Magistrates' courts now to handle cases worth Shs200m

The new law is expected to reduce case backlog and bring justice services closer to communities.

BY ANTHONY WESAKA

Magistrates Courts across Uganda will now handle higher-value civil disputes following the coming into force of amendments to the Magistrates Courts Act.

The new law, assented to on April 29 by President Museveni and operationalised on May 8, increases the pecuniary jurisdiction of magistrates, abolishes the position of Magistrate Grade II, and grants broader administrative powers to the Judiciary in managing court operations.

Under the amendments, chief magistrates will now preside over civil disputes worth up to 10,000 currency points, equivalent to Shs200 million, up from the previous Shs50 million limit.

Ordinary magistrates will now handle civil matters whose subject matter does not exceed 5,000 currency points, equivalent to Shs100 million.

Under the previous arrangement, the magistrates' courts would handle civil cases whose face value didn't exceed Shs50m.

The Judiciary said the reform is intended to ensure more disputes are resolved at lower courts closer to communities, thereby easing pressure on the High Court and reducing the cost of litigation for ordinary Ugandans.

"The expanded jurisdiction means more disputes will be resolved at the magistrates' courts level, reducing the burden on the High Court and enabling court users to access justice nearer to their communities," the Judiciary said in a statement.

The reforms are also expected to support efforts by the Chief Justice to improve access to justice and tackle the persistent case backlog within the court system.

"The reform is significant because magistrates' courts are the first point of contact for the majority of justice seekers. By empowering these courts to handle more matters, the Judiciary is reducing the need for litigants to travel long distances, cutting the cost of litigation, and supporting faster disposal of cases," the Judiciary said in a statement.

The amended law further empowers the Chief Justice, acting on the advice of the Judiciary Council, to designate magisterial areas and magistrates courts' through statutory instruments to improve the deployment and coordination of court services countrywide.

Judiciary officials say the changes will strengthen decentralisation of court services and enhance planning in the administration of justice.

"The law also restructures the magistrates' courts hierarchy by abolishing the position of Magistrate Grade II and retaining only two categories of judicial officers at that level — Chief Magistrates and magistrates abolishes the position of Magistrate Grade II and makes consequential amendments by replacing references to "Magistrate Grade I" with "Magistrate" and deleting references to "Magistrate Grade II" in the principal Act and other enactments," the statement further read.

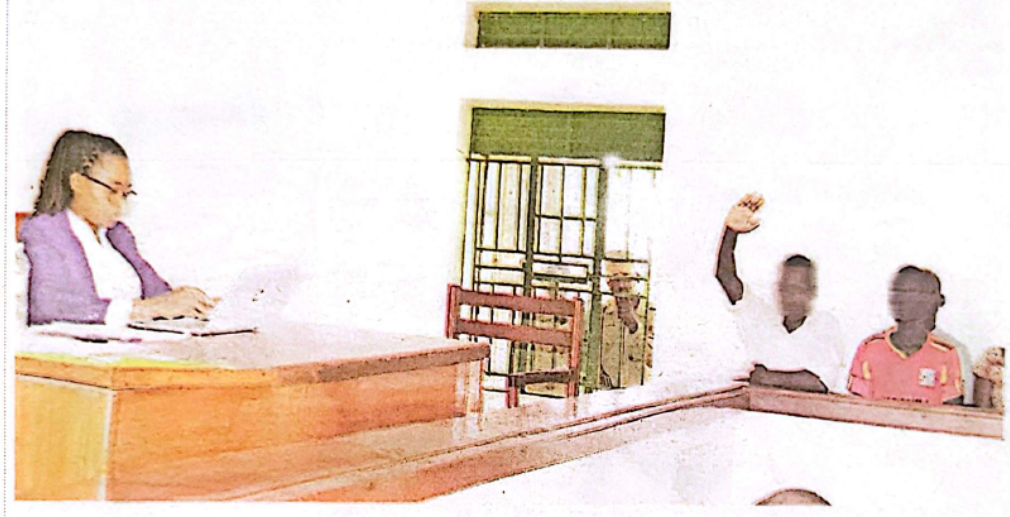
As part of the reforms, chief magistrates' courts have been granted powers to withdraw and transfer cases between magistrates or even to the High Court where necessary.

According to the Judiciary, the new provision is expected to improve case flow management and promote faster disposal of matters.

The Act additionally provides transitional arrangements allowing certain pending cases before the High Court or chief magistrates' courts to be transferred to lower courts where hearings have not yet commenced or where transfer is deemed fair.

The Chief Justice is expected to issue practice directions guiding the transfer of such matters.

The Judiciary has since called upon judicial officers, advocates, court users, and other justice sector actors to support the implementation of the new law and fully utilise the expanded powers of magistrates' courts.



Suspects appear before Kiboga Chief Magistrate Jonard Tusasirwe in March. PHOTO/ FILE

KEY CHANGES

- Chief Magistrates can now handle civil cases worth up to Shs200 million
- Magistrates can preside over disputes worth up to Shs100 million
- The position of Magistrate Grade II has been abolished
- Chief Magistrates can now transfer and withdraw cases between courts
- The Chief Justice gains powers to designate magisterial areas through statutory instruments

CamScanner