



JURISDICTION & FUNCTIONS OF A REGISTRAR

Presented by:

**HW. Rosemary Bareebe,
Registrar – High Court**

18–March–2021

Focus of this Presentation

1. The Mandate & Structure of the Judiciary
 1. Functions of Chief Registrar
 2. Functions of Registrars
 3. Functions of Deputy and Assistant Registrars

1.

Mandate and Structure of the Judiciary

Mandate of the Judiciary

1. The **core** mandate is **adjudication** of civil and criminal matters under Article 126 (2) of the Constitution.
2. From Article 129 (1) of the Constitution, the structure of the Judiciary is prescribed: -
 - The Supreme Court
 - The Court of Appeal/Constitutional Court
 - The High Court (Divisions and Circuits)
 - Magistrates Courts

Vision, Mission, Values

Vision: Justice for all

Mission: To efficiently and effectively administer justice

Core Values:

1. Independence & Impartiality
2. Transparency
3. Professionalism
4. Integrity
5. Accountability
6. Equality & Respect

2.

Functions of the Chief Registrar

The Chief Registrar (CR)

- One of the **five** members of the **Top Management** of the Judiciary.
- The office is established under **Article 145** of the Constitution. S,43 of the Judicature Act;
- The CR is **appointed** by the President on the advice of the Judicial Service Commission.
- Most **duties** of the Chief Registrar are provided for under Section 15 (2) of the Administration of the Judiciary Act, 2020.

Functions of the Chief Registrar

1. Secretary to the Judiciary Council
2. Supervision of courts.
3. Oversees judicial operations of all the Courts
4. Monitors and enhances the quality of services
5. Communicates with Government and the public
6. Official spokesperson of the institution.
7. Mentors and guides Judicial Officers.
8. Links the Judiciary and the JSC on appointments, etc
11. Provides legal opinions sought by stakeholders.
12. Develops concepts for reform.
13. Responsible for reviewing Regulations
14. Deploys Judicial Officers of the lower bench.

3.

Jurisdiction and Functions of a Registrar

The Registrars

These are **Officers** of the Courts of Judicature established under: -

- Article 145 of the Constitution
- Section 43 of the Judicature Act
- Section 16 of the Administration of the Judiciary Act, 2020

The Judiciary macro structure provides for Registrars that **report to the Chief Registrar**.

The recently approved structure of the Judiciary provides for the following establishment: -

- **ONE** Chief Registrar,
- **TWELVE** Registrars ("Full Registrar")
- **EIGHTY** Deputy Registrars
- **FORTY-SEVEN** Assistant Registrars.

Positions of 'full' Registrars

Under Section 16 of the AJA, 2020 there shall be a full Registrar in charge of the Registry of: -

- the Supreme Court
- the Court of Appeal
- the High Court
- Planning, Research and Development
- HR Development and Training (presently at JTI)
- Inspectorate of Courts
- Private Legal Secretaries to the CJ, DCJ and PJ
- ADR, Public Relations and Communications
- Magistrates' Affairs and Data Management

Functions of Registrar

1. **Hearing** interlocutory applications (under Order 50 rule 3 of the CPR)
2. **Hearing** applications arising from summons for directions (Order X1A rules 1 and 7 of the CPR (as amended in 2019))
3. **Sub-inspectors** of Courts within their circuits and Divisions.
4. **Prepare meetings** of the Judge/Justice of the Divisions or Circuits and recording minutes.

Functions of Registrar

1. General administration and management of the Court/Registry.
2. Supervision of staff and court administrators (including their KPIs, schedule of duties, appraisals)
3. Financial management as a sub-accounting office.
4. Public relations and link between the Justices/Judges and the Court users.
5. Asset manager.

Functions of Registrar

5. Custodian of the Court Seal.
6. Endorsing entries of the Court.
7. Giving practical guidance during inspections.
8. Carrying out any other duty/duties as may be assigned by Chief Registrar.

4.

Functions of the Deputy/Asst. Registrars

Functions of Deputy/Asst. Registrars

Provided for under Section 43 of the Judicature Act.

Their functions may vary from Division or assignment to which an officer is deployed.

1. Responsible for **managing court cases**. This involves assigning case numbers, scheduling hearings, and ensuring that all necessary documents are filed and processed appropriately.
2. Organizing **Court sessions** e.g. election petitions, criminal sessions, Constitutional petitions, SGBV, land, etc.

Functions of Deputy/Asst. Registrars

3. Alternative Dispute Resolution: Some registrars may be involved in **ADR** processes and have the authority to facilitate settlement discussions or mediations between parties.
4. Record Keeping: maintain and update **court records**, ensuring the accuracy and completeness of all documents related to legal proceedings. This includes judgments, orders, and other relevant paperwork.
5. **Hearing** taxation and interlocutory applications, identification in Administration Causes.

Functions of Deputy/Asst. Registrars

6. **Issuing** Court process e.g summons, extraction of decrees and orders, execution, locus visits, etc.
7. **Custodian** of the seal of the High Court Division/Circuit.

Key Things to Note!

- ❖ The functions of registrars in administrative registries such as JTI, Inspectorate of Courts and MADM are **peculiar** to those registries. For the example, a Registrar at JTI can not be said to have the same schedule of duties as a registrar in the registry of MADM.
- ❖ Presently, there is **no distinction** in between the functions of deputy and assistant registrars in law or practice.

END

Thank You for Listening!!