INFLUENCE OF THE ELECTRONIC CASE MANAGEMENT SYSTEM (ELCM) ON THE EFFECTIVENESS OF COURT SERVICE DELIVERY: THE CASE OF THE ELDORET COURT STATION, KENYA

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DECLARATION

This is my research project report and has not been presented in any institution.

Signature…………………………………..Date……………………………….

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L50/65834/2010

This research project report has been submitted for examination with my approval as the University of Nairobi supervisor.

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DEDICATION

I dedicate this work to, my wife and children.

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ABSTRACT

The advancements of the 21st century have led to an emergence of many disciplines with great potential to solve existing problems.. 15th of February 2011 marked the commissioning of the Eldoret Court station Case Management System in Kenya, making it the first court to fully benefit from this merger of ICT and delivery of justice. The Judiciary of Kenya has embarked on massive transformation initiative; it has recently launched its' transformation framework 2012-2016 with the fourth pillar being harnessing technology as an enabler for justice with plans for a country-wide roll out of the case management system. Without an analysis of the influence of ICT at the Eldoret Court station its difficult for the judiciary to make informed decisions relating to the implementation of its automation projects.

This study sought to report the influence of Information and Communication Technology (ICT) on effective court service delivery at the Eldoret Court Station in Kenya.. The influence of the cost of ICT, employee job satisfaction, court data security and fraud/corruption was checked against effective court service delivery. The study targeted the 70 system user employees at the Eldoret court station. Questionnaire was used to collect the data from the sample. A census was used for this study among the cadres who are directly affected by the adoption of the system. The data collected in the study was analyzed by the use of descriptive statistics and inferential statistics. The relationship between variables was tested using correlation and regression analysis.

The study findings show that the respondents consider the adoption of the case management system as an important component in the delivery of service to their clients. A mean response of 4.013 was realized signifying cost of ICT has positively influenced the Eldoret court station service delivery. The 3.665 mean overall job satisfaction rate among the respondents denotes that the case management system has positively influenced the employees' morale. The implementation of the case management system has impacted positively on the security of court data with a significant reduction in the number of lost files. The study also revealed that the use of ICT has greatly reduced the level of fraud/corrupt in the court station. Therefore, the adoption of the system has improved service delivery in the court station. And should be adopted for other court stations across Kenya.

CHAPTER ONE
INTRODUCTION

1.1 Background to the study

The Judiciary is the system of courts of justice in a country, the arm of government charged with the responsibility to administer justice. Every country has this arm and in Kenya, it's established under chapter 10 of the Constitution of Kenya 2010 (Kenya Const. art. 159 - 173). It is independent from other government functions and provides a forum for the just resolution of disputes in order to preserve the rule of law and to protect the rights and liberties guaranteed by the Constitution of Kenya. Over the years measures to provide just resolution of disputes has improved.

The advancements of the 21st century have led to an emergence of many disciplines with great potential to solve existing problems. One such potential field is ICT, which has over the years been increasingly adopted in many processes to avert the problems of ineffective and inefficient service delivery. Inter-disciplinary collaborations have led to a symbiotic relationship between ICT and law. One of the key areas of interest is automation of the judicial processes. Many challenges have been faced in the process of attaining justice including delays due to misplacement of the case files at the registry (Sitienei, 2010). To avert such challenges, ICT is increasingly being integrated in many courts in the country with an aim to improve service delivery and provide expeditious delivery of justice.

The 15th of February 2011 marked an important day at the Eldoret Court station. This day displayed great potential of the partnership between ICT and delivery of justice in Kenya. The commissioning of an electronic case management system by the then Chief Justice Mr. J.E. Gicheru indicated great transformation prospects in an organ of government that has been perceived as conservative and insular (Murungi, 2011). The court can now electronically manage a case from the filing state to its final disposition, while providing information to litigants, advocates and the public through web-based and mobile phone applications.

The Project that began in the last quarter of 2009 was conceptualized and co-managed by Mr. C. Mbogo, the Chief Magistrate at the Eldoret Court station, and the United States Agency for

International Development (USAID), which was also the financier. The National Council for Law Reporting (NCLR), a state corporation under the Judiciary with the mandate of publishing judicial opinions and the Laws of Kenya, came into the project as a quality assurance provider and even more importantly, to install and customize the case management software

Eldoret Court station was the first in the country to implement the electronic case management system. For more than one year now it boasts of the successful implementation and reap the benefits of this project. Some of the benefits include; efficiency of service, job satisfaction among staffs, information security and reduced fraud and corruption in the delivery of court services. The Current states of most other courts across the country still remain the same with manual processes that are difficult to manage. With the new dispensation and new administration in the Judiciary it's at no doubt that efficient service delivery is a key agenda in their transformation plans (Mutunga et al., 2012). This signifies that a study of the electronic case management system at the Eldoret Court station will not only inform the judiciary of the prominence of the marriage between ICT and Delivery of justice, but also of the positive change to all the parties and players involved in the administration and delivery of justice.

1.2 Statement of the problem

The independence of the judiciary in many jurisdictions brought about the urge to provide efficient services both in litigation and client service. The judiciary of Kenya in its quest to transform its image and restore public confidence to its systems is employing various ICT technologies to improve service delivery. With the promulgation of the new constitution in 2010, it's clear that the working of the judiciary among other government entities have had a drastic change. Since the constitution of the judicial service commission things are no longer the same. This was followed by public interviews and recruitments of holders of top judicial positions and currently vetting of judges and magistrates who held positions before the new dispensation. All these activities denote that the judiciary is keen to provide efficient services to its clients.

