

OPENING ADDRESS OF HER HONOR CHIEF JUSTICE, DELIVERED BY
HER HONOR JAMESETTA HOWARD WOLOKOLIE,
ASSOCIATE JUSTICE OF THE SUPREME COURT OF LIBERIA
MARCH TERM, A.D. 2024
MARCH 11, 2024

Mr. President;

Mr. Vice President;

Mr. Speaker and Members of the House of Representatives;

Madam President Pro-Tempore & Members of the Senate;

My Colleagues of the Supreme Court Bench;

Formal Chief Justices & Associate Justices of the Supreme Court;

The Minister of Justice & Attorney General, R.L.

& Dean of the Supreme Court Bar;

The Doyen & Members of the Diplomatic Corps;

The President & Members of the National Association of Trial Judges of Liberia;

The President & Members of the Liberian National Bar Association;

The President & Members of the Association of Female Lawyers of Liberia;

The President & Members of the National Association of Public Defenders;

Madam Court Administrator & Staff of the Judiciary;

Members of the Press;

Distinguished Guests, Ladies and Gentlemen;

In the words of Fanny Crosby, “To God be the glory, great things He has done. Acknowledging God’s gift of life, we once more count it joy to be alive and to assemble for the Official Opening Ceremony of another term of court, the March Term, 2024 of the Supreme Court, Republic of Liberia.

Necrology

As we recount the numerous blessings bestowed upon us by God, the most cherished of which is His breath of life, we also acknowledge some members of the Judiciary who have transitioned from labor to rest, *viz.*: Associate Magistrate Godfrey S. Wray, of Gompa City Magisterial Court, Eighth Judicial Circuit; Associate Magistrate Rufus F. Cornomia, Senoyea Magisterial Court, Ninth Judicial Circuit; George Munn, IT Officer; Gentry Wlayee, Security Officer; Patrick Tarr; and Elizabeth L. Merchant, Caretaker; all of the Temple of Justice, Montserrado County. The Supreme Court, on behalf of the entire Judiciary, extends profound condolences to the bereaved families of these faithful judicial workers and all families who are grief stricken at this time.

We also mourn our Dear Colleague, Mr. Justice Joseph N. Nagbe, who died on March 2, 2024. He joined the Supreme Court in October 2018, but because of ill health, he voluntarily retired in December 2024. We pray to the Lord for the faithful repose of his soul.

The Opening of this October Term of Court, A. D. 2024, proceeds the dawn of a new political administration headed by His Excellency Mr. Joseph N. Boakai who was sworn into Office as the 26th President of the Republic of Liberia. The Supreme Court congratulates you, Mr. President, Mr. Speaker of the House of Representatives, Madam President Pro Tempore and all other elected officers of the Government. We welcome you to this Opening Ceremony of the Supreme Court mandated by the New Judiciary Law Rev Code 17:2.5, which states: “The Supreme Court shall hold two terms annually, commencing on the second Monday of October and on the Second Monday of March.”

The Supreme Court also acknowledges our international partners and friendly Governments through their emissaries who are present here with us. We appreciate your unwavering stand with us in promoting peace, security, and the rule of law which has helped to ensure the smooth transition of power from the Weah's Administration to the Boakai's Administration, exemplifying Liberia's commitment to the tenants of democracy and the rule of law.

Mr. President, Mr. Vice President, Mr. Speaker, Madam Senate Pro Tempore, Members of the Bar. In fulfilment of the Chief Justice's pledge to rebrand the Judiciary during her administration, she and members of the Supreme Court, with the assistance of the United Nations Development Program (UNDP), developed and launched, on February 6, 2024, a Strategic Plan 2024-2028, under the theme: "Rebranding the Liberian Judiciary." This Judiciary five-year Strategic Plan is anchored on five (5) thematic areas; namely: (i) Quality and Expanded Infrastructure for Improved Access to Justice (ii) A more Professional and Competent Judicial Personnel, (iii) Efficient Case Management for Improved Access to Justice (iv) Improved Administration of Criminal Justice, and (v) Improved Constitutional Rights Litigation and Judicial Integrity.

