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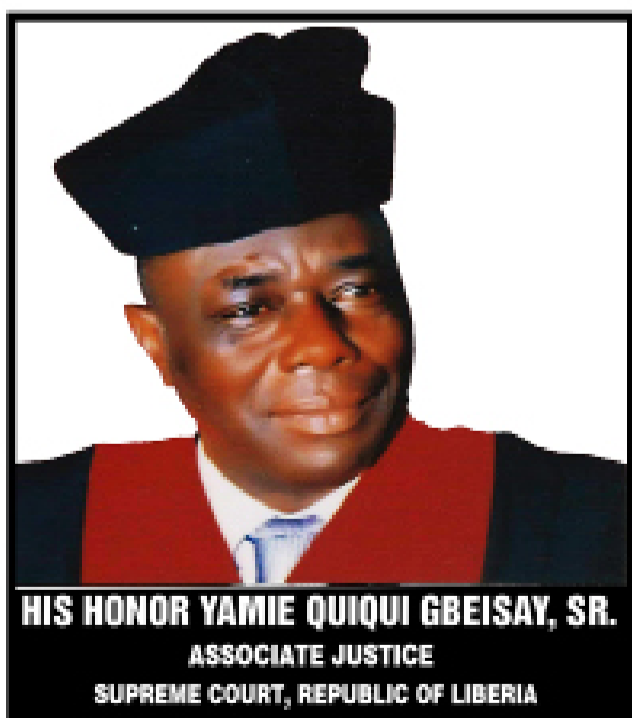
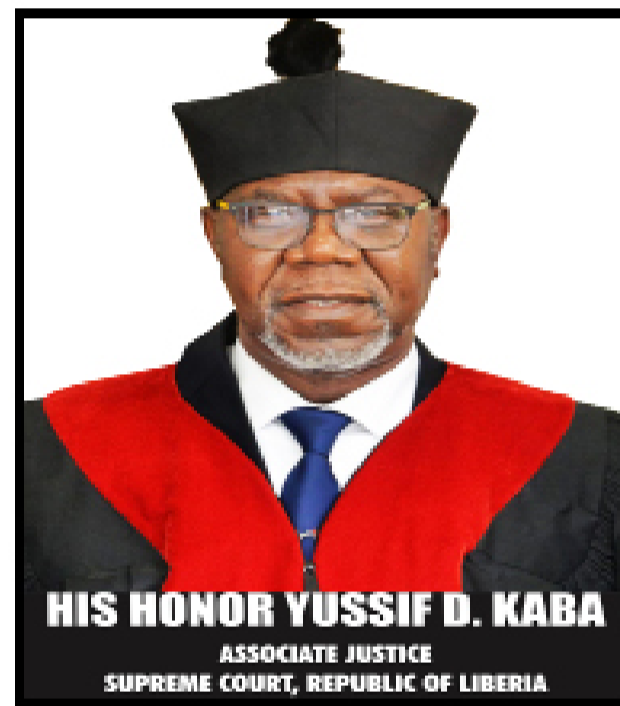


JUDICIARY
OCTOBER 2024



LIBERIA'S SUPREME COURT GETS MAJORITY FEMALE JUSTICES





SYMBOL OF HOPE AND PROGRESS

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EDITORIAL PAGE 18

LIBERIAN LAWYER 'ELECTED' VICE PRESIDENT FOR WEST AFRICAN BAR ASSOCIATION (WABA)



LNBA National Secretary General, Cllr. Bornor M. Varmah.

The Liberian National Bar Association (LNBA) says, its unwavering and unequivocal stance on enhancing a pragmatic Rule of Law Regime in West Africa has been validated and acknowledged by the recent overwhelming election of its National Secretary General, Cllr. Bornor M. Varmah as the next Vice President of the West African Bar Association (WABA), at the end of an Annual General Conference of that Regional Body.

The election of the LNBA Secretary General, Cllr. Varmah as Vice President of the West African Bar Association took place in Cotonou, the Republic of Benin.

Cllr. Varmah was elected alongside the Malian Bar President, Ousmane Bouba Traore as President of WABA, and the Secretary General of the Nigerian Bar Association, Adesina Adegbite as WABA's Secretary General among others.

The Annual Conference of WABA took place from June 25 to 27, 2024 in partnership with the United Nations Office for West Africa and the Sahel (UNOWAS).

The objective of the conference was to adopt the amended constitution of WABA and elect mem-

bers of WABA's governing bodies. The LNBA in a release issued on Monday, July 2, 2024 says, various Bar Associations in the sub-region, as well as the WABA Secretariat, UNOWAS and partners from the United Nations system, took part in the Annual Conference.

The LNBA said, during the conference, Bar Associations and Legal practitioners exchanged views on a variety of subjects, including the role of lawyers' organization such as WABA in ensuring a democratic and peaceful society free from tension and conflict.

At the end of the proceedings, the participants adopted the new WABA constitution and elected for two-year term, a new executive committee drawn from the three language groups of the sub-region, including Francophone, Anglophone and Lusophone.

The West African Bar Association (WABA), which brings together leading members of Bar Councils and lawyers in the sub-region, was created in 2004 in response to human rights and rule of law challenges that undermine efforts to promote democratic consolidation, good governance, sustainable peace and development in the region.

Since its inception, the Association's primary role has been to mobilize Bar Associations and legal practitioners to play a proactive role in the development of legal systems and institutions in the region and to contribute significantly to efforts to deepen democratic governance through respect for the rule of law and human rights.

JUDICIARY REJECTS BUDGETARY ALLOCATION



..... as Legislature, Executive Branches Fail to Increase Budgetary Allocation Upon Passage of the Fiscal Budget 2024

The Judiciary Branch of the Liberian Government is challenged by inadequate funding by the Liberian Government despite the vital role it plays in upholding and administering the Rule of Law which necessitates the decentralization of this Branch of Government to every county and district within the Republic. As a result of such funding deficit over the years, physical infrastructure and human capacity of the Judiciary continue to decline thereby hampering the efficient functioning of the Judiciary.