So much as there has been hiring of 28 more judges and increasing the court of appeal judges to a maximum of 15, there is still back log and efficient service delivery is yet to be significant. At the time of coming of the new administration the average waiting time for a case from filling to its disposal was more than 5 years at the high court and 6 years in the court of appeal Ever since,

the judiciary has employed many other initiatives in a rapid results initiative program spearheaded by the Chief Justice Dr. Willy Mutunga and this has reduced the waiting time to less than 3 years at the high court and 3 years at the Appeal court (Shollei, 2012). The newly formed Supreme Court has no matter pending before it. The challenge therefore still remains to be the sustainability of this momentum to dispose of the cases and also for a future without backlog. The consequences of the delays in disposal of cases include loss of public confidence in the Judiciary that aggravate the injustices and lead parties to seek unjust alternatives. It also leads to a pile up of cases in court and lack of investor confidence in the country leading lack of or slow development (Shollei, 2010). Efficient service delivery on the other hand has a positive cascading effect with regard to the delivery of justice.

The judiciary in 2005 came up with a strategic plan with the vision "to be an independent and accessible provider of quality justice for all". The mission was "to provide an independent accessible, responsive forum for the just resolution of disputes in order to preserve the rule of law and to protect all rights and liberties guaranteed by the constitution of Kenya" (Judiciary Strategic Plan 2005 – 2008). In 2009 the judiciary again unveiled another strategic plan with a vision "to be the best Judiciary in Africa, setting the highest standards in the delivery of quality Justice and leading in the development of jurisprudence" Achieving such a vision and mission was impossible without an efficient and reliable system in place. Amongst the systems considered that could improve service delivery in 2005 were Alternative Dispute Resolution (ADR), Court Records Management System (CRMS) and Digital Audio Recording (DAR) (Shollei, 2010). One striking strategic objective in 2009 was "To Adopt and institutionalize appropriate ICT and other Facilities to Improve Efficiency in Operations" Ever since then the question why it's only the Eldoret Court station that has an electronic case management system that is fully functioning is rhetoric. A study of the influence of ICT at Eldoret Court station will advice its future replication to other courts in the country.

Previous research has not concentrated on investigating ICT at Eldoret Court station and its influence towards effective court service delivery. For example, a research by Shollei (2010) sought to find the factors affecting efficient service delivery in the Kenya Judiciary. Another study by ICJ Kenya Chapter (2006) sought to establish the basis for growing concerns on service

delivery by the judiciary. Thus, there is a knowledge gap regarding the implementation of ICT systems and the benefits obtained from the use of ICT at Eldoret Court station. This research sought to bridge the gap in knowledge to study the influence of ICT on effective court service delivery at the Eldoret Court station.

1.3   Purpose of the study

To study the influence of the electronic case management system (ECMS)on effectiveness of court service delivery at the Eldoret Court Station in Kenya.

1.4   Objectives of the study

This study had four objectives:

1. To examine the cost of ECMS on the effectiveness of court service delivery
2. To establish the ECMS mediated employee job satisfaction on the effectiveness of court service
3. To examine the influence of ECMS based court data security on the effectiveness of court service delivery
4. To examine the influence of fraud/corruption with ECMS adoption on the effectiveness of court service delivery

1.5   Research questions

1. To what extend does the cost of ECMS influence the effectiveness of court service delivery?
2. To what extent does ECMS mediated employee job satisfaction influence the effectiveness of court service delivery?
3. To what extent does ECMS based court data security influence the effectiveness of court service delivery?
4. To what extent does the rate of fraud/corruption with ECMS adoption influence the effectiveness of court service delivery

1.6   Significance of the study

The judiciary has recently launched their transformation framework 2012- 2016 which focuses on four pillars: people focused delivery of justice; Transformative leadership, organizational

culture and professional staff; Adequate financial resources and physical infrastructure and Harnessing technology as an enabler for justice (Mutunga et al., 2012). Among the technology to be employed is the case management system, which is to be deployed to all the court stations in the country. A study of the influence of the performance of the previous system deployed at Eldoret courts is crucial to guide the deployment of the systems as well as understand the influence of its deployment to the staffs thus guiding their expectation as a body that is so keen to transform its image.

1.7 Assumptions of the study

The basic assumption of the study was that the respondents willingly provide valid and meaningful information required.

1.8 Limitations the study

1. Limited time within which to complete the study; This will be averted by getting more researchers to help in the administration of the questionnaire and keying in the results
2. Lack of sufficient funds to pay research assistant; A proper bargained price that will be acceptable by all the parties will be worked out and the use of fellow students to assist in the exercise will also be explored.

1.9 Delimitations of the study

The study focuses on the influence of Information and Communication Technology (ICT) on effective court service delivery at the Eldoret Court station in Kenya, which is an urban set up in Uasin Gishu County. So the findings can only be generalized to other courts in Kenya with caution because some factors vary from one part of the country to another.

1.10 Definitions of significant terms

Cost of ICT- The simplification of court procedures in a way that influence service delivery

Job Satisfaction - Employees knowledge of what is expected of them, kept informed and recognized for their accomplishments.

