



CHIEF JUSTICE  
SUPREME COURT OF LIBERIA



JUDICIAL BRANCH  
TEMPLE OF JUSTICE  
MONROVIA, LIBERIA

OPENING ADDRESS OF HIS HONOR FRANCIS S. KORKPOR, SR.  
CHIEF JUSTICE, SUPREME COURT OF LIBERIA  
MARCH 2019 TERM  
MARCH 11, 2019

Mr. President;

↓ Mr. Speaker & Members of the House of Representatives;

↓ Mr. President Pro Tempore & Members of the Senate;

My Colleagues of the Supreme Court;

The Minister of Justice & Dean of the Supreme Court Bar;

Former Chief Justices & Associate Justices of the Supreme Court;

The Resident Coordinator & Staff of the United Nations in Liberia;

The Doyen & Members of the Diplomatic Corps;

Circuit and Specialized Court Judges;

The President & Members of the Liberian National Bar Association;

The President & Members of the Association of Female Lawyers;

The President & Members of the Association of Public Defenders;

The Court Administrator & Staff of the Judiciary;

Members of the Press;

Distinguished Guests, Ladies and Gentlemen:

On behalf of my Colleagues and the entire Judiciary, I am pleased to welcome all of you to this ceremony marking the official opening of the March 2019 Term of the Supreme Court. It is required by law that we convene on the second Mondays in March and October each year to commence the proceedings of this Court for the conduct of business. We thank God for the successful completion of the October 2018 Term and pray that he continues to guide us as we begin this March 2019 Term.

We are very happy to report that with the advice and consent of the Liberian Senate the President of the Republic of Liberia, His Excellency George Mannah Weah, appointed and commissioned four (4) Circuit Court Judges and one (1) Specialized Court Judge during the period in review. They are: His Honor Joe S. Barkon, Resident Circuit Judge, 2<sup>nd</sup> Judicial Circuit, Grand Bassa County; His Honor Ousman F. Feika, Resident Circuit Judge, 5<sup>th</sup> Judicial Circuit, Grand Cape Mount County; His Honor Roland F. Dahn, Resident Circuit Judge, 8<sup>th</sup> Judicial Circuit, Nimba County; His Honor D. Onesimus Banwon, Resident Circuit Judge, 14<sup>th</sup> Judicial Circuit, River Cess County; and His Honor Patrick Williams, Debt Court Judge, 9<sup>th</sup> Judicial Circuit, Bong County. The Judges were seated and have since taken over their respective courts. Prior to their appointments, we experienced acute shortage of judges and were constrained at times to assign a single judge over two courts; we are now relieved. We formally congratulate and welcome the newly appointed Judges in the ranks and files of the Judiciary. We have no doubt that they will join us to work assiduously in dispensing justice.

We also formally congratulate and welcome Counsellor Tiawan Gongloe, President of the Liberian National Bar Association and other corps of new officers who were elected and inducted into office. Over the years since our incumbency, there has been renewed level of support and cooperation between this Bench and the Bar. We hope that this will continue.

During the course of the last Term of this Court, we lost to the cruel hands of death, a number of judicial workers. We lost Her Honor Charlene Aimesa Reeves, Retired Executive Director, James A. A. Pierre Judicial Institute. She passed on January 11, 2019. Prior to becoming the Executive Director of the James A. A. Pierre Judicial Institute, she served as a Debt Court Judge, Montserrado County and then as a Circuit Court Judge, 6<sup>th</sup> Judicial Circuit, Montserrado County. Her exemplary service in the Judiciary spanned over a total of fifteen (15) years.

Other members of the Judiciary who passed are:

No.	Name:	Position:	Date of Death:	Assignment:
1.	His Honor James Cole	Associate Magistrate	December 7, 2018	Sinoe County
2.	His Honor Daniel B. Soriba	Associate Magistrate	September 23, 2018	Lofa County
3.	Jayah T. Moore	Bailiff	November 5, 2018	Montserrado County
4.	George Tarwo	Bailiff	December 17, 2018	Montserrado County
5.	John Parker	Bailiff	January 30, 2019	Montserrado County
6.	A. Teba K. William	Bailiff	December 26, 2018	Maryland County
7.	Sarah Kollie	Bailiff	October 23, 2018	Bong County
8.	Geraldine Coleman	Bailiff	January 10, 2019	Grand Kru County
9.	Mac Moody Chea, Sr.	Security Officer	November 5, 2018	Montserrado County
10.	David Bryant	Security Officer	November 14, 2018	Montserrado County
11.	Fatu Kamara	Caretaker	November 28, 2018	Montserrado County

We console the family members of these dedicated judicial workers and pray that the good God will grant them eternal rest.