In pursuit of addressing the deficiencies within the Liberian Judiciary, as captured in its 5-Years Strategic Plan, and pursuant to the Financial Autonomy Act of 2006 that the Supreme Court of Liberia presented its budget of US\$31m to be included in the National Budget of 2024, which amount was drastically reduced by the Executive and Legislative Branches to US\$17m. The Supreme Court has rejected this budget appropriation in the fiscal budget of 2024.

Speaking on behalf of the Supreme Court, Her Honor Chief Justice Sie-A-Nyene G. Yuoh expressed disappointment and disapproval of the treatment meted out to the Judiciary Branch of Government by the other two branches in regards to the budget appropriation to this Branch.

Chief Justice Yuoh recalled that upon the passage of the 2024 fiscal budget, in which the Liberian Judiciary was appropriated an amount of US\$17 million and a one-off contingency amount of US\$3 million, which total amount constitutes a meager 2.8% of the National Budget, the Judiciary, through the Supreme Court, rejected said budget and viewed the appropriation of US\$17 million as an imposition by both the Legislative and Executive Branches of Government on a co-equal branch of the same government.

She said the Full Bench of the Supreme Court subsequently brought this to the attention of His Excellency President Joseph N. Boakai, as Head of Government of the Republic, predicated upon which, His Excellency, the President, convened a

meeting amongst the three Branches of the Government, on Sunday, June 23, 2024, to address the budgetary issue of the Judiciary, among other issues relating to the other two Branches.

She noted that the meeting was attended by the President and members of his cabinet, the Speaker of the House of Representatives and members of the House's leadership, the Pro-Tempore of the Senate and members of the Senate's leadership and the Full Bench of the Supreme Court along with the leadership of the National Association of Trial Judges of Liberia. "At that meeting, I, as Chief Justice, speaking on behalf of the Judiciary, reiterated the position of the Supreme Court regarding the budgetary appropriations made for this Branch in the 2024 National Budget," she stated.

The Chief Justice emphasized that the position of the Supreme Court is premised on Section 21.3 of the New Judiciary Law (as amended 2006), titled, The Financial Autonomy Act which provides thus: "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 appropriate 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 purposes, according to law.

All such estimates shall be included in the National Budget estimates without revision, but subject to any recommendation of the Bureau of 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."

This provision, she stated, is in consonance with article 72 (a) of the Constitution of Liberia, which clearly enunciates the remuneration of Justices of the Supreme Court and Judges of subordinate courts.

According to the Chief Justice, it is within this legal framework that the Supreme Court, at the beginning of the budget process, submitted a budget estimate of US\$31 million to the Ministry of Finance and Development Planning for inclusion in the National Budget.

She however asserted that, contrary to the Act quoted supra, without any legal authority, and reference to the Supreme Court, the Minister of Finance disregarded the budget estimates submitted by the Supreme Court and instead submitted a different budget estimate of US\$17

million to the Legislature for the Judiciary.

She intoned that the Legislature, upon passage of the budget, appropriated a contingent amount of US\$3 million which the Ministry of Finance and Development Planning termed as a “one-off/non-recurrent” appropriation meant only for judges’ benefits.

Chief Justice Yuoh expressed that at the end of the meeting, the President mandated that an upward review of the Judiciary’s Budget be done in accordance with the referenced law quoted, and this was agreed by the Legislature for which the Speaker of the House of Representatives committed to have the Ways & Means, Finance, and Budget Committees of both Houses meet with the technical team of the Judiciary to recast the Judiciary’s budget within two weeks as of the date of the meeting.

“Sadly, it has been far over five weeks since that meeting and no one from either the Ministry of Finance and Development Planning or the relevant committees of the Legislature has followed up with the Judiciary as was agreed upon by all present at that meeting,” the Chief Justice lamented.

She explained that on July 5, 2024, the Supreme Court again took the liberty to write to the President, as Head of Government, expressing its utmost disappointment and dismay about this situation which is contrary to the spirit of the tripartite meeting held on June 23, 2024.

The Chief Justice added that this posture of the Legislature and Executive leaves the Supreme Court to wonder if indeed the commitment made at the meeting to have the three Branches of Government work in coordination, collaboration and mutual respect to uphold the rule of law is sincere.

“As we speak today, the Public Procurement and Concession Commission has refused to approve the procurement plan of the Judiciary which was drawn up based on the Judiciary’s budget original estimate submitted to the Ministry of Finance and Development Planning thereby leaving the operations of the courts throughout the country, including the Supreme Court stranded.”

“At this point, the Judiciary is unable to procure any operational materials, to facilitate the travel of judges to their assigned circuits for the ensuing August Term of Court which is scheduled to officially open on August 12, 2024, and more importantly, the present budgetary appropriation provides no opportunity to restore the judges’ salaries which is an issue pending before this court,” the Chief Justice decried.

Whilst the Supreme Court acknowledges and upholds the power bestowed upon the Legislature to “make appropriations for the fiscal governance of the Republic” as enshrined in Article 34 (d) of the Liberian Constitution (1986), this Court has

also upheld the long standing principle of constitutional interpretation which states in part, *“the Constitution must be interpreted in light of the entire document rather than a sequestered pronouncement, as every provision of the constitution is of equal importance. None of the provisions of the Constitution should be interpreted to nullify or substantially impair the other provisions.....”*

It is within this legal context that Chapter VII of the Liberian Constitution (1986) and the supporting statutes within the New Judiciary Law, impose a legal obligation upon the Judiciary Branch to effectively and efficiently manage the Supreme Court of Liberia and all of its administrative units to include 22 Circuit Courts across the 15 political subdivisions of this country along with its judges and staff as well as 160 Magisterial Courts also across the 15 counties with their magistrates and staff in order to ensure that the Rule of Law prevails within the borders of the country.

She said evidently, it appears that both the Legislative and Executive Branches of the Liberian Government do not regard the Judiciary as co-equal Branch of the same government with attending needs and responsibilities as they have remained unresponsive to the concerns raised by this Branch of Government regarding the appropriation of a meager 2.8% of the National Budget to the Judiciary (the 2nd largest and decentralized Branch of Government). This, the Judiciary views as unfair, unjust, and an attempt by the other two Branches of Government to further render the Liberian Judiciary ineffective and inefficient.