Court data security- elimination of malicious manipulation of court data to favour one party in an active case

Fraud/corruption – collusion of staff and members of the public seeking service in the courts that results in exchange of money for service favours

1.11 Organization of the study

The report is divided into five chapters. Chapter one is the introduction. Chapter two focuses on the literature review. Chapter three examines the methodology used in the study. In chapter four, the report maps out the data analysis, presentations and interpretation. Chapter five reviews the discussions, conclusion and recommendations of the study.

CHAPTER TWO
LITERATURE REVIEW

2.1   Introduction

This chapter explains global, African and Kenyan and local perspective in the use of ICT and ECMS in the delivery of justice and culminates with a conceptual framework that illustrates the relationship of variables in this study.

2.2   Effectiveness of service delivery in the Judiciary

In the last two decades there has been a widespread use of ICT around the world due to the expected benefits that have been achieved by the governments and organizations that have embraced it. ICT is a technology like computers, software, peripherals, and Internet connections infrastructure required to support information processing in order to execute and delivery of services.

According to Larsson, (2002) at the organizational level, ICT is widely accepted, though not fully appreciated. It's integration in organizational functions is necessary for increased efficiency, cost-effectiveness, and competitiveness. The tendency usually has been, to approach such integration from the technology level, leading to escalating costs without corresponding efficiency in gains. This leads to disillusionment, skepticism, and reduced organizational commitment and resources to support ICT services and systems, Larsson, (2002).

Information and communication technology (ICT) and the internet are becoming important tools for the advancement of public sector services and organizations as espoused in the ongoing e-government process currently underway in most government bodies. Public institutions are increasingly providing information and public services to the public by use of internet and this process motivates the society to use the information and telecommunication technologies in order to take advantage of the e-government platforms.

The judiciary will benefit immensely if they adopt ICT in their execution of services to the general public. There are many important factors in this process, with ICT the judiciary will be able to reach and access judicial services to different clients more efficiently than before. According to Bhattacharjee, (2012) Computerization and Information technology have played a major role in improving the quality and delivery of justice. ICT has introduce more efficiency

into the judiciary; increase trial speed without sacrificing thoroughness of investigation, it may facilitate improvement of trial quality by ensuring efficient allocation of judicial resources, facilitate access and exchange of judicial information, increase uniformity of judicial practice and interpretations of the law, especially on the level of lowest (first instance) courts, and minimize malpractice and occurrence of judicial errors. ICT is also an essential tool for implementing independence of the judiciary. ICT may provide tools to cope with the increasing flow and complexity of legal information. ICT may also increase accessibility to judicial defense for society by means of simplifying court filing procedures, simplifying legal assistance in simple standard cases, and facilitating the understandability of the judicial decisions (Ergin et al., 2010). These aspects are very important in lessening the divide between the legal system and society.

Finally, the influence of ICT changes traditional perception of the sources of law. Legal information processed through ICT tools emerges as the digital sources of law, which become more and more important in comparison to traditional sources. ICT also offers unmatched possibilities for indexing and referencing of legal information, legal research, as well as support and automation of these processes, which may produce novel rules and principles, which may be relied as subsidiary sources of law (Larsson, 2002). Failure of the judiciary to adopt ICT threatens failing to solve the existing problems of the system of justice and might even stifle the development of the information society and arrival of e-government in the country or larger judicial region (Kiskis and Petraskas, 2004). It thus results in a judicial digital divide—inability of the courts to take advantage of the ICT, inability of the judiciary to serve the citizens and business entities through the ICT, as well as inability to employ ICT tools for solving legal information problems is a major drawback for the modern information democracy (Fairchild et al., 2006).

2.3   Use of Electronic Case Management System in different countries:

Many countries have embraced information technology use in their court systems. Transparency and effectiveness are emphasized as two positive consequences of the use of information and communication technologies (ICT) in courts. It has expanded the possibilities of access to information and judicial decisions.

2.3.1   Brazil

Brazilian court system used to be manual in nature; the decisions used to be written as if they ne of a kind even for cases related to mass litigation. For a client to know the contents of the litigation, one had to physically go to court. A daily follow-up of every case was required in order to avoid surprises such as the missing of deadlines. The process used to be time consuming but since they embraced ICT, all the previous challenges have been eliminated.

Oskamp, et al (2004), posits that conditions are definitely what used to be, as computers have redefined the access to information and redesigned the decision making process. Judicial information can now be gathered on a worldwide basis as much as computers have shortened the judicial procedures required to bring effectiveness to its decisions. Acts of distrainment, for instance, are no longer done by an Officer of the Court, but are executed through a single keyboard touch. Paperwork seems condemned to disappear as cases are filed and decisions are rendered online. In brief, nothing is as it used to be.