The desire result of our Strategic Plan 2024-2028 is to ensure that courts become easier, quicker, and friendlier to access by court users, including persons with disabilities.

To proceed with the rebranding of the Judiciary, the Court, as stated in our previous Address, has embarked on a review of the Rules of Court, the Professional Code of Conduct for Lawyers, and the Judicial Cannons for Judges. The last review and amendment to the Rules of Court, the Professional Code of Conduct for Lawyers, and the Judicial Cannons for Judges was in 1999, and after

twenty-five years, it is necessary to review these rules of courts and the codes of ethics with the aim of amending them to address the present realities and help the courts in the proper discharge of its duties. The Committee is expected to advance recommendations with the view of bringing these instruments to terms with current realities, to include but not limited to addressing the challenges with implementation of courts' judgments; curbing the wave of unmeritorious filing of suits and remedial processes by lawyers which are often responsible for the protracted delay in the adjudication of cases, etc. I am pleased to inform you that the Review Committee has been constituted and is headed by former Retired Chief Justice Francis S. Korkpor, Sr., as Chairperson. Mr. Justice Yussif D. Kaba serves as the Supreme Court's representative on this Committee. We are informed that the Committee has commenced active work and we look forward to a comprehensive report on the completion of their work very soon.

Mr. President, Mr. Vice President, Mr. Speaker, Madam Senate Pro Tempore, Members of the Bar, we are optimistic that continuous education is key to the enhancement of productivity in any workspace. Hence, we have embarked on a routine training scheme with the aim of improving the skills and knowledge of employees of the Judiciary. During the October Term, A.D. 2023, we began the training of bailiffs of courts of records and Magisterial Courts within Montserrado County and parts adjacent and have commenced the training of Directors and their Deputies, with the objective that they, as supervisors of their respective departments, will adequately manage and improve the work output of their staff; thus, boosting the overall human capacity of the Judiciary. In further fulfillment of our quest to rebrand the Judiciary, this Bench has issued a circular mandating all Circuit and Specialized Court Judges, as well as Magistrates, to have and maintain

a trial docket of cases coming before them. This will enhance the courts' management of case.

In the Chief Justice's Address at the Opening of the 10th Annual Convention of the National Association of Trial Judges of Liberia (NATJL), she requested all judicial actors present to take judicial notice of an aspect of the Annual Message by His Excellency President Joseph Nyumah Boakai, Sr., wherein he stated: "Our justice system which is meant to protect the innocent and punish the guilty has been marred by inefficiency, corruption, and lack of public trust. I am counting on this Honorable Body to pass legislation and support financial appropriations that will help us win the fight against corruption..."

She stated in her Address that the Judiciary Branch of Government, particularly the courts—keepers of the law— must take this statement as a challenge and decisively demonstrate that we are efficient, non-corruptible and trustworthy in dispensing justice without fear or favor. This branch of Government must pledge and set itself out, committing to act decisively in the fight against corruption. Working along with the NATJL we shall pursue this fight assiduously with zero tolerance of corruption within the Judiciary.

In the same vein, we implore the other two branches of Government to truly evoke the spirit of the Constitution requiring coordination between the three branches of government. It is no secret that the Judiciary Branch receives the least share of the national budget, and this limitation has long hindered the effective operations of this Branch of Government. There is an eminent need for a conference between the three branches of Government. We are counting on the cooperation from the Executive and Legislative Branches to have this meeting in the soonest possible time as we move to the passage of the 2025 National Budget. It is the law that the

Judiciary maintains Financial Autonomy, and as such, we must make our due input in the consolidated National Budget, and said input must be accorded keen consideration.

In the Chief Justice's address during the opening of the October Term, A. D. 2023, she informed you that further to our quest of rebranding the Judiciary, our Public Affairs Division has concluded a program on educating the public on the workings of the Judiciary, which is being reviewed by the full bench.