Chief Justice Yuoh cautioned: *“we, as the Supreme Court of Liberia, and Head of the Judiciary Branch of Government, are fully cognizant of our power of Judicial Review and the Constitutional power to strike down any law which runs contrary to the Constitution or any other existing statute, such as the Budget Law.*

We have stayed our actions in the spirit of cooperation and coordination amongst the three Branches of Government. Unfortunately, we might be constrained to take actions to compel compliance to include but not limited to Article 2 of the Constitution of Liberia (1986).”

Chief Justice Yuoh hopes that the situation be addressed immediately by the President of Liberia, as Head of Government, and the leadership of the Legislature to avoid a constitutional crisis as the Court will not accept such treatment of indifference and imposition from Co-Equals of the Government.

SYMBOL OF HOPE AND PROGRESS



Judiciary Branch of Government Dedicates State-of-the-Art 14th Judicial Circuit Court Complex...to enhance Infrastructure Development in the Judiciary & Promote Access to Justice

In an effort to enhance infrastructure development within the Judiciary Branch of Government and promote access to justice in Liberia, the Chief Justice of the Honorable Supreme Court of Liberia, Her Honor Sie-A-Nyene G. Yuoh, joined by President Joseph Nyumah Boakai, Sr., dedicated a state-of-the-art Judicial Complex in Cestos City, Rivercess County, valued at United States dollars one million, six hundred twenty-six thousand, two hundred thirty-eight dollars and eighty-cents (US\$1,626,238.80).

The Project was fully funded by the Government of Liberia through the Executive Branch of Government. The contract for the construction of the project was signed on July 12, 2021 as part of the judiciary's infrastructure development plan. On September 23, 2021, official ground breaking ceremony for the project took place in Cestos City, Rivercess County attended by county officials including local authority and residents of the county.

A judicial complex is a structure consisting of several court facilities such as the circuit court, debt court, labor court, tax court, revenue court, traffic court, and magisterial court, etc.

A judicial complex also has offices for the county attorney, public defender and probation and parole officers. The availability of many courts and offices of judicial actors in one central location promotes easy access to justice.

The dedicatory ceremony took place in Cestos City, the capital of Rivercess County, at a colorful event on a rainy Monday, August 12, 2024.

The event which coincided with the formal opening of the circuit courts within the fifteen counties of Liberia for the August Term A. D. 2024 was graced by President Joseph Nyumah Boakai, Sr., as guest of honor, justice actors, traditional leaders, and residents of Rivercess County.

The Chief Justice of the Honorable Supreme Court, Her Honor Sie-A-Nyene G. Yuoh, in a statement at the dedicatory ceremony, said the construction and dedication of the 14th Judicial Complex, similar to complexes in other circuits, is more than just a building; it is a *“symbol of hope and progress.”*

“It represents our nation’s commitment to ensuring that justice is accessible, impartial and efficient. It is a testament to our belief that a strong, independent judiciary is vital to the health of our democracy and the protection of our citizens’ rights,” Chief Justice Sie-A-Nyene Yuoh stated.

Chief Justice Yuoh pointed to the newly constructed complex as a beacon of hope for all Liberians where the law is administered without fear or favor; and the rights of individuals are safeguarded.

She divulged that with the completion of the court complex, the Judiciary Branch of Government is on the road to building and completing judicial complexes as well as magisterial courts throughout the fifteen counties in Liberia.

According to her, the complex stands as a testament of the Supreme Court’s vision of expanding judicial infrastructures across Liberia which aimed to enhance access to justice and improve judicial service delivery for all citizens and residents within the borders of the nation.

She added that the same vision has guarded the construction of similar judicial complexes in Gbarpolu, Sinoe and Nimba Counties and as well as new court buildings in Bong, Bomi and Grand Gedeh Counties respectively.

The Chief Justice told the people of Rivercess that the decision to construct a judicial complex in their county was driven by significant infrastructure gap in that part of the country.

“As we dedicate this complex today, we remain cognizant of the outstanding work that must be done for we are now building judicial complexes and not just mere court houses.

As we dedicate this complex today lets us commit to fostering a culture of justice and accountability where the law serve all people equally and fairly. Let us ensure that the judicial complex remains a place where truth is sought and justice is delivered with unwavering integrity,” stated Sie-A-Nyene Yuoh, Chief Justice.

The Chief Justice emphasized: *“Let this judi-*

cial complex be a constant reminder of our duty to uphold the Constitution and protect the liberty it guarantees. May this complex serve our nation well and generations to come."

The Chief Justice commended President Boakai and the Dean of his Cabinet for incorporating into the government's ARREST Agenda the judiciary's development plan under the rule of law.

She said the presence of the President at the program signifies the unwavering support of the Executive Branch to the Judiciary Branch. She asserted that only the Executive continue to stand up for Rule of Law in Liberia.

She maintained the Executive Branch support is what has been manifested into the construction of the judicial complex in Rivercess County.

Chief Justice Yuoh pleaded with President Boakai to ensure that the Judiciary is accorded its appropriate national budget as a Branch of Government and not a subset of the other two branches of government.

Senator Willington Gevon Smith speaking on behalf of the Rivercess Legislative Caucus expressed gratitude for the project, noting that the construction of the judicial complex represents justice for the people of Rivercess County.

Despite the construction of the judicial complex, the Rivercess County lawmaker pleaded with the Chief Justice for the construction of the additional courts in other areas of the county.

He admonished residents of Rivercess County to utilize the judicial complex for the intended purpose.

"You cannot have a state-of-the-art judicial complex and because you want to express your grievances against somebody, you go and burn or destroy the complex; no, let use it for the intended purpose," Senator Smith cautioned.

The Rivercess Senator, a member of the Ways and Means Committee and also co-chair of the Public Account Committee of the Liberian Senate, pledge his support to the infrastructure development of the Judiciary Branch of Government.

Cllr. Alexandra Zoe, Chairperson of the LACC, speaking on behalf of the Rivercess County Bar Association said the dedication of the complex marked a significant milestone in the quest for justice.

