

## **Effect of Receipt of Proceedings Standards on Service Delivery in Subordinate Courts in Nakuru County, Kenya**

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**Abstract:** Improving the delivery of services to citizens is one of the strategic goals of the Kenyan Judiciary. It is in this light that the administration introduced the Magistrates' Courts' Service Charter. The aim of this study was to examine the effect of the standards stipulated in this Service Charter regarding receipt of proceedings on service delivery by Subordinate Courts in Nakuru County, Kenya. The study made use of the case study design where data was collected from the population of 36 staffs working at the Subordinate Court using questionnaires and 54 court users who requested for various services during the month of January 2018 through interviews. The construct and content validity of the instruments was evaluated by engaging research supervisors at St. Paul's University. Context validity and reliability were assessed by conducting a pre-test at the Nyandurua law courts. Quantitative data was coded and entered into the statistical package for Social Sciences (SPSS) and analysed using both descriptive and inferential statistics. Qualitative data collected through open-ended questions was analysed using the thematic technique. Findings revealed that receipt of proceedings standards ( $r = .523$ ,  $p = .000$ ) had a significant positive association with service delivery at the Nakuru Subordinate Courts. The findings led to the conclusion that effective implementation of receipt of proceedings standards and procedures stipulated in the Magistrates' Courts' Service Charter, has a positive and significant effect on service delivery. The study recommends that to improve service delivery, there is need to improve on the time it takes the Court Official to deliver copies of Court proceedings to users. There is also a need to improve the quality and legibility of the typed copies of proceedings as this standard had the second lowest rank.

**Keywords:** Service charter, receipt of proceedings, record management, service delivery, magistrate courts, and subordinate courts.

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### **I. INTRODUCTION**

The public sector is a key component of any society and plays an essential role in development by providing basic services such as health, education, and justice. However, public sectors in all parts of the world face challenges when it comes to delivery of services (Fourine & Poggenpoel, 2016). Many countries are good at formulating policies but are less successful when it comes to implementation. Public sectors are also characterized by high levels of inefficiencies, delays in service delivery, and delivery of services that do not live up to citizens' expectations. When public institutions are unable to satisfy the demands of citizens, discontentment and disillusionment begins to brew leading to the breakdown of governance system (Montalvo 2009).

Countries have developed various strategies aimed at improving service delivery by public sector organizations. One of these strategies entails the development of service charters (SCs). According to Kundo (2016), SCs exemplify an organization's commitment to shift from bureaucratic traditions to way of doing things that meets citizens' needs and make the government more transparent, accessible, and open to the members of the public. Looking at the long list of countries that have introduced Charters, it shows that actual contents of Charters differ from one country to another depending upon their motives for introducing the Charter. In some countries it has been desired to improve the public performance; but in some cases the driving motive could be the pressure from aid donors (Bason, 2017).

In Kenya, Magistrate's courts were created under the Magistrates' Courts Act, (Chapter 10 of the Laws of Kenya) and reconstituted under Article 169 of the Constitution of Kenya 2010. They handle Civil and Criminal matters depending on the rank of the magistrate. The jurisdiction of these Subordinate Courts is determined on a territorial and pecuniary basis and they are presided over by Magistrates. Such Subordinate Courts include; The Kadhi's Courts, the Children's Court and the Industrial Court (The Judiciary of Kenya, 2017). Magistrates' Courts handle the majority of civil and criminal cases in Kenya. They have jurisdiction

over all criminal cases except cases of murder, treason, or crimes under international law as well as over civil cases up to a limit that depend on the seniority of the magistrate. There are 12 courts charged with this mandate in Nakuru County.

The Magistrates' Courts were marred with the reputation of poor service delivery prior to the enactment of Constitution of Kenya 2010. The courts were characterized by prolonged delays in service delays and numerous cases of missing files (Innovation for Successful Societies, 2015). Administrative processes were also varied across courts and there was little transparency in the operations of the courts. Various reform programmes were introduced after the inauguration of the Constitution of Kenya 2010. One of the reforms entailed the introduction of the Magistrates' Courts' Service Charter (MCSC). Each court station was required to develop a SC in the form of a billboard that listed requirements, fees, and timelines for each court process (The Judiciary of Kenya, 2017). The aim of the charters was to prevent improper payment and clarify what citizens should expect from each court process.

