods

Seized goods shall not be sold until after at least five days after the date of seizure, save for where the goods are of perishable nature or where the judgment debtor requests in writing that the goods should be sold ^[30]. Every such sale shall take place between the hours of 7.00 am and 8.00 pm and everything set up for sale shall be knocked down to the highest bidder for ready money.

Notice of the day and hour of sale of any movable property shall be published for four days at least before the day of such sale, by being posted upon the door of the court house of the division of district in which the attachment is made and where the sale is to take place at some other place, then at that other place also, and if the court directs, in a newspaper published in Nigeria ^[31].

2.3 Levy of execution upon immovable property

Levying of execution on immovable property is only done where movable property of the judgment debtor is not sufficient to satisfy the judgment debt and costs ^[32]. At any time within 21 days from the date of sale of any immovable property, application may be made to the Court to set aside the sale on the ground of any material irregularity in the conduct of the sale, but no such sale shall be set aside on grounds of such irregularity unless the applicant shall prove to the satisfaction of the Court that he has sustained substantial injury by reason of such irregularity ^[33].

2.4 Obstructing execution

Any person or persons found to intentionally obstruct a person or persons who are officer(s) of the Court engaged in executing any process issued by the Courts for the purpose of enforcing any judgment or order of any Court is guilty of an offence ^[34]. The bailiff has the power to arrest and bring before the court any person who obstructs or resists execution by either rescuing or attempting to rescue the goods or other means of obstruction.

Secretary

A court secretary serves as a confidential secretary to the Judge or magistrate. The court secretary serves the judge mainly and undertakes other primary functions in the court. The secretary helps in research, preparation of documents, proofreads and checks drafts and other materials for accuracy, completeness, compliance with court policies and procedures, and correct English usage.

The court secretary helps the Judge prepare daily schedules and task and prompts the judge timeously. Taking phone calls and messages on behalf of the Judge when he is busy or absent.

A secretary possesses an excellent skill in organization. In this era of computer appreciation an easier route can be taken to properly organize files on the office computer for faster retrieval and appropriate disposal. It is appropriate for courts to ensure that computers, where possible are available to the secretary of the court and for them to have proper training on its use to effectively carry out their duties.

Secretaries should ensure they do not mutilate or deliberately omit some important aspects of the ruling or judgment while typing the proceedings so as to enable the appeal succeeds at the appellate court. They should void misinterpretation, misrepresentation or misinformation of facts in any document or information.

Court Clerk

The Court clerk is an important officer of the Court. He or She is directly under the supervision of the Court Registrar. He or She is the first person lawyers and litigants come in contact with in their attempt to institute an action in Court ^[35].

A Court clerk sits in front of the Judge or Magistrate and attends to the need of the Litigants of the Court and Lawyers. Court Clerks mention Suit or Case stated on the cause list, Suit or Case numbers, Charge Sheets as well as the position or stage of the listed matters in the Court ^[36].

In Nigeria Court Clerks perform administrative duties assisting other Officers of the Court as well as Judges and Lawyers and they are always under strict supervision by the Court Registrar. Court Clerks are responsible for the following ^[37]:

- a. He makes all necessary arrangements for court sittings and sits in court with a magistrate or a judge
- b. Court clerks manage dockets and records to provide administrative support for judicial proceedings; this detail oriented job usually takes place in an office setting
- c. He handles such tasks as contacting litigants and provides answer(s) to inquiries about court proceedings i.e. he provides clerical support for judges and gives details of court proceedings, such as arranging trial dates, scheduling court appearances, sending court orders and managing court fee payments
- d. In addition to processing court decisions, clerks also answer inquiries about judicial procedures and court logistics
- e. Court clerks also keep track of court performance statistics
- f. As part of maintaining and managing court office records, they may also serve as liaisons to collect basic information from attorneys, witnesses, plaintiffs and defendants
- g. He helps in the preparation of court processes for judge's signature e.g. warrants, summons etc.
- h. He interprets the court proceedings in the open court
- i. He assists in serving court processes and orders, where bailiff is not readily available
- j. Giving assistance or performing the duties of a registrar at higher level of responsibility, where there is need for it and such other duties as may be assigned to him from time to time.
- k. The court clerk is the officer responsible for among other things; opening of case files, custody of record books, exhibits and other court documents
- l. He compiles monthly return of cases