Cllr. Zoe averred further the new facility represents more than just a court; it embodies the nation collective commitment to upholding the rule of law.

She expressed Rivercess County Bar crucial role played in the construction and proper function of the 14th Judicial Circuit Court Complex.

She wants lawyers and attorneys of the Rivercess Bar be appointed as judges of the specialized courts within the newly constructed judicial edifice to ensure that justice is served.

Liberia's Justice Minister and Attorney General Cllr. N. Oswald Tweh cherished the Supreme Court for the construction of the judicial complex to improve the working environment of judges and other judicial staff.

Justice Minister Tweh implored the citizens of Rivercess County to make use of the judicial complex by reporting cases to the court and not to take the law into their own hands.

"We are hopeful that if you (residents of Rivercess) use the court system seeking redress and justice, you will get transparent justice," Minister Tweh told the jubilant residents of Rivercess at the occasion.



COMMISSIONING OF JUDGE CEANEH D. CLINTON-JOHNSON



President Boakai Commissioned Judge Ceaneh D. Clinton Johnson as Associate Justice of the Supreme Court of Liberia

She promised never to betray the trust and confidence reposed in her by President Joseph Nyumah Boakai but to perform the task upon which she was called to serve.

She reminded her colleagues (commissioned officials) that Liberia is at the cross road; as such, those leaders who are called to serve must do so in the right way and not to mistreat the motherland.

The newly commissioned Associate Justice is an experienced public servant who has worked as Deputy Minister of Justice for administration and public safety at the Ministry of Justice; and as Circuit Judge of the Criminal Court “E”.

The Liberian leader, His Excellency, Joseph Nyumah Boakai, Sr., has commissioned the Judge of Criminal Court “E”, Her Honor Ceaneh D. Clinton Johnson to serve as Associate Justice of the Honorable Supreme Court of Liberia.

The Commissioning ceremony took place at the Executive Mansion on Thursday, August 1, 2024. In attendance at the program were government officials from the Legislature, Executive and Judiciary.

The commissioning of Judge Ceaneh D. Clinton Johnson as Associate Justice followed the passing of former Associate Justice His Honor Joseph N. Nagbe, which created the vacant post on the Bench of the Honorable Supreme Court of Liberia.

President Joseph Nyumah Boakai in remarks at the commissioning ceremony reminded the Associate Justice and other government officials at the program about their collective pledge to uphold public trust.

President Boakai said effective leadership is critical to the survival of Liberia as a nation. He thanked justice actors specifically the police for ensuring that the rule of law prevails.

“All of you, who have been commissioned today, please remember that your responsibility is to serve this nation,” stated the Liberian President.

Her Honor Ceaneh D. Clinton Johnson, in a brief remark on behalf of her colleagues (commissioned officials), made a pledge to support, uphold and protect the Constitution and the laws of the Republic of Liberia and discharged the duties and functions of the office of the Associate Justice of the Supreme Court of Liberia.

The Associate Justice expressed humility to have been called by His Excellency President Joseph N. Boakai to serve on this high office (Supreme Court) within the Judiciary Branch of Government.



PRESIDENT JOSEPH BOIAKAI PLEDGES SUPPORT TO JUDICIARY'S INFRASTRUCTURE DEVELOPMENT AGENDA



---Dedicates 14 Judicial Circuit Court Complex in Rivercess County

Liberia's Chief Executive, President Joseph Nyumah Boakai Sr., at program marking the dedication of the newly constructed 14th Judicial Circuit Court Complex in Rivercess County, have pledged his government unwavering support to the infrastructure development agenda of the Judiciary Branch of Government.

President Joseph Boakai in special remarks as guest of honor during the dedicatory ceremony on Monday, August 12, 2024 said the purpose of the dedication of the judicial complex reinforcing the rule of law, uplift the governance system and strengthen the nation's democracy.

"I therefore, look forward to more of these judicial complexes with a particular hope that they will indeed be temples which justice will reign supreme and into which; injustice will find no place," Liberian President, Joseph Nyumah Boakai said.

The Liberian leader reiterated the Executive Branch's commitment to working closely with the Judiciary Branch to empower and support the judicial system; emphasizing, the importance of a just and equitable dispensation of justice within the realm of the rule of law.

The Judiciary over the years has been plagued with a major challenge of poor infrastructures. This challenge has affected the overall performance of the Judiciary as a system.

He said it is demeaning to hear that judges are working in court houses that are not representation of the country. "So, I promise you that we will support the Judiciary in order to make Liberia proud," the President stated.

He added, "We want to reassure you of our commitment to working with you to ensure that complexes similar to the one been dedicated are established in each of the fif-

teen political subdivisions of the country.

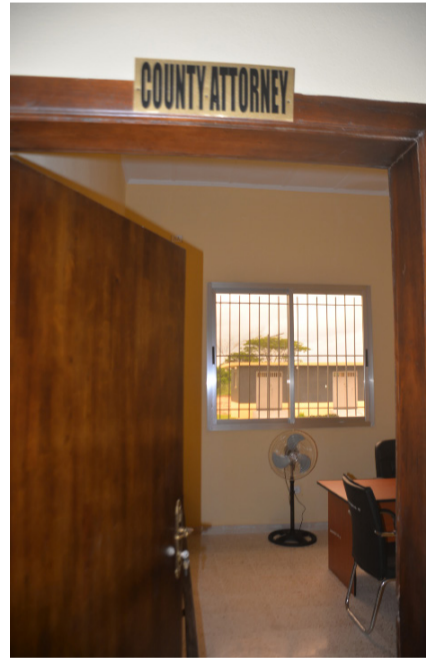
As we open this new complex, we do so with a renewed commitment to put the nation on a new trajectory of governance and nation building. We must instill in this nation a new mindset about getting development in every sphere of our nation.

....We at the Executive Branch are fully on board with the Judiciary in the quest for better infrastructure development. Let me assure you Madam Chief Justice that we fully share your concern about the judicial system of our country."

The President called on the three branches of government to coordinate, collaborate and cooperate to address critical areas such as travesty of justice, corruption and abuse of power.