One area of service delivery that the MCSC sought to address was the issue of copies of Court proceedings to litigants. The Constitution of Kenya 2010, Chapter 4 Article 50 (5) gives an accused person the right to obtain a copy of the trial proceedings records on request within a reasonable period after they are concluded for reasonable prescribed fee (Republic of Kenya, 2010). This provision demands that not only should an accused person be given access to copy of Court proceedings on request, but this should be done within reasonable time and at reasonable cost. The MCSC specifies that eligible persons who request for records of proceedings should receive it within 15 days. The cost of obtaining the records is set at Kshs. 60 per page of typed and certified proceedings and Kshs. 30 per page of typed but not certified proceedings.

Since its launch in 2012, few systematic studies have been conducted to examine how the MCS has affected service delivery in the Magistrates' Courts. Therefore this study sought to evaluate how the receipt of proceeding component of the service charter has influenced service delivery in Subordinate Courts, an area that remains under researched thus forming a fundamental research base.

## **II. LITERATURE REVIEW**

Improving public service delivery has been a core reform agenda in most developing countries. The ultimate goal is often to transform public service from the bureaucracies to modern flexible systems that are responsive to changing needs of citizens and the country (Aziz, 2015). Various studies have examined service delivery in the Kenya public service context. Ndubai (2016) examined service delivery in 470 ministries, department, and agencies using secondary data from the World Bank. Results showed that nearly 73% of government service users were dissatisfied with the service delivered in the public sector. Although the study by Ndubai (2016) provides useful information regarding service delivery in the Kenya public sector, it did not link service delivery to implementation of a SC.

The study by Mwanja (2015) is closer to the proposed study as it examined the effect of customer SC on service delivery. Specifically, the study assessed the extent to which employees' awareness of the SC, employees' adherence to the SC, and the strategies used to implement the charter affects the service delivery process. Indicators that were used to measure service delivery include timeliness of services, customer satisfaction, service reputation, and quality of service. Results showed that the three SC variables have a significant effect on service delivery as they explained 86% of the changes observed in service delivery. The study by Mwanja (2015) however focused on Nairobi City Water and Sewerage Company, which is a private company and thus its findings may not reflect the existing situation in the public sector and particularly the judiciary due to difference in culture, goals and priorities, and operating environment.

The administration of justice is essentially a service delivered by the judiciary to the community in order to preserve social peace and facilitate economic development through the resolution of disputes, the enforcement of criminal justice, and the determination of laws (Muigua & Kariuki, 2015). Service delivery in the justice sector also entails simplifying and rationalising laws and procedures, expanding access to justice for the poor and other disadvantaged groups, providing alternative dispute resolution mechanisms, and strengthening the impact of court decisions on society at large (Berg & Desai, 2013). All these elements are interrelated, multidimensional and need attention over the medium and long term.

Various empirical studies have examined the service delivery process in the Kenyan judiciary. In his study focusing on effect of court record in the administration of justice at the Eldoret Chief Magistrate's, Kisongwo (2016) used various indicators to measure the service delivery process in the justice system including lengthy case delays; extensive backlogs of cases; limited access to justice; a lack of transparency and predictability in court decisions; a shortage of financial, physical and other resources; and weak public confidence in the judicial system. Result revealed that there were deficiencies in service delivery at the court, which were exemplified poor record management practices and delayed administration of justice. Kisongwo's (2016) study did not however link the service delivery process to the implementation of the MCSC, which is the focus of the proposed study.