Brazilian Courts are not unaccustomed to such a scenario. As a matter of fact, the widespread use of ICT has provoked a whole set of questions that vary from the originality of a judicial decision to the parties' protection of privacy. Furthermore, it has redefined the boundaries of lawyers and judges' works as it enables just about anyone to track the law in the making and most of all to question the professional decisions they make. On the other hand, this direct contact has a significant impact on the courts' effectiveness as it reduces time and increases participation. As a consequence, what used to be a ciphered knowledge becomes then available to the parties who no longer feel the necessity to go through a professional's mediation in order to know what is happening and anticipate what may happen, Filho (2009)

The Brazilian system has the following features and uses;

   I.   **The general public knows what is going on through ICT based web services**

Veronese et al 2006 reports that every court has its web page that provides different services to the general public. Moreover, their autonomy allows every web page to have a design of its own. It displays the following information to the general public and users: *Acompanhamento processual* corresponds to an online lawsuit follow-up that allows any user to obtain the latest

information on any judicial case, requiring the use of any one of three different data: the bar registration number from the lawyers involved, the name of either one of the litigants or the number of the law suit itself; "*Push system*" relates to the e-mail sending of information relating to a single and specific law suit upon request by the user; "*Jurisprudential database*" corresponds to a solved cases database, which is indexed from a thesaurus and access from simple to more refined queries; "*Jurisprudential newsletters*" corresponds to the periodical release of the courts various opinions on different legal matters; and "*Electronic petition*" which is the basis for a paper free law suit where petitions are sent to the Court in a PDF format.(Filho, 2009)

II.   **ICT links public bodies and judiciary in public service agreements**

A common database linking together different public services has been developed and reduced the time period initially taken for a decision to be made. Transformational Government calls on the public sector to standardise and share commodity services such as human resources, finance and customer service call centres (Barder, 2006). Issues like an order to obtain a bank account details and tax returns. ICT has nonetheless made possible such communications and for now, courts have agreements with the Central Bank of Brazil, the National Department of Transit and the Federal Revenue Secretariat that allow them to implement online all acts of distrainment (Ponciano, 2008)

III.   **Transformation of the profession**

ICT is definitely changing the practice of law in Brazil (Filho, 2009).. The legal profession is changing and is increasingly adopting ICT in its operations. The intermediation provided by a judge's work is thus no longer limited to the building of an accepted decision by the parties, but it has become a very complex task where other functions have been integrated.(Filho, 2009). ICT provides new input to its actions as well as enhancing its accessibility and transparency. But as it also reshapes the role of lawyers (Susskind, 2008), it exposes the existence of a professional digital divide between lawyers and among different Brazilian courts and regions. .

2.3.2 Australia

Australia has a federal system of government, and thus its judicial system is made up of ten separate but interrelated systems; the commonwealth, six states and three self governing

territories. The use of ICT in the justice system in Australia begun in 1980s and has been improving over the years. The system performs several functions among them; Litigation support, Evidence presentation, Electronic courtrooms, Knowledge management, Electronic filing, Electronic search, E-courts and Integrated justice (Federal Court of Australia, 2009).

2.3.3   Venezuela;

The Venezuelan judicial branch is headed by the Supreme Tribunal of Justice and also consists of lower courts, including district courts, municipal courts, and courts of first instance. The State has taken steps towards the modernization of the Justice Administration System in order to improve the quality, efficiency and effectiveness of the management of judicial processes (Fabri et al., 2001). Conventionally, courts operated with little or no technological support but now all is changing fast. According to Fabri and Contini (2001) the focus of the reform effort includes legal changes, transparency enhancement, organizational efficiency and user access which have a seamless integration of ICT applications. The ICT measures are both directed at the Supreme Court and lower court levels in jurisdictional and administrative areas. .

In July 1999, the judiciary implemented a new Organizational Model and an integrated ICT Management System, *Juris 2000* that had a number of specific functions (Fabri et al., 2001). It serve as an aid to case processing by facilitating the production of interactive documents, the automatic integration of information stored in databases, as well as feedback to the databases of new information. It allows for the automatic "capture" of information once it has been entered into the System, thus avoiding the need for multiple or repeat data entries. The system also supports the judicial decision process as it serves as a warehouse of information on legislation, doctrine and jurisprudence, including information produced in other parts of the judiciary (Fabri et al., 2001). The documentary database permits a rapid compilation of documents using various sources and/or information captured from databases. Furthermore, the system has an integrated warning system that alerts judicial administrators about case delay. It also provides information on the current caseload, allowing for a better-rationalized distribution of cases. Information can also be sent between judicial offices and institutions. Finally, the System can produce statistical or other reports in a variety of formats. It is also designed to accommodate future information needs.

Salient technical features of the *Juris 2000* are its: (i) integrated capability where every office of judicial support has its own IT module within the single entity of the system; (ii) adaptability whereby the system can be used for a single court or a group of courts, and is adjustable to legislative reforms without need for system changes; (iii) visual interface and user friendly screen operation that allows staff with little or no training run the system; (iv) consistency in ensuring homogeneity in judicial procedures, within and across the courts; (v) self-sufficiency as information can be entered directly and immediately into the System, without need for further steps (fabri et al., 2001).

2.3.4   Kenya

Kenyan judiciary has embarked on a modernization program aimed at improving the service delivery to the general public. Kenyans are hoping for first-class service and technology will accelerate that, as well as improve efficiency in the judiciary, the attorney general's chambers and the National Council for Law Reporting (Wanjiku, 2008). ICT is expected to reduce the incidences of corruption in the judiciary that had been highly prevalent before the famed judicial purge of 2003, spearheaded by justice Ringera (Sitienei, 2010). According to Gallup poll, (2009), public confidence in the judicial system and in the moral authority and integrity of the judiciary is of the utmost importance in a modern democratic society..   At present, the Kenyan judicial system faces a number of significant challenges that affect the efficiency and effectiveness of the administration of justice.these include: large backlog of cases, lack of sufficient and sustainable funding, shortage of judges and magistrates and lack of effective case management (International Bar Association [IBA], 2010). All these have greatly contributed to the loss of public confidence in the judiciary.