14TH JUDICIAL CIRCUIT COURT COMPLEX



14TH JUDICIAL CIRCUIT COURT COMPLEX



COMMISSIONING OF JUDGE CEANEH D. CLINTON-JOHNSON



SEATING OF JUSTICE CAINEH D. CLINTON-JOHNSON



COURT SHOULD PREVENT UNFAIRNESS IN CRIMINAL PROCEEDINGS AND ENSURE JUSTICE



...Judge Mameita Jabateh-Sirleaf

On Monday, August 12, 2024, at program marking the formal opening of the first Judicial Circuit Courts A, B, C, D, E for Montserrado County, for the August Term A. D. 2024, the Resident Judge Criminal Assizes "D" Her Honor Mameita Jabateh-Sirleaf has said the courts in Liberia should prevent the unfairness in criminal proceedings and ensure that justice is done.

Judge Jabateh-Sirleaf said the courts are duty bound to intervene where it smells an attempt on the part of those who have power to prosecute others to abuse the power in their hands.

She wants lawyers utilize the legal profession for the public good with humanity and in consonance with their oath and ethnics. In short, the profession should be utilized to promote public interest.

The Judge statement was contained in a charge delivered at the opening of the circuit courts on the theme: *"transformation of land disputes into armed robbery or rape, a strategy to keep one opponent in pre-trial detention."*

She opined that land use conflict is a situation where there is a disagreement on the use of or ownership of a certain piece of land. This, she believed, is quite different from armed robbery or rape.

According to the judge, the danger in transforming land conflict into an armed robbery or rape is to manipulate the legal system to charge an innocent person with a non-bailable crime.

"From where I sit, I now tend to believe that when land issue lacks adequate legal, institutional, and customary remedy, it becomes a commodity easily subject to manipulation and abuse," the Resident Judge of Criminal Court "D" stated. Judge Jabateh-Sirleaf expressed dismay at lawyers who assist party litigants to influence the legal system by filing frivolous lawsuit to turn land dispute into armed robbery or rape to keep an opposing party in jail.

Section 15.32 of the Criminal Statute, she stated, defines Armed Robbery as: *"A person has committed a capital offense of armed robbery which is a felony of the first degree if, in the process or course of committing theft, he threatened to kill, kills, or inflicts bodily injury upon a person or group of persons, or places such person in imminent danger by means of explosive weapons, or other lethal instruments. And whereas, rape is when a person intentionally penetrates another's vagina, anus or mouth with a penis, without the person consent."*

"Now tell me by what means can a land conflict be turned into an armed robbery or rape," she asked? She further averred, "for the legal profession to remain noble, lawyers must respect the tenets of this profession."

The judge: *"these evil geniuses will do everything necessary to pursue an indictment against that person. I'm saying this because I have seen cases come before me in which the Government of Liberia charged the defendant with armed robbery but as I examined the case file, I concluded that there wasn't adequate evidence of armed robbery rather, the matter was a clear land dispute."*

She cautioned lawyers, especially prosecutors who knowingly and intentionally metamorphose land dispute into armed robbery or rape to desist; else, they will be reprimanded seriously.

The Criminal Court "D" Resident Judge continued, "You should know that the court has been silent but will not continue to be silent on the abuse of human rights."

She said as a corrective measure, lawyers should stop influencing the judicial system and put forth the national interest which will bring about peace and stability in the country.

LIBERIA'S SUPREME COURT GETS MAJORITY FEMALE JUSTICES



---New Associate Justice Her Honor Ceaineh D. Clinton Johnson Takes Seat on the Supreme Court Bench

On Thursday, August 29, 2024, at an impressive ceremony during the formal closing of the March 2024 Term of the Honorable Supreme Court of Liberia, Her Honor Ceaineh D. Clinton Johnson, took seat as Associate Justice on the country's Supreme Court Full Bench.

The seating of Justice Ceaineh D. Clinton Johnson as Associate Justice completes the vacant post on the Full Bench of the Honorable Supreme Court of Liberia, which was created, following the passing of former Associate Justice, His Honor Joseph N. Nagbe.

The Full Bench of the Honorable Supreme Court is now female dominated with three females and two males. The females include Her Honor Sie-A-Nyene G. Yuoh, Chief Justice; Her Honor Jamesetta H. Wolokolie, Associate Justice; and Her Honor Ceaineh D. Clinton Johnson, Associate Justice.

While the male Associate Justices are His Honor Yussif D. Kaba, and His Honor Yamie Quiqui Gbeisay, Sr.

The seating ceremony took place in the Supreme Court. At the start of the program, the Chief Justice ordered the Marshall to escort His Honor Yussif D. Kaba from the Seat of Honor on the Extreme Right to the Seat of Honor on the Immediate Left of the Chief Justice.

The Marshall was further mandated by the Chief Justice to escort His Honor Yamie Quiqui Gbeisay, Sr., from the Seat of Honor on the Extreme Left to the Seat of Honor on the Extreme Right of the Chief Justice.

Her Honor Sie-A-Nyene G. Yuoh, Chief Justice, then ordered the Marshall to proceed, along with the Minister of Justice/Dean of the Supreme Court Bar and the President of the Liberian National Bar Association, to the Robin Room from whence he will

escort Her Honor Ceaineh D. Clinton Johnson to the Seat of Honor on the Extreme Left of the Chief Justice.

Chief Justice Yuoh said as Justice Clinton Johnson has taken her Seat of Honor at the Court; she is welcomed with open arms.

Chief Justice Yuoh noted that justice Clinton Johnson is not a stranger to the Liberian judiciary because she served as one of the two resident circuit judges of the First Judicial Circuit Criminal Court "E" for Montserrado County.

She expressed the Supreme Court Bench delight in the ascendancy of Justice Clinton Johnson from the ranks and files of circuit judges.

The Chief Justice used the occasion to encourage all circuit judges to work hard and conduct themselves in a manner that will earn them recognition and elevation.

In remarks, the new Associate Justice Ceaineh D. Clinton Johnson said her ascendancy to the Honorable Supreme Court Bench was not by coincidence or error but an event that was ordained by the Almighty God.