Still at the Eldoret Law Courts, Buluma, Cherere, and Mwaura (2016) examined the effect of performance benchmarks on the relationship between service quality dimensions and customer satisfaction. The study was guided by the SERQUAL model that measures quality using six dimensions: assurance, reliability, responsiveness, empathy, and tangibility. Results showed that there is a significant relationship between service quality dimensions, performance appraisals and customer satisfaction. After the introduction of performance appraisal, the explanatory power of service quality dimension and customer satisfaction model increased from 0.3% to 4.6%. The study by Buluma *et al.* (2016) is however different from the proposed study as it examined the effect of performance appraisal on service quality and customer satisfaction rather than the effect of the SC.

The state of service delivery in the justice system was also captured in a survey conducted by The Judiciary of Kenya (2018) to examine satisfaction levels among court users. The survey involved 5000 respondents comprising of lawyers, police, prosecutors, litigants, and inmates. Results showed that 2 out of 3 of respondents were satisfied with court services. Kadhi courts, which are part of the Subordinate Courts, had the highest level of satisfaction at 69%. Results also showed that the case clearance rate at the Magistrates' Courts had doubled to 87% with court reducing case backlog by 9%.

The Judiciary of Kenya (2018) survey findings reinforced the Judiciary Performance Evaluation Report 2016/2017, which found that services had improved across the entire judiciary as measured in terms of case clearance rate, number of cases resolved by judges, and backlog reduction rate. However, the two reports did not link the improvement in service delivery to the implementation of SC, which is the goal of the current study.

### **2.1 Receipt of Typed/Photocopied Proceedings.**

In many democratic countries, court records are considered to be among the information that should be generally available for public scrutiny in line with the principle of open justice (UK Ministry of Justice, 2012). This principle asserts that justice must not only be done but must also be seen to be done. This principle is founded on the rationale that the more people are informed about the activities of the justice system, the more confidence they will have in it. It recognises that the legitimacy of the judicial system is hugely dependent on the level of public acceptance of its processes and outcomes.

According to Bailey and Burkell (2017), the openness of Courts serves various essential purposes including promoting transparency of court systems and reinforcing access to justice. Clarke, Lewis, and Graski (2017) also noted that records of Court proceedings are the foundation of judicial integrity and thus Courts have the onus of making this information accessible in order to increase their integrity image. In the United States, records of court proceedings are available to anyone and may be used for new publications and research (Indiana Supreme Court, 2010). The only exceptions are records that are considered to contain confidential information such as juvenile court proceedings, mental health commitment proceedings, financial accounts and social security numbers, and adoption and paternity proceedings.

In Canada, there is also presumptive access to almost all aspects of court proceedings including information contained in court judgments, documents filed in court offices, and personal information about parties and witnesses (Bailey & Burkell, 2017). In Ireland, the release of court records including records of court proceedings is restricted to parties concerned and their legal representatives (Winn, 2009). It is a similar situation in the state of New South Wales in Australia where Court proceedings records can only be obtained by parties to the proceedings and their representatives. Parties that are not involved in a case have to provide sufficient reasons in writing in order to access the records.

In their study, Eltis (2011) observed that judicial systems around the world have to maintain a balance between the open court principle that seeks to enhance transparency and improve public confidence, and the privacy principle that demands the need to protect the private information belonging to court users. The need to maintain this delicate balance underscores the importance of having effective and efficient policies and procedures for making records of proceedings available to court users. Chatterjee (2014) also noted that although disclosing case details allows the public to hold the judiciary accountable for their decisions, this action can undermine the right to privacy of parties involved in court cases. Threat to privacy is a major concern where the cases involve vulnerable populations such as children, and victims of sexual assault and violence. Chatterjee (2014) also noted that there are instances where information accessed from court has been used beyond the primary goal of maintaining transparency and accountability.

## **III. RESEARCH METHODOLOGY**

The study employed the case study research design. The target population was 90 respondents comprising 36 staff working at various capacities within the Nakuru Magistrates' Courts and 54 court users who had either filed a complaint at the Magistrates' Courts, had reported an incident of missing file, had their files reconstructed, or had applied to be supplied with copies of typed proceedings in the month of January 2019. Since the target population was small and heterogeneous, a census approach was adopted where data

was collected from all members of the population. Two instruments were used to collect data: (1) questionnaire for staff and (2) interview guide for Court users.

