

Questions:

1) Remote work of judges in your country

- a. Were judges permitted to work remotely in your country prior to and/or during the COVID-19 pandemic? If yes, please give examples (for example, studying cases at home; discussing cases with colleagues via videoconference applications or the telephone instead of personal meetings; holding hearings online via videoconferencing applications; etc.). Was technical equipment made available to the judges to enable them to work remotely?

Answer: Judges have not been working remotely in Liberia at any point in time before and/during the COVID-19 because judges do not have the sophistication, and no such technical equipment has been available to judges of Liberia.

- b. What is the status of remote work by judges in your country now? Do many judges still work remotely in your country, and to what extent? (For example, all or just a certain percentage of judges? Only in certain fields of law or for certain types of cases? Only in lower courts or higher courts? etc.)

Answer: As it has never been the case, judges in Liberia are not engaged in remote work. Judges continue to perform judicial functions in person where party litigants and/or lawyers are also required to appear in Court in person. Additionally, even in situations where the attendance of a witness to give testimony at a hearing may not be possible, such witness' testimony may only be produced by deposition, upon proper application. Chapter 17, Section 17.1 (Deposition) 1LCLR, Criminal Procedure Law.

2. Effect on judicial work

- a. Did remote work change judicial work in general for better or worse – or both – in your country? Please give examples.

Answer: While the fact remains that Judges in Liberia did not experience remote work, it can be argued that remote work has positive impact on judicial work. For example, party litigants/lawyers filing of complaints remotely and witnesses testifying remotely save time and resources.

- b. Does the remote work of judges have an impact on the judicial workplace in your country? Negative, positive or both? Please give examples.

Answer: Judges in Liberia have not experienced working remotely therefore; we cannot assume its impact.

- c. From your point of view, what future effects of remote work on the judicial workplace – negative, positive or both – can be expected?

Answer: Since remote work is not practised in Liberia, one may not correctly predict its effects.

3. Effects on the administration of justice

- a. What are the pros and cons of remote work on the administration of justice?

Answer: Pros of remote work are that it saves time, resources and alleviate commuting time from distant places to the court.

Cons of remote work are that the court is unable to access the demeanour of litigants due to technological lapses that often come about and also adequate flow of communication can also be hampered by technological lapses (break in transmission, poor internet connection and coverage, etc.).

- b. Does remote work have a positive or negative impact on the administration of justice in general in your country? Please give examples that include, but are not limited to, the quality of the administration of justice.

Answer: Although we do not work remotely due to the absence of infrastructure, it is believed that the availability of said infrastructure could lead to the court saving time, resources, and the speedy administration of justice as provided for the Constitution of Liberia which calls for the expeditious disposition of matters before our courts. It is envisaged that remote work could minimise the time and resources required to commute inmates from prison facilities to court and travel challenges for witnesses from remote places to court. On the other hand, remote work could adversely affect the administration of justice in the case of Liberia where judges and legal practitioners (lawyers) may not have adequate technical knowledge.

- c. Are you aware of the public's perceptions of remote work by judges? Please give examples of positive or negative perceptions.

Answer: We are not aware of the public perception due to the lack of remote work practice in Liberia.

- d. What are the positive and/or negative effects of holding remote hearings/conferences?

Answer: Although we do not practise remote hearing/conferences, it is believed that these practices would save time, resources and alleviate commuting time for party litigants from distance places to the court.

Cons of remote work are that the court may not be able to access the demeanour of litigants due to technological lapses that often come about, and also adequate flow of communication can also be hampered by technological lapses (break in transmission, poor internet connection and coverage).

4. Remote work and judicial independence: Do you see any positive or negative effects of remote work on judicial independence? If yes, please give examples.

Answer: While remote work does not have any negative or positive effect on judicial independence, it enhances the quality of work.

5. Limits on remote work for judges

- a. Does your country place any limits on the remote work of judges (for example, limits on remote hearings in criminal cases)? If yes, please give examples.

Answer: There is no limitation placed on remote work in Liberia.

- b. Are there any proposals to change rules or statutes in your country either to permit more, or to limit, remote work by judges?

Answer: At the moment, we do not foresee changing any rules or statutory provisions in relation to judges working remotely.

- c. Should there be any changes of rules or statutes in your country either to permit more, or to limit, remote work for judges?

Answer: Yes, there is a need to enact laws that allow remote work for judges in Liberia. There would be expeditious proceedings when our procedure laws are amended to allow for remote appearances of parties and service of papers/precepts on counsels electronically.

Proposal for 2024 topic:

Please submit your proposals for possible topics to be treated in 2024 together with the answers to this questionnaire.

Individuals and organisations/associations do not have redress mechanisms within our jurisdiction for claims against the government of Liberia for wrongful acts done by the government, its agents or persons acting under its direction. Article 26 of the Constitution of the Republic of Liberia provides for the establishment of Claims Court, but the Legislature of Liberia has not done so since 1986.

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