Justice Clinton Johnson said her appointment to the Supreme Court Bench comes at the time the 'Rebranding of the Judiciary' is at a higher stage.

She averred that the Judiciary must be seen as the mutual arm of government that makes decisions by law and not by negotiation.

Justice Clinton Johnson pledged to soberly reflect and conscientiously make decision on all cases at the Supreme Court.

She wants residents of Liberia particularly the

ordinary people to understand that the Judiciary provides equal protection to all under the law.

Also speaking at the occasion, Cllr. N. Oswald Tweh, Dean of the Supreme Court Bar and Minister of Justice prayed God's guidance and wisdom upon the new Associate Justice; and assured of the Bar's continuous support towards the Court.

Justice Minister Tweh expressed optimism about the Supreme Court's capacity to do more in upholding the rule of law and dispensing justice, especially at the time; the Court Bench is fully constituted.

Cllr. Sylvester D. Rennie, president, of the Liberian National Bar Association conveyed the LNBA's pleasure to have one of its members (Associate Justice Clinton Johnson) elevated to the Supreme Court Bench.

Cllr. Rennie believes that Associate Justice Clinton Johnson has more works to do on the Supreme Court Bench, as compared to the previous position she held as Judge of Criminal Court "E".

After taking seat, the new Associate Justice Clinton Johnson immediately began work as the next Chamber Justice of the Honorable Supreme Court until the Court opens for its October A. D. 2024 Term, the second working Monday in October 2024.



EDITORIAL

Hailing the Supreme Court of Liberia for a State-Of-The-Art 14th Judicial Circuit Court Complex in Cestos City, Rivercess County

The state-of-the-art 14-Judicial Circuit Court Complex that towers and shines in Cestos City, Rivercess County, beautifying a place deemed one of the nation's underdeveloped counties, is the most tangible and valued of all the assets owned by the Judiciary in that county.

The complex now playing host to several court facilities such as the circuit court, debt court, labor court, tax court, revenue court, traffic court, and magisterial court, etc; truly encapsulates the endless possibilities of public sector as well as the full height of the development of the Judiciary's Infrastructure Policy in an age where patriotism is nothing without innovation.

The building which was dedicated on Monday, August 12, 2024, by the Chief Justice of the Honorable Supreme Court of Liberia, Her Honor Sie-A-Nyene G. Yuoh, and President Joseph Nyumah Boakai, Sr.; is situated on several square-foot parcel of land and cost the Judiciary US\$ 1.6 million.

Instantly, the building brings to mind that Liberia is capable and able to ascend, transform and reform from dormancy to a truly vibrant infrastructural developed nation.

In addition to representing the pride of the nation, it tells the fact that Liberia's problem is to discover the secret of nation building including cleaving onto nationalistic spirit, carving appropriate vision to build a solid infrastructure foundation for future generation.

It further tells the fact that the growth and development of any nation and its people has its roots in the established habit of doing something that history can remember.

Great people are those who seek not solely for themselves, but those who are selfless and those who feel that living is about doing things to enhance the capacities of others.

One can safely build the conviction, judging from the Supreme Court's examples that all Liberia needs at this point in time is to learn to be like others in a positive way.

Indeed, the Supreme Court is proving itself worthy in line with Liberia's reconstruction drive. That remains the beauty of any given state especially in our

setting which needs speedy recovery and healing.

In Cestos City, Rivercess County, where the Judiciary dedicated the complex, Chief Justice Sie-A-Nyene Yuoh indicated that the complex stands as a testament of the Supreme Court's vision of expanding judicial infrastructures across Liberia which aimed to enhance access to justice and improve judicial service delivery for all citizens and residents within the borders of the nation.

The towering efforts of the Chief Justice and Associate Justices at the Supreme Court Bench to enhance infrastructure development within the Judiciary Branch of Government and promote access to justice in Liberia has now caught the attention of Liberia's Chief Executive, President Joseph Nyumah Boakai Sr., who have pledged his government unwavering support to the infrastructure development agenda of the Judiciary Branch of Government.

Given the magnificent feat accomplished by the Supreme Court in building the complex, the Liberian leader, President Boakai said, *"I therefore, look forward to more of these judicial complexes in all the fifteen counties with a particular hope that they will indeed be temples which justice will reign supreme and into which; injustice will find no place."*

The Supreme Court's examples are certainly worth commending and emulating because they represent national interest; they portray not only growth and development in Liberia, more importantly, they demonstrate that there is an emerging culture of putting vision into motion to build the new Liberia in line with the current developmental needs.

The steps taken by the Full Bench of the Supreme Court, indeed, can be measured by every passerby in terms of the pride the nation stands to gain. The cream of democracy is to build a vibrant nation whose decency borders on infrastructure developments.

No doubt the Supreme Court stands laudable for the building of the 14th Judicial Circuit Court Complex in Cestos City, Rivercess County which represents vital infrastructure development of the country.

JUDGE ELLIOT WANTS JURY'S RULE REVIEW TO AID SPEEDY DISPOSITION OF CASES



Given the proliferation of lawsuits filed before courts across the country, the Assigned Judge of the 6th Judicial Circuit, Civil Law Court, Montserrado County, Her Honor Golda A. Bonah Elliott is requesting for the review of the Jury's rule to aid the speedy disposition of cases.

Judge Elliot said the jury's rule that permits only one jury trial at a time during a court term, should be examined, to allow more than one jury trials at a time in a court term.

"Perhaps, it is time for the one jury trial at a time rule to be reviewed given the proliferation of lawsuits filed before the court. While the wheel of justice turns slowly, having more than one jury trial at a time would certainly aid in the speedy disposition of cases and contribute to a change in perception about the judicial system," stated Judge Elliot.

Judge Elliott speaking Monday, September 16, 2024 during the opening of the September A. D. 2024 Term of the 6th Judicial Circuit, Civil Law Court, Montserrado County, said the limited number of trials is impacted by the court system that requires only one (1) jury trial at a time.

The Judge pointed out that notwithstanding the caution to lawyers; those participating in a jury trial are often unprepared to proceed with the trial on a day-to-day basis.