The data instruments were pretested in Nyandarua Subordinate Courts where 18 respondents (9 Court staff and 9 Court users) were involved. To ensure content and construct validity of data instruments, the researcher's university supervisors were engaged and their inputs were taken into account to ascertain validity. Validity of the instruments was also evaluated by assessing the pilot study data for completeness, relevance, and appropriateness in addressing the research issue. The data collected from the respondents was also triangulated with the analysis of documented complaints from the designated Ombudsman to enhance validity. The reliability of the research instrument was assessed by analysing data from the pilot study using the Cronbach alpha method. Results of the analysis are presented in Table 1.

**Table 1: Cronbach Alpha Results**

Variable	No. of Items	Cronbach Alpha
Receipt of Proceedings	6	0.786
Service Delivery	6	0.812

As Table 1 illustrates, the scales measuring two variables of the study had alpha of above 0.7 suggesting that they had an acceptable level of reliability. Questionnaires were administered using the drop-off and pick-up method. The Court users were contacted and appropriate dates for the interviews were set. Data collected through questionnaires was coded and entered into the Statistical Package for Social Science where it was analysed using descriptive and inferential statistics. Qualitative data collected during the interviews was analysed using thematic analysis by organizing the information into themes.

#### IV. FINDINGS AND DISCUSSION

Out of the 90 individuals that were approached, 84 were able to complete the study making a response rate of 93.3%. The respondents comprised of 34 staff representing 94.4% of the targeted number and 50 court users representing 92.6% of the expected number. As Table 2 illustrates, 56% of the 34 staffs who completed and returned their questionnaires were male while 44% were female. On the other hand, 68% of the 50 Court users who participated in the interview were male while 32% were female. The majority of 34 staffs who completed the questionnaires (55.9%) were in the 30-39 age brackets. Another 29.4% were in the 40-59 years age bracket. About 8.8% were 50 years and above while about 5.9% were 20-29 years. Individuals within the 30-39 years age bracket formed the largest segment of court users who participated in the interview with a representation of 44% followed by those in 40-49 years bracket who had a representation of 34%. Individuals of 50 years and above formed 14% of the interviewees while people in the 20-29 years had the least representation at 8%.

**Table 2: Respondents Demographic Profile**

Characteristics	Categories	Court Staff (%)	Court User (%)
Gender	Male	44	32
	Female	56	68
Age	20- 29	5.9	8
	30- 39	55.9	44
	40-49	29.4	34
	50 and above	8.8	14

#### 4.1 Service Delivery at the Magistrates' Courts

Service delivery was the dependent variable of the study and thus it was essential to establish the status of service delivery at the Nakuru Subordinate Courts. To realise this goal, staffs were asked to indicate their level of agreement with six statements relating to service delivery on a five point scale: Strongly Disagree =1, Disagree=2, Not certain =3, Agree =4, strongly Agree=5. The responses were analysed using mean and standard deviation. Table 3 presents the results of the analysis.

**Table 3: Descriptive Analysis Results for Service Delivery**

S/N	Statement	Mean	SD	Rank
1.	Services have become more accessible to the public after introduction of the MCSC	3.615	.724	5
2.	Users can now get prompt services at the Magistrates' Courts.	3.729	.705	4

3.	Services at the Magistrates' Courts have become more transparent	3.997	.519	2
4.	The cost of obtaining services at the Magistrates' Courts has decreased	2.698	.675	6
5.	There is general increase in the satisfaction level of court users	4.374	.856	1
6.	Access to justice has generally improved at the Magistrates' Courts.	3.863	.499	3
<b>Aggregate score</b>		<b>22.676</b>	<b>.876</b>	

As shown in Table 3, delivery of service was measured from various perspectives. The first perspective was accessibility of services. This item had a mean score of 3.615, which indicates that there was a general agreement among the surveyed staff that services have become more accessible to the public after introduction of the MCSC. This finding is in line Kundo (2016) who argue that SCs improves service delivery by communicating the services that the organization offers and how they should be provided. This view was also echoed by one of the court users who expressed that:

*Things have become better in our Courts. It is has become a lot easier to get records of the courts. In the past, you could not even know what is contained in your file (Interview, CU39, 2019).*

The second item on the service delivery scale measured the speed of service delivery. Speed of service delivery was ranked fourth with a mean of 3.729, which indicate that there was a general agreement among staff that Court users were getting prompt services at the Magistrates' Courts after the introduction of the SC.