The use of Information, Communication and Technology (ICT) is considered as one of the key elements to significantly improve administration of justice. This has been evident in countries like Brazil, Australia, Mexico and Venezuela. The rapid development of technology opens up new opportunities that were unthinkable only a decade ago (Velicogna, 2007). The influence of ICT in any judiciary however, needs to be measured and evaluated accordingly. This is to avoid white elephant projects, as automation is a great consumer of resources. Since it's commissioning, Eldoret Court station case managements system has never been appraised on the basis of the cost of ICT, employee job satisfaction, court data security and the level of

Fraud/corruption. This is a big gap considering the judiciary's big plans to automate its processes and eventually become paperless in its delivery of justice.

The rest of the chapter was based on the Objectives of the study

2.4   Factors influencing effective judicial service delivery

2.4.1   Introduction
Judicial service delivery is a viewed from both the eyes of its employees as well as the perception of the public. Efficiency in service delivery in Kenya is crucial towards the realization of the transformed judiciary. Several factors influence service delivery in the Kenyan judiciary. Among them: cost of ICT, employee job satisfaction, security of court data and fraud or corruption.

2.5   Cost of ECMS

Transparency and effectiveness are emphasized as two positive consequences of the use of information and communication technologies (ICT) in the Courts. ICT expands the possibilities of access to information and judicial decisions, as well as its use especially in acts of distrainment, have given greater transparency and effectiveness to the judicial acts (Filho, 2009). The inception of ICT in the judiciary enables the judiciary to carry out its judicial functions or judicial services in a timely and efficient ways.

The judiciary is able to address the long-term goal of reducing repetitive tasks and the duplication of efforts. For instance, as the court has an automated system of recording case information, a clerk enters certain data into the computer system say for example the details of the parties to the case. This entry of data into the computer system enables storage, retrieval and reuse of the information for many purposes. The tracking of the case information, generating reports and the case compilation become easier.

Provides enhanced case statistics, evaluation and monitoring: With reports generated by case information system in an automated form, the judiciary is able to conduct sophisticated case monitoring, compilation of reports and statistical analysis. The judges use this analysis to improve their performance and address their lapses (Dubgyur, 1999

2.6   ECMS Mediated Job satisfaction

Using new technologies such as Case Management System, a Court Records Management System (CRMS) and Digital Audio Recording (DAR) and the Internet can give companies, organizations or government entities an edge (Shollei, 2010). New technologies can result in employees "working smarter" as well as providing high-quality products and more efficient services to customers. For job satisfaction employees need to know what is expected of them and receive timely, regular feedback on how they are doing. At all levels of an organization, employees want to be kept informed and recognized for their accomplishments. For employees to be satisfied, they need to know that the work they do is important and their tasks contribute meaningfully to the common purpose. They are also motivated to do well if they are given the appropriate freedom and authority to carry out their   work in the best way possible. Employees become more satisfied when they supported and encouraged to grow and develop their abilities on the job (Brian et al., 2005)

Companies that have realized the greatest gains from new technology have human resource management practices that support the use of technology to create what is known as high-performance work systems. Work, training, programs and reward systems often need to be reconfigured to support employees' use of new technology (Noe et al, 2006). Judiciary employees are paid with the same scale throughout the country, a clerk at Nairobi is paid the same as a clerk at Eldoret and also Machakos. However with equal facilitation employee job satisfaction is not similar, confidence and good treatment of their clients is not expected to be alike in stations with and those without the case managements system.

2.7   ECMS Based Court data security

Security of court data is very crucial since it influences the integrity of the process of determining a dispute. Implementation of such systems ensures that users of the system are assigned specific rights of access it (Murungi, 2001). They are grouped into teams, which the system uses to dynamically determine the case portfolio for an individual user. So if a staff is a clerk He/She may only be limited to input of a new case and update the status of that particular case which falls in the divisions He/She is working. An executive officer on the other hand can be able to view more cases from all the divisions of the high court and also generate daily, weekly, monthly or even annual reports. The system also tracks the details of all completed tasks

by case and user so at any time you can audit the workflow history of the case. This means that any manipulation of the data can be traced back to someone since every staff with access has to log in to the system.

2.8   Fraud/corruption

Fraud and corruption are a great impediment to the administration of justice in any jurisdiction. Public sector bribery, fraud, and corruption have become leading concerns for legislators around the globe, as the diversion of public funds undermines parliamentary control of the public purse (Dye, 2007) In Kenya, based on a report that was a culmination of investigations carried out by the Integrity and Anti-Corruption Committee of the Judiciary formed after the 2002 General Elections to: Investigate and report on the magnitude of corruption in the judiciary, Identify the nature, forms and causes of corruption, Find out the level of bribery in monetary terms, Report the impact of corruption on the performance of the judiciary, Identify corrupt members of the Judiciary and recommend disciplinary or other measures against them, Recommend strategies for the detection and prevention of corruption in the judiciary; and Address other related matters. The Committee held in-camera hearings all over Kenya, received hundreds of written memoranda and representations and submissions from of 952 persons (Sitienei, 2010).