She averred that there is no doubt that over the last three Terms of the Court, Judges have implemented a scheme that ensures that cases are assigned, heard and disposed of.

But the judge said she cannot overlook the fact that a vast majority of the dispositions are centered on petitions, law issues, motions, and other pre-trial dispositions, with a few trials conducted.

The judge wants courts to uphold the principles

of fairness and impartiality in an equitable manner for all those who seek recourse in the legal system.

The judge acknowledged that the concept of justice is a complex one, often influenced by several factors, including legal, cultural and societal values, political considerations, individual biases, public opinion and media coverage.

According to her, these factors have the tendency to impact society's perception of how justice is administered.

The legal system, the judge believes, plays a vital role in determining the pace at which justice is administered. The nature of laws, their clarity and enforcement all influence the pursuit of justice.

Notwithstanding these influences, she said, the court must always remain cognizant of its obligation to dispense justice blindly, without fear or favor, and in as expeditious a manner as possible.

"As judges, we remain steadfast in our role and shall continue to emphasize the role of lawyers in the justice system," Judge Elliot, of the 6th Judicial Circuit, Civil Law Court expressed.

She admonished lawyers to see themselves as a point of contact between the court and party litigants, noting that the quality of representation they (lawyers) provided; both written and oral, help to shift opinion about the legal system.

She emphasized, *"We have consistently urged lawyers appearing before this court to comply with the mandates of the court and to be diligent in the handling of their clients' matters. Over and over again, lawyers have been fined and/or quarried about their appearance before the court and, while we have made some strides, some lawyers are still wanting."*

The judge noted that too often the blame is put on the judge and/or the system when a lawyer is lacking in his/her representation of the client.

According to the judge, there have been too many incidents where party litigants have appeared to see the Judge and inquire about assignment of their cases because the lawyer has represented that the Judge is the problem.

Judge Elliot urged lawyers in such habit to stop, threatening that going forward; any lawyer found to have made such misrepresentation shall be called to answer for said conduct.

JUDICIARY EMPLOYEES BENEFIT FROM FREE EYE SCREENING, READING GLASSES & HEALTH EDUCATION



Employees of the Judiciary Branch of Government have benefited from a two-day free eye screening outreach provided by the New Sight Eye Center on Thursday, September 12, 2024 and Friday, September 13, 2024 on the Ground Floor hall at the Temple of Justice.

The services provided by the health practitioners during the screening were eye health education, free eye screening and free distribution of reading glasses to needed employees.

Cllr. Andrew N. Nimely, Jr. Personnel Director of the Judiciary Branch of Government said the introduction of the Eye Screening Outreach program aimed to have a healthy, functional and productive workforce at the Judiciary.

Cllr. Nimely explained that the eye screening outreach program was just a start-up, adding that in subsequent time, there will be other health related programs introduced for the wellbeing of the workforce at the Judiciary.

“We will do another screening test for the disease called Hepatitis “B”. We all know that this is one of the silent killer diseases in our country right now. In subsequent time, we will invite a team of health practitioners to come and create the awareness about the disease, its preventive measure and also the use of the vaccine,” stated Cllr. Andrew N. Nimely.

He further noted that in continuation of the rebranding process, the health program at the Judiciary will be institutionalized and sustained not only in Montserrado County but the other counties across Liberia.

According to him, as part of the sustainability plan for the health program, the Judiciary has trained several employees as First Aid Responders to help save lives by administering first aid to persons suddenly encountering medical emergency at the grounds of the Temple of Justice and other Judiciary facilities.

He used the occasion to encourage employ-

ees to take advantage of the free health opportunity been provided by the Judiciary so as to enhance their productivity on the job.

“This process is to help our employees. Sometimes when employees sit on the computer without glasses that would enable them see properly; they sometimes take thirty minutes to do a job that should have taken ten minutes. This, I believe, slows down their productivity on the job. We need to enhance your ability to work effectively and properly so that if you fail to work, you could be punished for failing to do the job,” Cllr. Nimely indicated.

Meanwhile, some of the beneficiaries (employees) praised the Supreme Court of Liberia and Cllr. Andrew Nimely for initiating a meaningful health program for the workforce within the Judiciary.

A clerk typist in the Monthly and Probate Court had this to say, “recently, I noticed that whenever I am reading court’s documents, I find it difficult to identify some of the words clearly. So when I got the information about the screening process, I decided to take advantage of it.

After going through the screening process and as well receiving a pair of glasses, I immediately began to notice improvement on my eye sight because as I put on the glasses I began identifying words that I didn’t use to recognize.”



LNBA-NEC LAUNCH FINAL REPORT ON ELECTORAL SUPPORT PROJECT



In 2023, Liberia embarked on crucial Presidential and General Elections that ushered in a new administration and several new members of the Legislature. The 2023 Elections were high-stake elections that further consolidated Liberia's nascent multi-party democracy.

The 2023 polls marked the fourth consecutive elections that began in 2005, repeated in 2011 and 2018, and reinforced in 2023. Understandably, the LNBA is delighted to note that it was a key partner in these high-stake elections.

Considering that the democratic gains made in Liberia required several technical interventions, the Liberian National Bar Association (LNBA) decided to play a more pivotal role in the 2023 Presidential and General Elections.

In furtherance of its desire, on 11 July 2023, the LNBA and National Election Commission (NEC) signed an MoU to work collaboratively for the purpose of creating awareness and providing public education in respect of various aspects of the Elections Laws of Liberia and its adjunct regulations and procedures, including Elections Disputes Resolution.

While there were several objectives under this project, the primary focus was to enhance the legal capacity of LNBA's lawyers, support NEC in its quest for effective adjudication of election-related cases, and increase public knowledge of legal electoral processes.

A total of nine hundred and sixty-six (966) participants from diverse backgrounds benefited from this project. Its key beneficiaries were NEC technical staff (magistrates, hearing officers, commissioners etc.) and LNBA's lawyers.

However, the project also benefited security actors, select members of the Judiciary, civil soci-

ety, political parties, faith-based organizations, youths and other Governmental functionaries.