Members of the Bar, distinguished ladies and gentlemen, I am pleased to report, once again, that our courts throughout the country are fully functioning. According to available information, we are experiencing a gradual increase in cases on the trial dockets of subordinate courts compared to previous years. This increase tells us that more and more people are resorting to court for the settlement of disputes. For us, this is welcoming news

for our democracy because it is good for the people to seek redress through the legal system. An examination of the reports of subordinate courts covering the last two quarters reveals as follow:

- A. In the Circuit Courts of the Criminal Division, there were a total of seven hundred forty-three (743) cases on the dockets. Of this amount three hundred seven-six (376) were disposed of and thirteen (13) cases were forwarded to the Supreme Court on appeal, while three hundred fifty-four (354) cases are still pending;
- B. In the Circuit Courts of the Civil Division there were five hundred twenty-nine (529) cases on the dockets. Of this amount, two hundred ninety-nine (299) cases were disposed of and one (1) case was forwarded to the Supreme Court on appeal, while two hundred ninety-nine (299) cases are still pending;
- C. In all Specialized Courts in the various Judicial Circuits there were six hundred seventy-one (671) cases on the dockets, four hundred ninety-four (494) cases were disposed of, one (1) case was forwarded to the Supreme Court on appeal while one hundred seventy-six (176) cases are still pending.
- D. In all Magisterial Courts in the various Judicial Circuits there were four thousand four hundred ninety-three (4,493) criminal as well as civil cases on the dockets, out of which three thousand two hundred-nineteen (3,219) were disposed of, one hundred thirty-seven (137) cases were transferred to the Circuit Courts on appeal while one thousand one hundred thirty-seven (1,137) cases are still pending.
- E. The Magistrate Sitting Program established by the Supreme Court in conjunction with the Ministry of Justice at the Monrovia Central Prison (MCP) aimed at minimizing the problem of prolonged detention without trial continues to yield fruitful results by speedily attending to cases under the jurisdiction of Magistrate Courts in and around the City of Monrovia. For the period under review, there were three hundred sixty-one (361) cases of pre-trial detention reported at the MCP. Of this number, three hundred twenty (320) cases were heard and disposed of and thirty-seven (37) are pending for trial.

In our efforts to improve conditions in the Judiciary, we continue to engage and work with friendly nations and/or donor agencies that are willing to assist the Judiciary. During the period in review, the Governments of Sweden and Ireland, through the United Nations Development Program (UNDP) was kind in consenting to provide funds for the employment and deployment of six additional Public Defenders to take up assignments in Grand Bassa, Grand Cape Mount, Rivercess, Bomi, Margibi and Gbarpolu Counties. This will bring to two, the number of Public Defenders in each of those counties. The Government of Sweden, through UNDP, is also providing logistics such motorbikes, and laptop computers to the Public Defenders as well as an initial six-month salary payment to them. After six months, the Judiciary will assume the responsibility of paying salaries for the six Public Defenders. The employment of the six Public Defenders will augment the number of Public Defenders in the Country to thirty-six (36).

Also, under the Justice and Security Joint Program, the Government of Sweden, through the UNDP, has agreed to employ and deploy two (2) Judges in the 8<sup>th</sup> Judicial Circuit, Nimba County and the 9<sup>th</sup> Judicial Circuit, Bong County to operationalize Criminal Court "E" in those counties. Under the arrangement, logistical support and six month salaries for the two Judges and staff will be paid. Thereafter, the Judiciary will assume responsibility. With recent report of upsurge in rape and other violent sexual acts against women and girls in our country, the offer to facilitate the employment of two judges to activate two Criminal Court "E" Courts in two counties could not have come at a better time. We express gratitude to the Governments of Sweden and Ireland through the UNDP for their support to the Judiciary.