They found out that out of 3,234 officers as at 30th August 2003, consisting of 11 Judges of Appeal, 44 Judges of the High Court, 254 Magistrates, 15 Kadhis (Judges of the Islamic Courts) and 2,910 paralegals, 152 judicial officers were implicated in corruption. Out of the 152 judicial officers implicated, 5 Court of Appeal Judges (56%), 18 High Court Judges (50%), 82 Magistrates (32%) and 43 paralegals (1.5%) were implicated in judicial corruption, misbehaviour or want of ethics (Sitienei, 2010)

Among the recommendations that the committee put across to curb corruption and fraud was automation of court proceedings and registries, expansion of courthouses and increasing number of judicial officers (Sitienei, 2010). Thus, the implementation of the Eldoret Court station Case Management system in 2010 January cannot be gainsaid.

2.9 Conceptual framework

Independent Variables   **Dependent Variable**

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┌────────────────────────────┐
│        Cost of ECMS        │
│ • Information       capture,│
│   storage and retrieval    │──────┐
│ • Speed of Report generation│     │
│ • Presence of Case statistics│    │
└────────────────────────────┘     │
                                    │        ┌────────────────────────────┐
┌────────────────────────────┐     │        │  Moderating Variables      │
│       Job satisfaction     │     │        │  Human factors             │
│  • Confidence at work      │─────┤        │     • Age                  │
│  • Knowledge of the        │     │        │     • Gender               │
│    court processes         │     │        │     • Level of Education   │
└────────────────────────────┘     │        │     • Salary               │
                                    │        └────────────────────────────┘
┌────────────────────────────┐     │                     ┊
│     Court Data security    │     │                     ┊
│  • Number of lost files    │─────┤                     ▼
│  • Ease of File            │     │        ┌────────────────────────────┐
│    reconstruction          │     │        │    Effective Service       │
└────────────────────────────┘     │        │        Delivery            │
                                    │        │                            │
┌────────────────────────────┐     │───────▶│         At the             │
│      Fraud/Corruption      │     │        │    Eldoret Court           │
│  • Level of Bribery        │─────┘        │        station             │
│  • Number of Court         │              │                            │
│    brokers                 │              │      (Registry,            │
└────────────────────────────┘              │    Court/Judicial          │
                                             │      Service)              │
                                             └────────────────────────────┘
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Figure 1: Conceptual Framework

2.10 Summary of the Conceptual Framework

In the diagram, the independent variables were identified as; the cost of ECMS, job satisfaction, court data security, and fraud/corruption. These factors play an important role in influencing effective service delivery in the court stations. The moderating factors in this case were human factors including age of the interviewee, gender, level of education and the salary. Since all the employees have been exposed to these factors without favor, it was expected that the outcome of

the study would not be altered significantly.

2.11 Summary of the Chapter

This chapter describes the use of ICT in the delivery of justice considering the different judicial systems, with examples of Brazil, Australia, Mexico, Venezuela and Kenya. The factors that influence effective judicial service delivery in Kenya are also reiterated. It culminates with the conceptual framework that illustrates the relationship of variables in this study

CHAPTER THREE
RESEARCH METHODOLOGY

3.1   Introduction

This chapter tackles approaches that were used to achieve the objectives of this study. The research design, target population, sampling design, data collection and analysis procedures are discussed in this chapter.

3.2   Research Design

This study follows a cross sectional research design. Research design provides a global guidance for the collection and analysis of data of a study (Churchill 1979). Importance of research design stems from its role as a critical link between the theory and argument that informed the research and the empirical data collected (Nachmias and Nachmias 2008). This research problem was studied through the use of descriptive survey. Descriptive research offers a view of a current situation or condition by capturing reality at a specific point in time (Robson, 2002). Typically, it seeks to ascertain respondents' perspectives or experiences on a specified subject in a predetermined structured manner. It allows the collection of large amount of quantitative data from a large population. This data can then be analyzed quantitatively using descriptive and inferential statistics (Saunders et al., 2007). The use of descriptive survey was thought to be the best to fulfill the objectives of this study.

3.3   Target population

The target population of this study was the employees of Eldoret Court station who use the Case management system to provide service to their clients. These include: 3 judges, 10 magistrates 1 kadhi, and the 56 employees at different cadres including: 11 executive officers and their assistants, 1 archivist, 10 secretaries, 1 accountant,and 33 registry clerks, The total study target population is 70.. This population was considered since it is the immediate beneficiary of the case management system. This population thus wills advice the other court stations in Kenya that are on queue to benefit from the deployment of the court case management system.

3.4   Sampling design of the study

Sampling is "the selection of a fraction of the total number of units of significance to decision makers for the ultimate purpose of being able to draw general conclusions about the entire body

of units (Parasuraman et al. 2004, p. 356). A conclusion can be made from the sample about the population to achieve the research objective" (Saunders et al. 2007). This study used a census approach which means every member of the population was targeted. This was also in a way that all the relevant cadres who are directly affected by the adoption of ICT are represented. These are judges, magistrates, executive officers, archivist, accountants, and Registry clerks, This ensures that all the elements have an equal chance of being chosen as a subject of the study.