The total estimated cost of the project was one hundred fifty thousand United States dollars (USD 150, 000). The amount was a grant from the United Nations Development Program (UNDP), and its implementations spanned from 21 August 2023 up to including 31 January 2024.

On the occasion marking the launch of the project's final report on Friday, September 27, 2024, Cllr. Sylvester D. Rennie, National President of the Liberian National Bar Association said, "We have gathered here today to officially launch the final report of one of the programs held by the Liberia National Bar Association during our elections of 2023."

The LNBA's president Cllr. Rennie explained that the Bar and the National Elections Commission (NEC), entered into a memorandum of understanding on June 20th, 2023 to collaborate and work together for the purpose of creating and providing public education in respect of various aspect of the elections laws and its adjunct regulations and procedures to include dispute resolution.

Cllr. Rennie further stated that the MoU also discussed the binding effort of decisions from legal proceedings by party litigants in the first instance emanating from the NEC to the Supreme Court in election cases that should have gone before them.

He disclosed that the project covered all 15 counties that were divided into regions, Montserrado, Grand Bassa, Bomi, Nimba and Grand Gedeh.

According to him, during the program, the LNBA conducted lecture exercises for its lawyers on the different procedures in filing complaints before the Administrative Tribunal at NEC and perfecting the appeal process to the Supreme Court of Liberia, realizing the amendments that were made in the Elections Law.

Additionally, dialogues and awareness meetings on key activities of the electoral timetable were held with the security sector, media, religious leaders, civil society organizations, traditional leaders, leaders of political parties, and the public.

These dialogues and awareness meetings were used as a means of civic education which helped in answering some of the unanswered questions on the electoral process among other. Moreover, a total of fifteen (15) lawyers

were assigned in the fifteen counties to assist in providing advisory opinions and rendering legal assistance to the process.

“Today, the report of the electoral support program is being launched, having ended after the entire electoral process came to a climax,” Cllr. Sylvester D. Rennie, National President

of the Liberian National Bar Association said.

He used the occasion to thank the United Nations Development Program (UNDP) through its electoral support office, for the level of cooperation accorded the parties under the MoU, for the successful implementation of this meaningful project.

CHIEF JUSTICE YUOH ENCOURAGES MINISTRY OF JUSTICE TO BE VERY DILIGENT IN PREPARING INDICTMENTS & PROSECUTING CASES



Chief Justice, Her Honor Sie-A-Nyene G. Yuoh Encourages Ministry of Justice to be very diligent in preparing indictments & prosecuting cases

The Chief Justice of the Honorable Supreme Court of Liberia, Her Honor Sie-A-Nyene G. Yuoh has made a passionate plead with the Ministry of Justice; the prosecutorial armed of Government, to be very diligent in preparing indictments and as well prosecute cases emanating from said indictments.

Chief Justice Yuoh notes that the diligent preparation of indictments and the subsequent prosecution of cases growing out of those indictments will serve as a means of decongesting prison facilities throughout the country.

Chief Justice Yuoh spoke on Friday, September 27, 2024 at the grounds of the Temple of Justice in Monrovia on the occasion marking the launch of the final report of the Liberia National Bar Association (LNBA) - National Election Commission (NEC) Electoral Support Project and the launching of the Legal AID: Promoting Access to Justice Project.

It has been observed that most of the detainees at various prison facilities in Liberia are pre-trial detainees, which constitute seventy-one percent

(71%) of the overall number of detainees in the country.

“We are fully aware that the courts are neutral but notwithstanding, there are laws and procedures to follow when it comes to pre-trial detainees. For only good cause shown, the court on its own after one court term can dismiss a case before it. And in most cases, the court has to result to this law,” stated the Chief Justice.

She continued, “most of the times, the general public do not understand that it is the court’s prerogative to implement such law; people falsely accused the court of illegally releasing armed robbers.”

She indicated that individuals accused of crimes are presumed innocent by the Constitution of Liberia until proven guilty.

According to the Chief Justice, in criminal prosecution, if the Ministry of Justice does not approach the court to say it is ready to prosecute, the court can’t do anything.

She added: “So this is just to encourage lawyers at the Ministry of Justice, the prosecutorial armed of government, to be very diligent in preparing indictments and follow up on those indictments.”

The Chief Justice provided a particular poignant revelation when she lamented that the August 2024 Term of Court is almost to an end but in Maryland County, Grand Gedeh and other rural counties, unfortunately, state prosecutors have not shown up for trials.

However, she stated, the justification of government lawyers’ absence from courts is that the roads are bad, adding, *“this is not good cause. By legal standard, this is not good cause because the judges are already in the counties and awaiting lawyers to come before them to have their cases heard.”*

"I can tell you right now in Maryland, Grand Gedeh and other rural counties, I told the judges that if lawyers only want to sit in Monrovia and do not travel to the rural counties because of bad road conditions caused by the rainy season; the judge must proceed with cases because nothing under our law give a mandate to the judges to withhold cases because of bad roads; not at all," the Chief Justice lamented.

She divulged that the Judiciary has assigned judges who drove their cars through bad roads to be in court; and as such, the state lawyers with the responsibility to prosecute crimes out to be able to take up the same challenge to ride on those bad roads to be in court.

"So as it stands, most of the cases for the August Term 2024 were not heard in the rural counties because of the rainy season. We must be able to attend to the court. The court is neutral and it shall continue to be neutral.

.... I am appealing to members of the Liberia National Bar Association if you have trials in the rural areas please go and attend to the court. Ministry of Justice, please go and prosecute," the Chief Justice pleaded.

She warned that if a lawyer of the accused (defendant) files an application for the dismissal of the indictment, complaint or case in accordance with the provision of the law, no individual will blame the court for the dismissal of said case.

She reminded the Ministry of Justice that the courts are created not to unnecessary jail people but to dispense justice, to maintain and keep the peace. *"It is not because government says it has alleged rapists and armed robbers behind bars, so the court must keep them behind bars perpetually,"* stated Chief Justice Yuoh.



PROTOTYPE OF NEW SUPREME COURT BUILDING



PROTOTYPE OF NEW JUDICIAL CIRCUIT COURT COMPLEX



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