

JUDICIAL CASE MANAGEMENT IN THE HIGH COURT NAMIBIA

10MAY 2015

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JUDICIAL CASE MANAGEMENT IN THE HIGH COURT OF NAMIBIA

Judicial Case Management, was introduced in the High Court of Namibia with the amendment of the 1990 Rules of Court Published on 27 April 2011. This was a partial implementation of Judicial Case Management, which included Judicial Case Management as from close of pleadings in both actions and applications. On 16 April 2014 the new Rules of Court (GN 4/2014) which included full implementation of Judicial Case Management came into operation. From this point onwards all defended actions are managed by a managing judge from the moment when defence is entered; applications in the ordinary course of business are managed from close of pleadings, urgent applications from issuing of the application and reviews from the point where opposition is entered.

The introduction of Judicial Case Management in the High Court of Namibia was and still is intended to result in the speedy resolution of cases in the High Court, in contrast to the traditional process where the pace was determined by the litigants. This ultimately results in a controllable environment where future planning may be done more scientifically, a reduction of backlog and saving of court time and litigation costs.

More information on Judicial Case Management in the High Court of Namibia and our journey towards the current success may be obtained from our Superior Courts website, www.ejustice.moj.na.

STATISTICAL JOURNEY OF JUDICIAL CASE MANAGEMENT IN THE HIGH COURT

- The success of Judicial Case Management can be observed from the statistics of cases finalized by the court.
- It is important to bear in mind that since 16 April 2015 default judgments by the Registrar were no longer part of our process.
- In order to provide for a complete picture the statistics reflected hereinafter distinguish between default judgments by the Registrar and cases finalized by the Court.
- Figures reflected are calculated on financial year (1 April – 31 March) and not legal year (1 January – 31 December)

FINALIZATION FIGURES

	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
ACTIONS FINALISED BY COURT	288	301	599	1337	1664	2612	3741
DEFAULT JUDGMENTS BY REGISTRAR	1075	1748	1755	1306	1018	496	18
TOTAL ACTIONS FINALISED	1363	2049	2354	2643	2682	3018	3759
SUBSTANTIVE APPLICATIONS FINALISED	918	668	319	303	355	484	541
TOTAL CASES FINALISED	2281	2717	2673	2946	3037	3592	4300

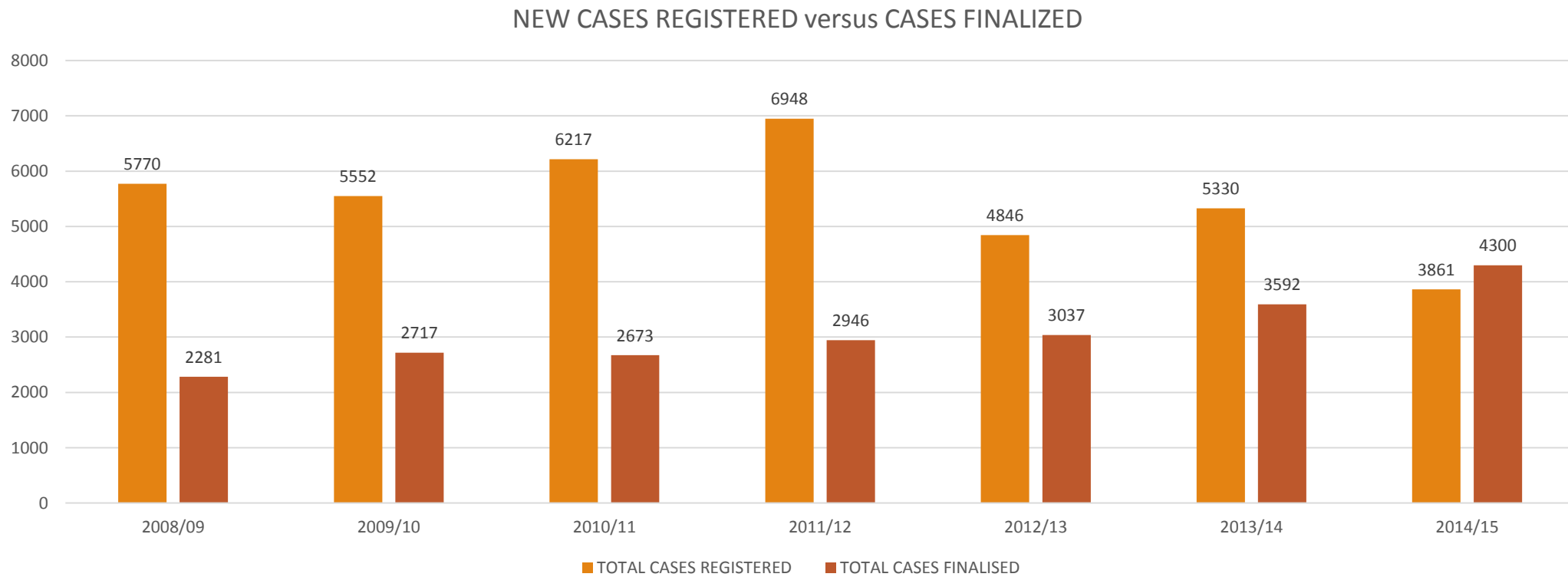
NEW CASES REGISTERED VERSUS CASES FINALISED

- Looking at cases finalized in isolation from cases registered may result in a distorted picture.
- It is thus important to compare the new cases registered during any measured period with the figures on cases finalized during the same period.

