



GOVERNMENT OF ENUGU STATE OF NIGERIA
Chief Judge's Chambers

JUDICIARY HEADQUARTERS,
3 Arms Zone, Independence Layout, Enugu

TO:

1. All Hon. Judges
2. All Learned Magistrates
3. Hon. Attorney General & Commissioner for Justice, Enugu State
4. Commissioner of Police, Enugu State
5. Controller of Correctional Services, Enugu State Command
6. Director, Enugu State Multidoor Court House
7. The Chairmen of the NBA Branches in Enugu State
8. Zonal Head, Economic and Financial Crime Commission (EFCC), Enugu Zonal Office
9. State Director, State Security Services, Enugu State Command
10. State Director, Independent Corrupt Practices Commission, Enugu Office
11. State Director, National Agency for the Prohibition of Trafficking in persons (NAPTIP), Enugu Office
12. State Coordinator, Legal Aid Council Enugu

PRACTICE DIRECTION FOR GRADUAL RESUMPTION OF SITTINGS OF COURTS AND MEDIATION AT ESMDC IN ENUGU STATE JUDICIARY

In exercise of the Powers conferred on me by Section 274 of the Constitution of the Federal Republic of Nigeria 1999 (as amended), Section 68 of the High Court Law Cap, 92 Laws of Enugu State 2004, Section 551 of the Administration of Criminal Justice Law, 2017 and any other enabling Legislation, **I, HON. JUSTICE N. P. EMEHELU, THE CHIEF JUDGE OF ENUGU STATE** hereby issue the following Practice Directions.

TheNigerialawyer

COMMENCEMENT:

1. This Practice Direction shall take effect from Monday, 25th day of May, 2020.

APPLICABILITY:

2. This Practice Direction shall, save to the extent and as may otherwise be directed by the Chief Judge, apply to Civil and Criminal Matters in the High Court of Justice, the Magistrates' Courts and the Enugu State Multi Door Court House (ESMDC) in Enugu State.

OBJECTIVES:

The purpose of this Practice Direction is to regulate the gradual resumption of sittings of Courts, Mediation and other ADR Mechanisms in ESMDC, for continued access to justice while minimizing the risk of transmission of Corona Virus (COVID-19) to the Honourable Judges, Learned Magistrates, Court Staff, Lawyers, Litigants and other Court Users.

DIRECTIONS:


3. The period beginning from Tuesday 24th of March, 2020 to Monday 25th of May, 2020 which fall within the period of lock down due to COVID-19 Pandemic shall be discounted for the purpose of computation of time for doing any act under the Rules.
4. To ensure reduction of people in the Court premises and the Court rooms, not more than five (5) cases with allotted time shall be fixed in a day.
5. Parties, witnesses and their counsel are to be in the Court premises twenty minutes before the time allotted to their case(s) and not earlier than that and should not enter the Court room before the time allotted to their case(s).
6. Party or parties on each side shall be represented by one counsel in the Court room. Where however any Law/Rules require that a counsel should appear with another counsel then only one counsel should be led in the matter.

7. In criminal cases where remand of suspects are necessary such suspect(s) should be remanded in the custody of the Prosecuting Agency until the Correctional Centres resume acceptance of suspects in their custody.
8. Practice Direction for Remote/Virtual Hearing of cases in the High Court and the Magistrates' Courts in Enugu State as well as On-line Mediation in ESMDC in the Judiciary of Enugu State during the COVID-19 period and post COVID-19 and other related matters will be issued in due course and guided by the NJC Guidelines and the Information Communication Technology Committee set up recently in the Judiciary of Enugu State.
9. These Practice Directions apply in Criminal and Civil Cases.
10. In keeping with the W.H.O. and the NCDC protocols
 - (a) Not more than twenty persons are to be in the Court room including Court officials, keeping a distance of not less than 2 metres to each other at any point in time.
 - (b) Every one coming into the Court premises is to wear a face mask including Hon. Judges, Drivers and Orderlies. Temperature to be tested at the entrance gate, where the gadget is made available.
 - (c) All Staff, Court users, Counsel and Litigants must compulsorily wash their hands with water and anti bacterial soap and/or apply sanitizer provided by the Court.
11. Multidoor Court House (ESMDC) to cut down on the number of people that come for Mediation and other ADR Mechanisms and to allot time to cases as well as keeping to the protocols.

TheNigerialawyer

12. In line with NJC Guidelines for Court sittings and related matters in the COVID-19 period, Ref. No. NJC/CIR/HOC/II/660 of May 2020, the Chief Registrar shall ensure that:
- (i) The hardcopy of the processes to be filed should be sanitized with alcohol-base sanitizers by dedicated court officials as soon as they are brought to the registry and left in secure facilities immediately thereafter, without processing, for a minimum period of 96 hours by which time, if there was any Corona Virus still attached to the processes, it would have expired.
 - (ii) At the expiration of the quarantine period afore specified, the processes shall be brought out from the secured facilities and processed by the Court officials. Parties would have responsibility for monitoring and following up with the Court officials on the filing processes in respect of their respective filings, right up to completion.
13. The Chief Registrar is to regulate how staff will come to work during this period.
14. The Honourable, the Chief Judge may review and/or issue further directives to meet with the exigencies of the COVID-19 Pandemic.

DATED THIS 15TH DAY OF MAY, 2020.



Hon. Justice N. P. Emehelu, FCI Arb., F.DRI, FICMC
Chief Judge
Enugu State

TheNigerialawyer