The finding is also consistent with Kundo (2016), who argued that charters are effective tools for enhancing timeliness of services as it outlines standard of services including the timeline for each service. This finding is also backed by the views of one of the Court users who were impressed with the time it took to get her file located:

*I heard that my file was missing. The registry people promised that they will locate it in the shorted time possible. I did not believe them because I have had negative things regarding the file management practices in our Courts. I was surprised the file was located in less than two weeks (Interview, CU26, 2019)*

Another court user pointed out that the provision of mobile payment option for various court services has speeded up the process of service delivery:

*I am happy because the Courts are now allowing us to make payment through mobile money. This has increased the speed of service (Interview, CU37, 2019).*

The third indicator that was used to measure service delivery was transparency of services. Similarly, the staff perceived that there was a major improvement in the transparency of the Magistrates' Courts (Mean=3.997, SD= .519). Lack of transparency in court decision is one of the service delivery problems that were identified in the study by Kisongwo (2016) that focused on the Eldoret Chief Magistrate's Courts. Current findings suggest that there is an improvement on this aspect. The views expressed by the staff regarding improved transparency of Magistrates' Courts were reinforced by data from the interviews where one of the participants narrated that:

*Being able to view court documents had made it easy for us to understand what is going on in the court. In the past, it was difficult to know what was happening (Interview, CU36, 2019).*

The above sentiments were given in relation to the receipt of proceedings component of the MCSC. This particular court user' feels that the charter has now made it easy for them to access court document leading to greater transparency.

The fourth indicator in the service delivery scale was concerned with the cost of accessing services. Reduction in cost was ranked sixth a mean 2.698 indicating that staffs were not sure whether the cost of obtaining services at the Magistrates' Courts had decreased after the introduction of the MCSC. This view is mainly in relation to the fee charged on services such as obtaining copies of proceedings. One of the goals of introducing SCs in Kenyan courts was to streamline the fees required for various services. From the respondents' point of view, the charter has not led to a decrease in cost of obtaining services by court users.

The fifth item on the service delivery scale was level of customer satisfaction. From the findings, level of customer satisfaction emerged as the most improved indicator of service delivery with a mean of 4.374. Therefore, according to the majority of the surveyed staff, there is general increase in the satisfaction level of Court users at the Nakuru Subordinate Courts. This finding is consistent with the survey by The Judiciary of Kenya (2018), which found that 2 out of 3 court users were satisfied with the services of the court.

The final indicator that was used to assess service delivery was access to justice. According to the surveyed staff, access to justice had also improved significantly with a mean of 3.863. The staff generally agreed with the statement that access to justice has generally improved at the Magistrates' Courts. Berg and

Desai (2013) defined access to justice as the ability of people to seek and obtain a remedy through available institutions. Improved access to justice was also captured during the interview where one of the interviewed expressed satisfaction with the way his complaints was handled by the ombudsman office:

*I was not satisfied with the way my case was progressing. I went to file a complaint at the Ombudsperson's office. The people there were very receptive; they told me what I had to do and how to complete the complaint form. They advised me that the matters will be looked and resolved and in the soonest time possible. I am confident that they will resolve the issue (Interview, CU9, 2019).*

Yet another interview expressed approval to the process of obtaining receipt of proceedings. She was pleased on how easy it had become to access records of the Court.