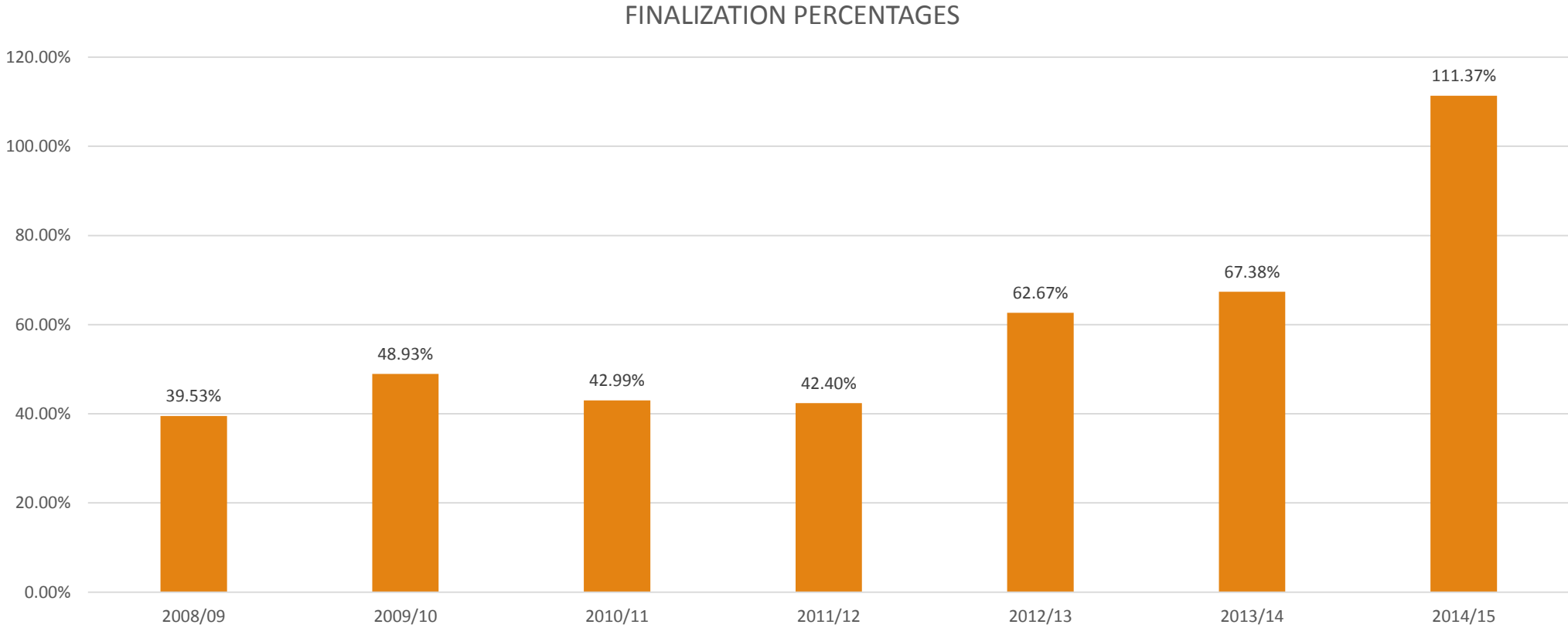
NEW CASES REGISTERED VERSUS CASES FINALISED

	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
TOTAL SUMMONSES REGISTERED	5115	4971	5745	6472	4439	4869	3472
TOTAL ACTIONS FINALISED	1363	2049	2354	2643	2682	3018	3759
TOTAL SUBSTANTIVE APPLICATIONS REGISTERED	655	581	472	476	407	461	389
SUBSTANTIVE APPLICATIONS FINALISED	918	668	319	303	355	484	541
TOTAL CASES REGISTERED	5770	5552	6217	6948	4846	5330	3861
TOTAL CASES FINALISED	2281	2717	2673	2946	3037	3592	4300

NEW CASES REGISTERED VERSUS CASES FINALISED



FINALIZATIO PERCENTAGES



CONCLUSION: NEW CASES REGISTERED VERSUS CASES FINALISED

The following may be deduced from the aforementioned statistics:

- Even during the period of partial implementation our finalization figures of cases in the High Court resulted in higher figures than before.
 - Compare the percentages of 2008/09 (39.53%), 2009/10 (48.93%) and 2010/11(42.99%) with 2012/13 (62.67%) and 2013/14 (67.39%)
 - One year after partial implementation the finalization figure was approximately 20% higher than any given year prior to partial implementation.
- The true difference between litigants determining the pace of litigation and Judicial Case Management may however be observed from the 2014/15 figures, where litigants no longer have any influence on the date on which the matter is being docket allocated resulting in an astonishing finalization figure of 111.37% in comparison to an average finalization figure of 43.81% during the period 2008 - 2011