The James A. A. Pierre Judicial Institute is completing the third cycle of the Professional Magistrate Training Program (PMTP) with the admission of sixty (60) candidates. The training is funded by the United States Agency for International Development (USAID) through the Legal Professional Development and Anti-Corruption Program (LPAC). This is a training program designed to ensure that justice is made available to Liberians and foreign nationals within our borders by feeding magistrate courts with more qualified

personnel. Since the Institute was established in 2009 by the Supreme Court, it has successfully conducted two cycles of the program resulting into the training of a total of 120 graduates who have been appointed as Associate Magistrates. The ongoing cycle three will bring to a total 180 professionally trained associate magistrates deployed in the system. Prior to the commencement of this program, most of our magistrates, especially those in rural parts were below high school education; this affected the quality of justice delivery. It was this challenge that the PMTP was designed to cure. I should say that the impact of the program is quite visible as most users of our magistrate courts have indicated. Rulings from magistrate courts are now in standard form with relevant legal citations. Also, the records of proceedings in the magistrate courts have substantially improved. It is our hope that with the availability of funding, this program will continue until all old magistrates who fall below the bar set by the Supreme Court are replaced. We express gratitude to the USAID, through LPAC for funding cycle three of the PMTP.

Members of the Bar, ladies and Gentlemen, we continue to undertake the construction of court facilities throughout the country to make justice accessible to all. In this regard you will recall that with funds provided by the Government of the Republic of Liberia, as well some friendly nations and foreign donors, we have constructed a number of judicial complexes and magistrate courts throughout the country. Currently, the judicial complex in Zwedru, Grand Gedeh County housing the 7<sup>th</sup> Judicial Circuit Court and other subordinate courts has been completed and is awaiting dedication. The original plan did not include the construction of a perimeter fence around the Judicial Complex; no allocation was also made for the construction of the judges' quarter. We will request allocations in the budget of the Judiciary for fiscal year 2019/2020 for the construction these facilities.

The construction of fence around the judicial complex housing the 12<sup>th</sup> Judicial Circuit Court, Grand Kru County, has been completed. We will also seek funding to construct a duplex to house the resident circuit judge and the assigned circuit judge.

Rivercess County continues to pose a serious challenge in terms of judicial facilities. The 14<sup>th</sup> Judicial Circuit Court in Cestos City, Rivercess County is operating from premises far

less than suitable. The newly appointed Resident Circuit Judge, His Honor D. Onesimus Banwon, has informed me that he has used his personal resources to give a facelift to the premises. Moreover, there are only two magistrate courts in the entire county which are also in dilapidated conditions. We will request allocations in the budget of the Judiciary for fiscal year 2019/2020 for the construction of a judicial complex, the renovation of the magistrate courts, and the construction of at least two additional magistrate courts.

During the period under review, some employees of the Judiciary benefited from various local and international seminars and training programs:

1. His Honor Karboi K. Nuta, Resident Circuit Judge, Criminal Assizes "B" participated in a two-day advanced training course on cybercrime and electronic evidence for Judges, Magistrates and Prosecutors of Anglophone countries in Addis Abba, Ethiopia from October 16-18, 2018. The purpose of the training was to explore ways in enhancing the fight against cybercrime in Africa. The training was sponsored by the African Union Commission, (AUC) in collaboration with other global stakeholders, including the Council of Europe (COE), INTERPOL, the United Nations Office on Drugs and Crimes (UNODC), the US Department of State, and others.
2. Her Honor Ceaineh Clinton Johnson and Her Honor Serena Garlawolu, Judges of Criminal Court "E", 1<sup>st</sup> Judicial Circuit, Montserrado County, participated in a Regional Conference for Women Justice Actors on Knowledge Sharing, Creating Partnerships and Combating Systemic Impunity Towards Gender Based Violence in Nairobi, Kenya from November 29-December 2, 2018. The conference was organized by the Kenya Women Judges Association in collaboration with the International Development Law Organization (IDLO).
3. The Chief Judge of the Commercial Court, Her Honor Eva Mappy Morgan, upon invitation from the United Nations Office on Drugs and Crime (UNODC) attended a

three - day workshop (February 19-21, 2019) for university lecturers on Integrity and Ethics Module Development, in Accra, Ghana, at the University of Ghana Law School.

