

PRACTICE DIRECTION FOR REMOTE HEARING OF CASES
IN THE LAGOS STATE JUDICIARY

Whereas:

1. The current Corona Virus (Covid-19) pandemic necessitates the use of Remote Hearing to ensure cases are heard and disposed of urgently where possible. This Practice Direction applies to: new cases where there is urgency; pending cases involving urgent or important and time bound interlocutory applications such as bail applications, adoption of addresses, rulings and judgments or any other matter as the Chief Judge may approve.
2. This Practice Direction therefore sets out the guidelines to be adopted in remote sittings, recognizing the urgent need for the Judiciary to put in place measures to guarantee continued access to justice and expeditious disposal of cases while minimising the risk of transmission of Covid-19.
3. **Now I, Honourble Justice Kazeem .O. Alogba** the Chief Judge of Lagos State, pursuant to the provisions of Section 6(6) of the Constitution of the Federal Republic of Nigeria 1999 (as amended), Section 87 of the High Court Law of Lagos State 2015, Order 49 Rules 1,2 and 3 of the High Court of Lagos State (Civil Procedure) Rules 2019, Lagos State Magistrates' Court (Civil Procedure) Rules 2009, Administration of Criminal Justice Law of Lagos State 2015 and any other enabling legislation, hereby issue the following Practice Direction-

Objectives of the Practice Direction:

4. The objectives of this Practice Direction shall be to ensure:
 - (i) timely and efficient disposal of cases;
 - (ii) use of suitable technology;
 - (iii) just determination of the proceedings; and
 - (iv) efficient use of available judicial and administrative resources.
5. The method by which Remote Hearings will be conducted shall be as directed by the Court in accordance with the Constitution of the Federal Republic of Nigeria 1999 (as amended), applicable Laws, Rules and this Practice Direction.

Electronic filing of processes

6. Parties and counsel shall ensure every document filed electronically or in Court has the email address and mobile telephone number of the counsel or contact person where parties are not represented by counsel.
7. The Court will receive documents for filing electronically. All documents to be filed must be scanned or converted to an appropriate PDF format and forwarded to

the Registry via designated email address or whatsapp. Where documents are filed by counsel, each process shall be signed and sealed by such counsel.
PROVIDED that where it is impracticable to file processes electronically same maybe filed at the Registry of the Court.

8. The Chief Registrar shall designate appropriate officials who shall assess the fees payable by Parties and communicate same by email, whatsapp or text message.
9. (i) Parties shall pay the assessed fees by electronic transfer into the bank account of the Court.
(ii) A copy of the electronic receipt issued shall be scanned for verification.
(iii) The document shall be deemed to have been filed when the payment is verified by the Court.
PROVIDED that during the Covid-19 period, where it is impracticable to make e-payment, payment can be made at the Registry.
10. The email address and contact telephone number of the Registry shall be made available on the Judicial Information System (JIS) and the Judiciary Website.

Service of processes electronically

11. Notwithstanding the provisions of the High Court of Lagos State (Civil Procedure) Rules 2019 and the Lagos State Magistrates' Court (Civil Procedure) Rules 2009, service of Court processes may be effected by email, whatsapp or as otherwise directed by the Court.
12. Such service in paragraph 11 above shall constitute proper service.
13. Where an electronic mode of service is employed, time shall prima facie begin to run from the date the process was sent.

Preparations for Remote Hearings

14. Parties and Counsel shall liaise with the Registry for the purpose of scheduling hearings.
15. Parties or their Counsel may indicate voluntary participation in the Remote Hearing through the official email of the Court.
16. Remote Hearings shall be by Zoom, Skype for business or any other video communication method approved by the Chief Judge.
17. Before ordering a Remote Hearing, the registry will liaise with all counsel on record to ensure that suitable facilities are available. The Court shall thereafter direct:
 - (i) an appropriate remote communication method for the hearing; or
 - (ii) an adjournment, if a Remote Hearing is not possible.

18. Notice of a Remote Hearing shall be stated on the Cause List and the Judiciary website.

Conduct of Remote Hearings

19. The Court shall give directions to Parties during Remote Hearings on the use of video and audio during proceedings.
20. Counsel shall dress appropriately and Parties shall be properly dressed for Court proceedings.

Recording

21. The proceedings of the Remote Hearing shall be recorded by the Court.
22. Recording of proceedings by Counsel and/or Parties shall only be with the leave of Court.
23. Certified True Copy of proceedings shall be made available upon request.

Adoption of Written Addresses

24. Adoption of Written Addresses shall be in compliance with the provisions of the Rules of Court.

Notice of delivery of Judgment and/or Ruling

25. The Court shall, through the Registry notify Counsel and/or Parties by email or whatsapp of the date reserved for the delivery of Judgment and/or Ruling.

Commencement

26. This Practice Direction shall come into force on the day of April 2020

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Hon. Justice Kazeem A. Alogba
Chief Judge of Lagos State