- m. He fills up court processes such as summons, hearing notices etc.
- n. A court clerk helps in interpreting the proceedings of the court
- o. He administers oath on all witnesses who desire to give testimony or evidence in court
- p. He prepares the court's cause list at least one week in advance
- q. He announces the entrance of the Magistrate or Judge in readiness for the business of the day
- r. On the instruction of the judge or magistrate or other presiding officer of the court, he shall call or mention each of the listed cases for that day.

Clerk responsibilities may vary considerably, which to a large extent is dependent on the directive of the judicial officer that he/she is working with, as he may be directed to play an active role in preparing case calendars and maintaining court budgets ^[38].

Code of conduct for court employees

The code of conduct for court employees came into force on 1st March 2004, the conduct was designed to regulate the conduct of court employees throughout the federation. The judiciary staffs are duty bound to observe the code of conduct for court employees during and outside their workplace. The reason for this code is not far-fetched; as workers who assist judges in determining disputes, they must not do anything that will bring down the reputation of the institution they represent which is revered by all society ^[39].

The freedom of information Act provides that all public institutions shall ensure records and information about all its activities, operations and business are kept for public scrutiny ^[40]. The act aims at confronting unethical sharp practices and other administrative excesses of public institutions by ensuring access to information and records from public institutions providing public services. In essence the act promotes transparency in the discharge of public duties. However, court employees are prohibited from disclosing information/records of cases pending before the court, exhibits etc. which fall under the exempted list of disclosure.

The court employee's activities outside of official duties should not be incompatible with the dignity of the court or interfere with the performance of the official duties, or adversely reflect on the operation of and dignity of the court or the office the court employee serves. A court employee should refrain from partisan political activities ^[41]. Though the constitution has guaranteed freedom of association, a court staff is required by the code to restrict their behavior so as to avoid compromising their job ^[42].

The use of one's occupation for personal enrichment through the deliberate misuse or misapplication of the courts resources or assets amounts to fraud and abuse of position. An employee misuses his or her influences in the course of discharging his official obligations in a way that violates his or her duty to the courts in order to gain a direct or indirect benefit. This abhorrent act, typically cause disrepute and loss of revenue. Abuse of position through personal enrichment breeds greed and promotes corruption. It is important to note that contravention of this rule will not only infringe on the code of conduct for court employees but criminal laws ^[43] as well.

The code of conduct for court employees encourages employees to imbibe and exhibit dignified propriety of behavior, speeches, dress etc. in the course of their respective official duties. It requires court staff to be disciplined, diligent, polite and professional in carrying out their duties. Those are standards of care court employees must observe.

They must be cordial and professional to litigants, lawyers, witnesses and other court users in offering service to them.

Discipline of court employees

The registrar of court, who is the administrative officer of the court, is generally responsible for the discipline of court employees. The head of court i.e. the Judge or Magistrate is also involved in this process.

Methods of discipline of court employees

1. Admonishment
2. query
3. Petition
4. Suspension
5. Termination of appointment
6. Demotion

In the discipline of court employees, it is important to employ the basic principles of fair hearing to ensure there is just determination of the case. The twin cardinal principles of *Audi alterem partem* and *nemo iudex in causa sua* meaning hear both parties and do not be a judge in your own case respectively must be adhered strictly to by whoever is exercising disciplinary authority.

Procedure for discipline of court employees

Disciplinary situations involve misconduct and or poor performance. The need for discipline in any organization or community cannot be overemphasized.

There are no codified procedures for the discipline of court employees; they are civil servants hence the general discipline of civil servants also applies to court employees. Civil servants are well oriented on the rules and regulations governing work place environment hence, court employees cannot be arbitrarily punished. These rules and regulations are usually contained in the letter of employment or in a separate document provide to an employee in the course of employment.