4. The James A. A. Pierre Judicial Institute conducted training for Judges, Public Defenders, Magistrate and Clerks. The training was aimed at improving judicial performance for effective service delivery. Support was provided by USAID through LPAC, the International Development Law Organization (IDLO) and the United Nations Development Program (UNDP).
5. The National Association of Trial Judges of Liberia (NATJL) participated in the International Association of Judges (IAJ) 61<sup>st</sup> meeting held in Marrakech, Morocco, from October 14 – 18, 2018. The IAJ as an umbrella organization is advocating for appropriate remunerations, including retirement benefits for Judges and Magistrates; the matter is being considered.
6. The NATJL also participated in a two-day Business Class Working Forum held in Ganta, Nimba County, from January 31- February 1, 2019. The forum which was conducted by the Ministry of Finance and Development Planning, focused on three of the key World Bank Ease of Doing Business indicators: Getting Credit, Resolving Insolvency, and Enforcing Contracts. The meeting brought together the three branches of Government as well as the private sector and the donor community. The Judiciary was represented at the forum by the Chief Judge of the Commercial Court and four other Trial Judges.

The ECOWAS Community Court of Justice, as part of its engagement with governments and citizens of member states, will undertake a comprehensive outreach program in Liberia from March 16-23, 2019. During their stay in the Country, the Court will engage with the Judiciary, the Liberian National Bar Association and relevant functionaries of the



Liberian Government and other stakeholders. The program is aimed at deepening the understanding of the mandate of the Court, improving awareness amongst critical stakeholders of its jurisdiction, as well as its practices and procedures in enhancing regional integration process. This is consistent with the vision of the Court's establishment by the Heads of State and Governments of the Economic Community of West African States (ECOWAS). A delegation from the Court is already in the Country to ensure that the outreach program is successful.

The engagement and sensitization exercise of the Court will focus on five components: a judicial dialogue with judges; an interactive forum with lawyers and law students; an open forum; radio and television appearances and a press conference. It is expected that at the end of the outreach program, lawyers and citizens will fully understand the kind of cases that are cognizable before the Court; the jurisprudence of the Court; practices and procedures; enforcement of judgments and the relation between the Supreme Court of Liberia and the ECOWAS Community Court of Justice. I have appointed a committee comprising Madam Justice Sie-A-Nyene G. Yuoh as Chairperson, and His Honor Yussif D. Kaba, Resident Circuit Judge, 6<sup>th</sup> Judicial Circuit, Civil Law Court, and former Justice of the Community Court as liaison and focal person, along with others to oversee the programs of the coming of the ECOWAS Community Court of Justice. I urge all judges, lawyers and our citizens to take advantage of this outreach program.

Members of the Bar, ladies and gentlemen, it is no secret that this Court is going through a challenging time. We cannot ignore this. The impeachment trial going on at the Liberian Senate involving Mr. Justice Kabineh M. Ja'neh, a member of this Court, is unprecedented in the history of our country. To the best of my recollection, no impeachment proceeding in our nation has taken on the form of a full blown trial before the Senate. My role as the presiding officer is mandated by the Constitution which provides, at *Article 43*, that ... "When the President, Vice President or an Associate Justice is to be tried, the Chief Justice shall preside ..." The Liberian Senate tries the proceeding and is the sole judge of whether or not the Justice has committed an impeachable offense. We have no doubt that

the honorable men and women of the Senate will, at the end of the trial, make a fair and just determination based on the findings.

The Constitution provides that the trial be conducted in keeping with due process of law. Thus, I see my role as the presiding officer to ensure that the trial process is in keeping with due process of law as mandated by the Constitution. But I have heard and read, and continue to hear and read many accusations, innuendoes and speculative views about my role in the process. And some of these views are coming from people who ought to know better. As the matter is being tried, I will for now, refrain from making any substantive comments regarding my own role. But I assure that in the end the truth will emerge.

For this term of Court, we have 310 cases on the active trial docket and 15 cases on the motion calendar. Counsellors are urged to put in early requests to have their cases assigned and be in readiness for arguments.

And now, by the power vested in me, I announce the March 2019 Term of this Court duly opened for the conduct of business.

May God Almighty continue to bless this Court and save our Country.

I THANK YOU.

