

CHARGE DELIVERED BY HIS HONOR ROOSEVELT Z. WILLIE
AT THE FEBRUARY A.D. 2018 TERM OF COURT ON BEHALF OF COURTS:
A, B, C, D, & E, TEMPLE OF JUSTICE BUILDING, MONROVIA, LIBERIA
TUESDAY, FEBRUARY 13, 2018

THE CHIEF JUSTICE, HIS HONOR FRANCIS S. KORKPOR, SR.

THE MINISTER OF JUSTICE, REPUBLIC OF LIBERIA

THE PRESIDENT, LIBERIA NATIONAL BAR ASSOCIATION

THE GENERAL SECRETARY, NATIONAL ASSOCIATION OF TRIAL JUDGES OF
LIBERIA

THE PRESIDENT, PUBLIC DEFENDERS ASSOCIATION OF LIBERIA

OUR LOCAL AND INTERNATIONAL PARTNERS

MEMBERS OF THE FOURTH ESTATE, DISTINGUISHED GUESTS, LADIES AND
GENTLEMEN

**BENEFITS AND RESPONSIBILITIES OF BEING A MEMBER OF THE
INTERNATIONAL ASSOCIATION OF JUDGES (IAJ)**

Exactly three months ago, the National Association of Trial Judges of Liberia (NATJL) gained admission into the International Association of Judges (IAJ) as its 85th member, at the 60th Annual Conference of the Association held in Santiago, Chile. Normally, it takes between three to five years for an Association to get admitted into that august body; mainly because the process is vigorous and background investigation is carried out by a team of Judges who comes into the country that is seeking admission to assess its independence, honesty and integrity.

May we inform you that similar exercise was carried out for the National Association of Trial Judges of Liberia, when two rapporteurs, comprising of a United States Federal Court Judge David Carter and a South African High Court Judge Cagney Musi were

appointed to come to Liberia and evaluate Liberia's credibility for membership. Based on meetings held with various stakeholders including the American Embassy and our own presentation at the Conference, our application took only two years and we were admitted.

The main objectives of the IAJ is to ensure the independence of the Judiciary, guarantee honesty and integrity by making certain that the necessary logistics are provided Judges for efficiency and effectiveness, net-work among the various Associations and as well protect the membership from arbitrary interference and subsequent violation of their rights.

What this means to us as an Association is that, we can revert to our parent body, meaning the IAJ, when these privileges are not provided us and all diplomatic means fail to make the authority know and grant them to us.

For example, for a Judge or a Magistrate to be fully independent his/her retirement benefits cannot continue to be L\$7,500 a month and the vehicle he/she uses during active service is taken away from him in retirement Salaries and other benefits for Judges and Magistrates shall not be diminished without a national program enacted by the Legislature as enshrined in Article 72 of the 1986 Liberian Constitution. Judges shall not be suspended for final judgment rendered in a case; since appeal is a constitutional right. Judges and Magistrates must be provided vehicles and other logistics like any other government officials so as to make their movement easy and efficient on the job. All discussions for programs to include the Judiciary budget and insurance must include the NATJL, since they may ultimately be affected.

Notwithstanding the protection of these privileges by the IAJ, also comes with consequences for ethical breach either for the Association or the government where the Association operates. For example, the membership of the Cameroon Association was suspended for the government's interference in the leadership of the Association by appointing a President to head that body. Additionally, the government of Turkey was reported to the United Nations for incarcerating over 1,500 judges for what the authority called being part of the attempted coup in July 2016, without trial. These efforts are being initiated to protect Judges and Magistrates and ensure the independence of the Judiciary.

Having stated the above, it is important to remind ourselves about the maxim in the law, which states that he who goes to equity must go with clean hands. In other words, neither the NATJL nor the IAJ will have the face to defend anyone of us or the Association if we do not possess the requisite honesty and integrity.

For example, a Judge cannot receive money from party litigants and refused to give receipt. A magistrate should and must not conduct survey on a land, where the two parties are claiming title. A magistrate should not charge any bail bond arbitrarily, but the fees should be based on the degree of the offence. Judges and Magistrates must ensure that all fees and fines are deposited into the Judiciary accounts and should not keep them. Judges and Magistrates must stop delaying cases because of some interests and allow party litigants and lawyers to spend funds on assignments and transportation. Judges must make maximum use of the time provided in a Term to hear as many cases as possible in order to reduce the Court's docket.

Your Honor the Chief Justice and fellow colleagues, the NATJL has established an Inquiry Committee within its Constitution during the just ended 7th National Trial Judges Conference and the Committee will ensure strict compliance to the values as herein above stated.

Accordingly, party litigants, the general public and even our members are encouraged to report any of our Judges or Magistrates who may behave unethically in their respective functions. You can address such complaint to the President of the NATJL, which complaint will be forwarded to the Committee. While it is true that the NATJL does not have suspension power or otherwise, it can name and shame its members and even recommend to the Bench for the investigation of any grave offence. The NATJL can even recommend that a member be denied from benefiting from our policy of 'promotion from within the Judiciary' for acts incompatible with his/her functions as a Judge or Magistrate.

Your Honor and distinguished colleagues, our purpose for speaking on this topic is to help ensure the credibility of Judges and Magistrates and the independence of the Judiciary because too often lawyers and party litigants are responsible for some of the misconducts of our members. Another reason and most important is that while we have gained admission to the IAJ, we are being monitored and can be suspended for lack of credibility and integrity.

We therefore call on government to provide Judges and Magistrates the necessary logistics particularly vehicles and other items for the smooth operations of their judicial functions; because as we deliver this charge, some of our Judges have gone to their respective assignments either using their own vehicles or taken commercial ones; which poses security risk for them. Some of our members have faced pre-mature death because while they earn between US\$2,000

to US\$4,000 during active service, they receive L\$7,500 with no transportation in retirement, which action is a sentence to death.

While we wish to thank the government for efforts made towards the incentives of Judges and Magistrates, we as an Association will not sit supinely and allow our members ride commercial vehicles or use their own vehicles to take up assignments in places like Lofa, Grand Gedeh, River Gee, among others. We will not also allow our members to retire in poverty after serving the people of this Country sacrificially, while other employees of other functionaries of government retire in luxury and comfort.

Finally, Your Honor and fellow colleagues, as we conclude this charge, we want to remind ourselves and the various stakeholders that we take seriously the responsibilities bestowed upon us and do promise to do nothing less to compromise the independence of the Judiciary, no matter who is involved. We do call upon all party litigants and lawyers to guarantee the success of this February A.D 2018 Term of Court.

I THANK YOU!!!!!!!!!!!!!!!!!!!!!!