Each employee has a personal file where records of matters relating to the employee are documented including misdemeanors and acts of discipline.

First, there must be a petition or complaint, usually in writing against an employee. Where such arises, the employee must be adequately informed of the content of the petition or complaint and must be afforded the opportunity to present a defence.

Proper investigation must be carried out to inquire in to the conduct of the employee, the panel or committee set up to investigate an employee must not include the petitioner or complainant or any other interested part.

Where there is sufficient proof of misconduct on the part of an employee, the appropriate punishment may be meted out.

Challenges and prospects

Inadequate training: while some of the staff in this cadre possesses the requisite basic skills to perform their duties, some others have little or no basic skills at all. And hardly attend any training. In order to develop new skills and

knowledge so as to improve performance, there is a need for training and retraining of court employees.

Occupational hazards: some members of staff, especially bailiffs whose duty include the service of process and execution of judgments face challenges which may include injury suffered either as a result of accidents on the roads or inflicted by an irate party on whom service is to be effected and/or their agents. Where a means of transportation is not made available, they may be required to trek really long distances at certain times in order to perform their duties. It is suggested that special hazard allowance be provided for such category of staff.

Inadequate facilities and equipment: insufficient office accommodation and dearth of furniture equipment is also rampant. This should be looked into by affected states to ensure that basic ICT facilities should be provided for the court staff.

General apathy: General apathy of lack of confidence by the generality of people is mainly caused by god-fatherism, favoritism, lack of incentives and redundancy. Staff of the judiciary should be given specific functions and respective schedules should be adhered to strictly. Equal opportunities and treatment in respect of training and posting should also be given to all staff.

Lack of supervision: this may lead to indiscipline and sharp practices. Prompt and appropriate disciplinary action should be taken against any staff found wanting as it may serve as deterrence to other members of staff. In addition, the Judge as the head of his court should not condone any form of misconduct by staff of his court.

Lack of adequate human resource: the judiciary is often understaffed compared to the humongous workload and plethora of cases swarming the court. This affects the quality of work done by the court employees due to fatigue.

Conclusion

Court employees are the front door of the justice system, the way they act is critical to ensuring members of the public honor the law and system of justice. It is expected of court employees to maintain accountability and uphold the integrity and independence of the judiciary for their performance, employees need to have a solid understanding of what expected of them from their very first day of employment. Court must ensure written policies for career development, specific job requirements, organizational regulations governing promotion and advancement, and clear expectations for employee performance and behavior are clearly understood by court employees.

The code of conduct is designed as a quick and easy reference for the court staff that work directly with members of the public. Therefore, it is required to court employees to familiarize themselves with its content.

The need for effective teamwork and communication cannot be overemphasized to achieve optimum performance in the discharge of their duties. When a court staff deliberately delays in the discharge of his duty it ultimately leads to a delay in another's duties and invariably the whole system. The system of justice requires alacrity in the dispensation of justice because justice delayed is justice denied.

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34. S. 145 Criminal Code, CAP C34 LFN 204.
35. Justice Agyei Ampofo, 'The Role of Court Clerks in the Administration of Justice in Ghana' <<file:///C:/Users/dell/Downloads/THEROLEOFCOURTCLERKSINTHEADMINISTRATIONOFJUSTICEINGHANA.pdf>> accessed 13 December, 2021 at 8:00pm
36. *ibid*
37. Olumo Abdulazeez, 'The Role of Secretaries, Court Registrars, Process Clerks And Bailiffs in the Administration of Justice' <https://nji.gov.ng/images/Workshop_Papers/2016/Refresher_Sec/s05.pdf> accessed 13 December, 2021 at 8:44PM
38. *ibid*
39. Magdaline Asesho Adeshina, 'The Role of Registrars, Secretaries, Court Clerks and Bailiffs' (A paper presented at the Refresher course for Registrars, Secretaries, Process Clerks and Bailiffs on 11TH MAY 2016).
40. section 2(1) Freedom of Information Act 2011).
41. Rule 2 Code of Conduct for Court Employees 2004
42. Rule 7 *ibid*
43. section 98 of the Criminal Code