Fundamental to this plan and the Rebranding Agenda of this Administration is the reorientation of every justice sector actor to the mission and vision of the Rebranding Agenda, and expected inputs towards effecting this Agenda, all geared towards instituting drastic behavioral change by justice sector actors who are the cardinal players in the administration of justice. It is a fact that, no matter how much public awareness we provide to the Liberian public on the transformation taking place at the Liberian Judiciary, public confidence in the justice system will not improve if the attitude and behavior of the justice sector actors, including, justices, judges, magistrates, judicial employees and lawyers, in particular do not change from doing business as usual.

This is why the office of the Court Administrator; the department of Public Information and the Judicial Institute have embarked on the first phase of the reorientation of the justice sector actors who are the judicial employees. A team, led by the Director of Judicial Public Information was in the Southeastern Region during the month of February holding engagement workshops with judicial employees on the New 5 Year Strategic Plan of the Judiciary (Rebranding the Liberian Judiciary).

Mr. President, Mr. Vice President, Mr. Speaker, Madam Senate Pro Tempore, Dean of the Supreme Court Bar, Section 15.1 of the Judiciary Law provides that “the President by and with the consent of the Senate shall appoint a Sheriff for each county and as many Deputy Sheriffs as are required to carry out the duties of the office.” It is also stated in Section 112.1 of the Decedent Estate Law, that the President with the advised and consent of the Senate shall appoint a Curator for each county, and in addition, for each territory and district in which a probate court is established.

It is worth noting that although the Ministry of Justice is not referenced in any of the above cited provision of laws, the courts over the past decades have experienced an influx of unknown persons claiming to be sheriffs and constables from the Ministry of Justice assigned to serve as Ministerial Officer to the courts. We also discovered that our Probate Courts are also experiencing this similar dilemma with curators who are purporting to be employees of the Ministry of Justice assigned to our Monthly and Probate Court.

It is sad to note that because of this, thieves purporting to be Sheriffs and Curators from the Ministry of Justice have infiltrated the Judiciary over the past years and have rain havoc on party litigants and the courts; thus, embarrassing the Judiciary’s reputation. When the Supreme Court through the Court Administrator’s Office contacted the Ministry of Justice to rectify the alarming level of thievery by ministerial officers, the Ministry of Justice in response could not account for 90% of these ministerial officers assigned to the courts across the country; and we recently discovered that the curator assigned to the Monthly and Probate Court is an imposter with no employment record with the Ministry of Justice or the Judiciary. What is most surprising is the fact that all of these unaccounted ministerial officers and curators are on government payrolls and are receiving

salaries on a monthly basis despite the fact that there are no employment records of them as ministerial officers and curators.

In this regard, we call on the Ministry of Justice to aggressively work with the Court Administrator Office to ensure that this situation is arrested so that these persons who are often exhibiting criminal behavior in our courts are purged from our Judicial System. We are also calling on all national stakeholders including the Legislature and the Office of the President to develop a national policy and budgetary allotment for the implementation of Section 15.1 of the Judiciary Law and Section 112.1 of the Decedent Estate Law relating to Sheriffs and Curators to avoid the dilemma the Judiciary is faced with.

Mr. President, Mr. Vice President, Mr. Speaker, Madam Senate Pro Tempore, the total number of Judicial Complexes now stands at seven (7), excluding the Temple of Justice. We intend to dedicate the most recent and fully completed, Fourteenth Judicial Circuit, Rivercess County Judicial Complex in the soonest possible time. In this light, we once again extend our appreciation to the Executive and Legislative Branches of Government for coordinating with the Judiciary through budgetary allotments that brought some of our projects to fruition. We also thank our Development Partners who aided us along the way through budgetary support for the construction of our Judicial Complexes which we now have in the following counties:

1. Sixteenth Judicial Circuit, Gbarpolu County (2011)
2. Third Judicial Circuit, Sinoe County (2012)
3. Ninth Judicial Circuit, Bong County (2013)
4. Eighth Judicial Circuit, Nimba County (2016)
5. Eleventh Judicial Circuit, Bomi County (2017)
6. Seventh Judicial Circuit, Grand Gedeh County (2017) and the

7. Fourteenth Judicial Circuit, Rivercess County (which is awaiting dedication)

This Bench will not cease to amplify the need for the construction of additional Judicial Complexes in other counties. This plea will be a recurring theme in all Opening Addresses until the Judiciary can boast of Judicial Complexes in all the political sub-divisions of the Republic of Liberia. In fulfillment of the need for suitable infrastructure, the Supreme Court, as Head of the Judiciary Branch of Government, and in exercising its coordinate right with the two other Branches of Government, and by virtue thereof entitled by law to participate in the National Budget, will ensure that for each calendar budget year, the cost of constructing at least two (2) Judicial Complexes will be captured in the National Budget until all our Circuits are constructed in a manner to reflect the dignity and independence of the Courts of this Republic; and as we previously proposed, continuation of the construction of Judicial Complexes for the next budget period, shall be executed in the following order:

1. Tenth Judicial Circuit, Lofa County
2. Fourth Judicial Circuit, Maryland County
3. Second Judicial Circuit, Grand Bassa County
4. Thirteenth Judicial Circuit, Margibi County
5. Fifth Judicial Circuit, Grand Cape Mount County
6. Twelfth Judicial Circuit, Grand Kru County
7. Fifteenth Judicial Circuit, River Gee County

Distinguish personalities, as proposed earlier that joint consultation be held amongst the three Branches, we are particularly concerned with the status of salaries, allowances and benefits of judges and think it imperative that a joint consultative meeting with the Legislative and Executive Branches of Government

be held as early as possible in order to conclude on the salaries, allowances, and benefits of judges in regard to the implementation of Article 72 of the Constitution of Liberia. We must emphasize that a credible judiciary rest more on financial independent judges. We therefore will immediately proceed to arrange a suitable schedule with the other two branches of government for the hosting of a meeting to discuss the issue of judges' salary.

Meanwhile, we once again admonish circuit judges, especially those appointed and commissioned as resident judges in distant counties to plant roots in your respective counties of origin and judicial residence so that you may not have frequent need to travel out of your resident circuit to be with your families in Montserrado County. Similarly, magistrates who are appointed to and assigned to their counties of origin are encouraged to establish roots in their respective jurisdictions.

This Bench is determined to ensure that the law is adhered to with respect to the appointment and commissioning of magistrates by the President of the Republic of Liberia. The New Judiciary Law states: *“the President shall appoint for each magisterial court a Stipendiary Magistrate, who shall act as chief magistrate of the court, and such associate stipendiary magistrates for each court as he shall deem it necessary and expedient to dispose of the judicial business within the magisterial area covered by each court. A stipendiary magistrate shall hold office for a period of four years and shall be eligible for reappointment, but he may be removed from office prior to the expiration of his term of office for cause or at the pleasure of the President.”* We hope that this will inspire our magistrates to exhibit optimum performance in the discharge of justice in their respective jurisdictions of assignment.

Distinguish ladies and gentlemen, we are pleased to report that during the October Term A.D. 2024, of the Supreme Court, we heard and disposed of forty-two (42) elections related, and appeal cases, We want to be grateful to God for his guidance and the strength given to members of the Bench who worked together and became a light tower in the midst of a storm. We resolved to dispense justice evenly without fear or favor, holding sacrosanct the performance of our duty as mandated by the Constitution. We look forward to hearing and disposing of many more appeals during this term of court.

We once again admonish lawyers appearing before the Supreme Court to desist from pursuing frivolous and unmeritorious suits. We will not hesitate to extend stern disciplinary measures against lawyers who fail to apply diligence and integrity in pursuit of their client's interests.

We now decree the formal opening of the March Term, 2024 of the Honorable Supreme Court. May God save the Republic and preserve and sustain the integrity and dignity of this Court.