*We were in the dark regarding the progress of our case. We wanted to know what was going on. We went to registry to apply for records of proceedings. They took down details of the case, accessed our eligibility to receive the records, and we were asked to payKshs. 60 per page. We received the typed and certified proceedings within a few days (Interview, CU45, 2019).*

The mean aggregate score for service delivery was 22.676. The score was obtained by summing the score assigned on individual items that made up the service delivery Likert scale for all participants and then dividing it by number of participants. Since there was 6 items (statements) in the scale and the maximum score for each item was 5, the highest possible score for this scale was 30 (6 items \*5 highest score in the Likert scale). This result implies that according to the staff, Subordinates Courts in Nakuru met 75.6% of the criteria used to measure effectiveness of service delivery (22.676/30 \* 100).

#### **4.2 Implementation of Receipt of Proceedings Standards**

To establish how effective the receipt of proceedings standards have been implemented in the Nakuru Subordinate Courts, staff were given a list of six statements relating to the standards and asked to indicate their level of agreement on 5-point scale: Strongly Disagree =1, Disagree=2, Not certain =3, Agree =4, strongly Agree=5. Results are presented in Table 4.

**Table 4:** Descriptive Analysis Results for Receipts of Proceedings

S/N	Statement	Mean	SD	Rank
1	All requests for copies of court proceedings are appropriately acknowledge by the registry	4.511	.454	1
2	All requests for copies of proceedings are shrewdly considered	4.127	.467	3
3	Payments for copies of proceedings are appropriately processed in line with the amounts stipulated in the MCSC.	4.275	.534	2
4	Eligible parties receive copies of proceedings within 5 days after making a formal request	2.463	.546	6
5	All copies of proceeding provided to eligible parties are usually well typed and legible	3.766	.489	5
6	The copies of proceedings provided to eligible parties are usually accurate representation of court proceedings	3.965	.467	4
<b>Aggregate score</b>		<b>24.287</b>	<b>.489</b>	

The first item that was examined in relation to receipt of proceedings is the acknowledgement of request for copies of proceedings. The MCSC advises that all requests for copies of court proceedings should be appropriately acknowledged by the registry. As indicated by a mean 4.511 the participants strongly agreed that this standard was being implemented at the Nakuru Subordinate Courts. The staffs' views were reinforced by court users accounts captured during the interview. One of the court users narrated that:

*We wanted to know how our case was progressing. Our friends advised as to go to the registry to request for copies of proceeding. At the registry, we were given a form to fill which was stamped received. We were given a copy of the form (Interview, CU45, 2019).*

The second item that was analysed was the process of scrutinizing the request. In the Kenyan judiciary, only parties that have legitimate interest in case are eligible to receive copies of proceedings. Therefore, the MCSC prescribes that each request for copy of proceedings be interrogated comprehensively so as to establish the eligibility of the applicant. As the mean of 4.127 suggests, the staff generally agreed that all requests for copies of proceedings are shrewdly considered.

The next item that was assessed was processing of payment. The MCSC stipulates the amount that should be paid for copies of proceedings. The cost of typed and certified proceedings is set at Kshs. 60 per page while that of type uncertified proceedings is set at Kshs. 30. The staff generally agreed that payments for copies of proceedings are appropriately processed in line with the amounts stipulated in the MCSC (Mean= 4.275).

This finding is reinforced by the accounts providing by court users during the interview. The 21 court users who had requested for copies of proceedings either paid Kshs. 30 or Kshs. 60.

The fourth item that was interrogated was the time within which the copy of proceeding were processed and handed to the applicants. The MCSC prescribed that copy of proceedings should be processed and delivered to eligible applicants with five days after the formal request was made. As indicated by the mean of 2.463, the staff generally disagreed that copies of proceedings are usually delivered to eligible applicants within five working days. The views of the staffs on this issue were also supported by the information providing by the court users during the interviews. Seventeen out of the 21 interviewees who had requested for copies of proceeding reported that they did not received their copies within five days.

The fifth issue was about the clarity of the typed proceedings. The MCSC stipulates that copies provided to applicants should be well typed and legible (The Judiciary of Kenya, 2015). The staff generally agreed that that all copies of proceeding provided to eligible parties are usually well typed and legible (Mean= 3.766). This position is also supported by data provided by court users during the interviews. One of the court users expressed that: “*the copies of proceeding were well typed.....The notes were easy to read and follow (Interview, CU39, 2019).*”

The final issue that was interrogated concerned the quality of the typed proceedings. The MCSC stresses that the copies provided to interested court users should accurately represent the actual proceedings of the court (The Judiciary of Kenya, 2015). It recognizes that providing copies that are misleading could lead to loss of public trust. As indicated by a mean of 3.965, the staff generally agreed that the copies of provided to eligible parties are usually accurate representation of court proceedings.