The following Table 3.1 shows the target population.

Table 3.1: Determination of the study sample size

Population	Study Population size
Judges	3
Magistrates & Kadhis	11
Executive officers	11
Archivist	1
Secretaries	10
Accountants	1
Registry Clerks	33
TOTAL	**70**
The study population	**70**

Source: The Judiciary Kenya, Human Resource Department.

As such this study targeted to obtained data from 70 employees from Eldoret Court station comprising of the strata as depicted from the Table.

3.5   Validity

Validity is the primary concern of what is being measured (Mugenda and Mugenda.,1999) its is defined as the accuracy and meaningfulness influences which are based on the research results. (Borg and Cooil, 1989) validity is the degree to which a fast measure what purports to measure. A pilot study was done to help improve face validity and content validity of the instrument. According to (Berg and Cooil, 1989) validity of an instrument is improved through expert judgment, for this study the researcher discussed with colleagues and the supervisor in order to help improve validity of the instrument. This helped to identify items that were ambiguous and difficult to answer and later modified them to improve the quality of the instrument and its validity.

3.6   Reliability

Mugenda and Mugenda, (2003) define reliability as a measure to which instruments yields consistent results or data after repeated trials. To enhance reliability of the instruments a pilot study was conducted where by questionnaire was administered to 15 staff of Eldoret law courts that were not in the main study. The aim was to assess the clarity of the questionnaires items. In order to improve the reliability of the instruments, the researcher employed the test retest technique where by the questionnaires were administered twice to the respondents in the pilot sample. The researcher critically assessed the consistency of the response and made judgment on their reliability. This was done using a statistical package for social sciences (SPSS) program

3.7   Data collection methods and procedures

The data collection was through self-administered questionnaires with closed and open-ended questions (attached). A questionnaire was considered the best for this study and collected independent information to reflect the real situation. Qualitative data was collected using closed ended questionnaires while open-ended questions provided liberty for the researcher to collect relevant information from the respondents. Questionnaires are cost effective and could be distributed to a larger population over a shorter period of time. They provide data amenable to quantification, either through the simple counting of boxes or through the content analysis of written responses.

3.8 Data analysis

The data collected in the study was analyzed by the use of descriptive statistics and inferential statistics. This includes the use of descriptive statistical methods to analyze data consisting of frequency tables, mean, correlation and standard deviation. The relationship between valuables was done using correlation and regression analysis. The concept of 'correlation' is a statistical tool which studies the relationship between two variables and Correlation Analysis involves various methods and techniques used for studying and measuring the extent of the relationship between the two variables. Qualitative data collected was analyzed using the SPSS statistical package.

3.9 Operationalization of variables

Objective	Variable	Indicators	Measures	Data collection tool	Scale	Data analysis
1) To examine the cost of ICT on the effective court service delivery	Dependent: Cost of ECMS	1)Cost cutting Simplified working procedure 2) Increased in working speed, monitoring, reporting and order	1) Reduction of repetitive tasks 2) Rate Simplification of procedures in court and registry processes 3) Rate the accuracy and speed of data capturing 1) Rate the order of data storage 2) Rate how easy you can retrieve case information 3) Rate the reduction of the level of court corridor traffic	Questionnaire	-Ordinal -Ordinal -Ordinal -Ordinal -Ordinal -Ordinal	Descriptive

			4) Rate the ability to monitor/evaluate, track and generate reports concerning a case		-Ordinal	
2) To establish the influence of job satisfaction on the effective court service	Dependent: Influence of ICT mediated job satisfaction	1) Achievement of the staff	The rating of the following statements: 1) I understand how my job contributes to the overall mission of the court 2) I feel valued by my supervisor based on my knowledge and contribution to my department, unit, or division	Questionnaire	-Ordinal -Ordinal	Descriptive

		2) Work content	3) On my job, I know exactly what is expected of me	-Ordinal	
			4) The court uses my time and talent well	-Ordinal	
			5) I know what it means for me to be successful on the job	-Ordinal	
		3) Work responsibilities	The rating of the following statements:		
			1) I am kept informed about matters that affect me in my workplace	-Ordinal	
			2) I enjoy coming to work	-Ordinal	
			3) I am proud that I work in the court	-Ordinal	
			4) I get the training I	-Ordinal	

			need to do the job well		
			5) The court and its leaders are dedicated to continuous improvement	-Ordinal	
			The rating of the following statements:		
			1) My work unit looks for ways to improve processes and procedures	-Ordinal	
			2) As I gain experience, I am given responsibility for new and exciting challenges at work	-Ordinal	
			3) I have an opportunity to develop my own special abilities	-Ordinal	
				-Ordinal	
			4) When appropriate, I		

			am encouraged to use my own judgment in getting the job done			
			5) I have opportunities to express my opinion about how things are done in my division	-Ordinal		
3) To examine the influence of court data security on the effective court service delivery	Dependent: Influence of ICT based court data security	1) Accountability in data handling	The rating of the following statements: 1) The enablement of signing in to the system has brought accountability in handling of the court data	Questionnaire	-Ordinal	Descriptive
			2) Its easy to trace back to a staff any missing file		-Ordinal	
		2) Security of the	3) The introduction of the system has		-Ordinal	

		court Data	clarified the staff reporting structure: (I know who am answerable to)			
			The rating of the following statements:		-Ordinal	
			1) The use of the system has improved security of court data			
			2) The number of lost files reduced		-Ordinal	
			3) The current system enables quick reconstruction of lost files		-Ordinal	

