

BY ANTHONY WESAKA

Courts to strike out idle cases after 28 days

KAMPALA. Courts will begin dismissing civil cases that are not prosecuted within 28 days after the close of preliminary pleadings, Chief Justice Flavian Zeija has warned, in a move aimed at tackling the Judiciary's growing case backlog.

He said the new approach is anchored in the Civil Procedure (Amendment) Rules, 2019, which seek to simplify and expedite court proceedings by placing greater responsibility on litigants to actively pursue their cases.

"We must move from the old, unfortunate standard where cases could linger for years," he said during a training of judicial officers from northern Uganda on civil litigation at the Judiciary headquarters in Kampala, yesterday.

Under the new framework, a plaintiff has exactly 28 days after the final pleading is filed to take out summons for di-

rections. Failure to do so will result in the automatic dismissal of the suit.

"We are shifting the burden of moving a case from the court's shoulders back onto the litigants. No applications, no excuses," the Chief Justice cautioned.

Judiciary spokesperson James Ereemye Mawanda explained that the 28-day countdown begins after all preliminary processes, including the filing of the defence, are completed.

"When someone files a civil suit, the defendant is required to file their defence within 15 days upon receipt of the complaint. The 28 days start running after all these preliminary filings are done," he said yesterday.

He added that under the previous practice, cases could remain dormant for up to two years before a defendant applied for dismissal for "want of prosecution".

CURRENT CASE STATUS

According to a recent Judiciary case census, a total of 167,353 cases are pending across all court levels, of which 46,542 (27.81 percent) are classified as backlog. The High Court and Chief Magistrates' Courts carry the heaviest load, with 70,006 and 64,937 cases respectively.

However, Mr Ereemye clarified that courts retain discretion to reinstate dismissed cases where sufficient cause is demonstrated, such as illness preventing a litigant from proceeding within the stipulated 28-day period.

The Chief Justice said the new reforms also significantly expand the role

of court registrars, who will now take charge of pre-trial processes, including scheduling conferences and handling interlocutory applications.

"They are no longer just administrators but pre-trial commanders," Justice Zeija said, adding that by the time a case reaches a judge, it should be fully prepared for hearing.

He further emphasised the need for proactive case management, including minimising adjournments and conducting day-to-day hearings to fast-track justice. Registrars will also be empowered to conduct on-site visits, particularly in land disputes, to compile factual reports.

During the training, former Deputy Chief Justice Richard Buteera and former Solicitor General Francis Atoke gave tips to the judicial officers on how to effectively conduct a mediation be-

fore them.

These included being patient, allowing the parties to talk, being a listener and learning to handle the emotions of the warring parties, among others.

Background

Uganda's civil justice system has long been plagued by delays and procedural inefficiencies, often allowing cases to drag on for years due to litigant-driven processes and tactical delays.

The ongoing reforms signal a shift from the traditional adversarial model to a court-led system focused on efficiency and the timely disposal of cases. This transition is grounded in Article 126(2)(b) of the Constitution of Uganda, which mandates that justice must be administered without delay.

The introduction of mandatory summons for directions under the amended rules is expected to play a central role in ensuring cases move swiftly from filing to resolution, restoring public confidence in the Judiciary.