

AN ACT TO AMEND CERTAIN PROVISIONS OF CHAPTERS 3,7,12,14,15,18, AND 21 OF THE NEW
JUDICIARY LAWS TO PROVIDE FINANCIAL AUTONOMY TO THE JUDICIARY

APPROVED; JANUARY 14, 2006

PUBLISHED BY AUTHORITY
MINISTRY OF FOREIGN AFFAIRS
MONROVIA, LIBERIA

FEBRUARY 16, 2006

IT IS ENACTED BY THE NATIONAL TRANSITIONAL LEGISLATIVE ASSEMBLY of the Liberian National Transitional Government of the Republic of Liberia in Legislature Assembled:

Section 1: That effective immediately after the passage and publication in handbills of this Act, Chapter 3 Section 3.14, Chapter 7 Section 7.9, Chapter 8 Section 8.10 Chapter 18 Section 18.4 and Chapter 21 Section 21.5 of the New Judiciary Law Title 17, Liberian Code of Laws Revised are hereby repealed.

(b) INA Decree Number 6 and 7 are hereby repealed

Section 2: Section 21.3, Fiscal Appropriation of Chapter 21 of the New Judiciary Law is hereby amended and revised to read as follows

Section 21.3: **Fiscal Administration**

1. **Judiciary Budget:** The Supreme Court shall submit to the Bureau of the Budget annual estimates of the Expenditure and appropriations, supplies and services including personnel, as well as funds appropriated for retirement pension and death benefits necessary for the maintenance and operation of the courts and such supplemental and deficiency estimates as may be required from time to time for the same purpose, according to law.

All such estimates shall be included in the National Budget estimates without revision, but subject to any recommendation of the Bureau for the Budget which may be included with the transmittal of the National Budget estimates from the President of Liberia to the Legislature for action thereon.

2. **Judiciary Account:** Upon the passage into law of the National Budget all appropriation of funds to be expended by the Judiciary Branch shall be disbursed by the Ministry of Finance to the Judiciary Branch by four quarterly installments the first such installments to be disbursed at the beginning of the first quarterly thereafter – in any event each installment must be disbursed to the Judiciary Branch within 15 days of the beginning of each quarter.

All such funds shall be deposited in bank account (s) which shall be operated and administered by the Judiciary Branch, under the overall supervision of the Chief Justice and accordance to the budget.

3. **Audits:** The accounts(s) of the Judiciary shall be subject to general audits by the Bureau of General Audits of the Republic of Liberia.

Section 3: Section 21.6 of chapter 21 of the New Judiciary Law of Title 17 of the Liberian Code of Law Revised is hereby amended and revised to read as follows:

Section 21:6: **Deposit of Fees, cost and other revenue collected by courts**

1. **Courts cost, fees, fines etc:** The Supreme Court is hereby empowered to fix from time to time by rules and regulations all fees, costs, and per diem for Clerk of Courts in all Civil actions, Magisterial Courts, Justice of the Peace Courts, allowance of costs to prevailing parties represented by counsel in Civil Actions, witness fees, Marshall Fees, Sheriff Fees, Jurors Fees, and any other fees, costs, and per diem it deems proper and reasonable, taking into consideration the present circumstances to the Country. All such fees, costs and per diem shall be published by the Supreme Court and posted at each Court in the Republic, the same to take effect and be applicable no sooner than a period of three months from the date of publication of the same.
2. **Deposit of Funds:** All such fees, fines and costs shall be collected by the Judiciary and deposited into the account of the Judiciary, and the Minister of Finance shall be informed of the deposits such that the amount so deposited shall, from time to time, be deducted from the approved quarterly budgetary appropriation.

Section 4: Penalty: Non-compliance with the provisions contained within Section 21.3(2) above shall entitle the Supreme Court to hold the Minister of Finance or any other responsible officer for Contempt of Court.

This Act shall take effect immediately upon publication in handbills

ANY LAW TO THE CONTRARY NOTWITHSTANDING