The mean aggregate score for all the six items that measured the implementation of the receipt of proceedings standards stipulated by the MCSC was 24.287 out of a maximum possible score of 30. The score implies that according to the surveyed staff, 81% of the standard relating to receipt of proceedings have been effectively implemented at the Nakuru Subordinate Courts.

### 4.3 Correlation between Receipt of Proceedings and Service Delivery

To examine the effect of implementing receipt of proceedings standards on service delivery at the Nakuru Subordinate Courts, data on the aggregate score for receipt of proceedings was correlated with the aggregate score for service delivery. Results are presented in Table 5.

**Table 5:** Receipt of Proceedings and Service Delivery Correlation Results

		<b>Service delivery score</b>
<b>Receipt of proceedings score</b>	Pearson Correlation	.523**
	P-value	.000
	N	34

As Table 5 demonstrates, the correlation coefficient for the relationship between receipt of proceedings and service delivery was 5.23. Since the coefficient is positive, it implies that there is a positive relationship between receipt of proceedings and service delivery at the Nakuru Subordinate Courts. It implies that if the effectiveness of implementing the receipt of proceedings standards stipulated in the charter is improved, the effectiveness of service delivery at the Nakuru Subordinate Courts will also improve. The p-value for the relationship between the two variables was .000. Since the value is less than 0.05, it implies that the relationship is statistically significant. The findings led to the conclusion that there is a significant positive association between receipt of proceedings and service delivery at the Nakuru Subordinate Courts.

The findings are consistent with the views expressed by the UK Ministry of Justice (2012) that the more people are informed about the activities of the justice system, the more confidence they will have in it. The legitimacy of the judicial system is hugely dependent on the level of public acceptance of its processes and outcomes. Justice must not only be done but must also be seen to be done. The findings are also consistent with Bailey and Burkell (2017) who argue that the openness of courts serves various essential purposes including promoting transparency of court systems and reinforcing access to justice. The findings are also supported by Clarke *et al.* (2017) who noted that records of court proceedings are the foundation of judicial integrity. Therefore courts have the onus of making this information accessible in order to increase their integrity image among the public and thus increase public confidence in the judicial system.

## V. CONCLUSIONS AND RECOMMENDATION

The MCSC also provides standard for issuing copies of proceedings including acknowledge of applications, review of application, timeline for processing the application, payment for the services, and quality of the copies. According to the surveyed staff, 81% of the standards relating to receipt of proceedings have been effectively implemented at the Nakuru Subordinate Courts. Findings of the study led to the conclusion that

effective implementation of receipt of proceedings standards and procedures have a positive and statistically significant effect on service delivery at the Nakuru Subordinate Courts. This implies that when standards and procedures stipulated in the MCSC relating to receipt of proceedings are effectively implemented, the quality of service delivery is likely to improve. The majority of the surveyed staff disagreed that parties that apply for copies of proceeding often receive these copies within 5 days as stipulated in the MCSC. There is need to improve on the implementation of this timeline or revise the timeline if it is unrealistic. There is also a need to improve the quality and legibility of the typed copies of proceedings as this standard had the second lowest rank. The current study was confined to Nakuru Subordinate Courts. To enhance the generalizability of findings, future studies should consider replicating this study in other courts. Future studies should examine the effect of implementing other components of the charter such as the bale and bond standard and procedures.

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## **VI. ABBREVIATION AND ACRONYMS**

<b>CU:</b>	Court User
<b>MCSC:</b>	Magistrates Courts' Service Charter
<b>SC:</b>	Service Charter
<b>SPSS:</b>	Statistical Packages for Social Science
<b>UK:</b>	United Kingdom

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