4) To examine the influence of fraud/corruption on the effective court service delivery	Dependent: Influence of fraud/corruption	1) Level of /fraud corruption	The rating of the following statements: 1)The use of the system has reduced corrupt activities at the court. 2)The use of the system has eliminated court brokers 3)Collusion between the staff and the public is eliminated/ reduced	Questionnaire	-Ordinal -Ordinal -Ordinal	Descriptive
	Independent; Effective court service delivery					

3.10 Summary of the Chapter

This chapter focuses on the methods that were used to achieve the objectives of this study. It highlights the research design, target population, sampling procedure, data collection techniques and how data was analyzed. It culminates with a table showing the operationalization of variables.

CHAPTER FOUR

DATA ANALYSIS, PRESENTATION AND INTERPRETATION

4.1 Introduction

This chapter deals with the analysis of data obtained from the field, its presentation and interpretation. Data captured from questionnaires are presented using tables. The statistical package for social sciences software (SPSS) was used to analyze data. Interpretations are generated from analysis of the data presented.

4.2 Instrument Return Rate

The study distributed 72 questionnaires to the respondents, out of which 59 questionnaires were filled and returned thus securing a 81.9% return rate, which was representative and sufficient to make generalizations.

4.3 Statistical Analysis used

Microsoft Excel 2007 was used to capture data and SPSS version 17 was used to perform the data analysis. Standard deviations were used to measure variability or closeness to the mean.

4.4 Back ground Information of Respondents

Out of the 59 respondents there were 66.1% (39) male and 33.9% (20) females respectively.

Table 4.1 below shows gender distribution among the Eldoret court station Employees respondents

Table 4.1 Gender Distribution within the population sample

Gender	No.	%
Male	39	66.1
Female	20	33.9
Total	59	100

The gender and age of the respondents results showed that the sample of male and female respondents randomly selected in this study were proportionately as is shown by Table 4.2. This meets the constitutional rule that not more than two thirds of any gender should be holding positions in any institution.

Table 4.2 Employee Age Distribution

Age bracket	No.	%
19-25	11	19.3%
26-35	14	24.6%
36-45	13	22.8%
46-54	19	33.3%
Total	59	100

The age distribution showed that the majority of the employees are between the age brackets of 46 years and 54 years accounting for 33.3% (19). This denotes great understanding of the challenges that faced employees and the benefits of the system.

Table 4.3 length of service

Length Bracket	No. of Respondents	Percentage (%)
Less than 5 years	27	45.8%
6-10 years	9	15.3%
11-15 years	3	5.1%
16-20 years	1	1.7%
21-25 years	8	13.6%
Over 25 years	11	18.6%
Total	59	100%

Table 4.3 shows that at least 54.2%(32) of the employees have worked for more than 5 years thus ability to provide a lot of useful information for the study.

4.5 Use of case management system to provide service

The employees of the Eldoret court station were versed with the use of the case management system with a larger percentage 74.5%(44) using it to provide service to their clients as is shown by Table 4.4.

Table 4.4 Use of case management system to provide service

No. respondents	No	%
Yes	44	74.5
No	15	25.5
Total	59	100

Table 4.4 show that the likelihood of the knowledge of the system infiltrating to the rest of the staff is high with the implementation of the system.

4.6 Effective service delivery to the Judiciary

Majority of the employees (78%) in the station believe that effective service delivery is very important to the judiciary as is indicated in Table 4.5

Table 4.5 Effective service delivery to the Judiciary

Response	NO.	Percentage
Very important	46	78.0%
Averagely important	13	22.0%
Not important	0	0 %
Total	59	100

From Table 4.5 the rest of the employees (22%) believe that effective service delivery is averagely important. This shows that the target population was met being the users of the system.

4.7 Influence of ICT on service delivery

The study revealed that the use of ICT has greatly influenced service delivery in the station with 91.5%(54) of the respondents believing so as shown in Table 4. 6

Table 4.6 Influence of ICT implementation on service delivery

No. respondents	No	%
Yes	54	91.5
No	5	8.5
Total	59	100

Table 4. 6 show that the employees in the station have benefited from the system and that they value the positive return the system is offering.

4.8 Cost of ECMS

Cost is a function of the reduction of minor spending while maximizing the benefit of the system. The study analyzed the opinion of the employees on the cost of ECMS influencing the effectiveness of service delivery. Specific cost cutting activities were gauged with the range being above average in all the activities. Provision of quick reference while attending to clients was found to be with the highest backing of 74.1% (44).The findings are tabulated below in Table 4.7

Table 4.7   Cost of ECMS

	1		2		3		4		5	
	Count	%	Count	%	Count	%	Count	%	Count	%
Reduced repetitive tasks	6	10.9	2	3.6	15	27.3	9	16.4	23	41.8
Simplified procedures court/registry processes	5	8.5	4	6.8	9	15.3	18	30.5	23	39.0
Increased accuracy and speed of data capturing	1	1.7	8	13.6	7	11.9	14	23.7	29	49.2
Increased order in the storage of data	1	1.7	3	5.1	8	13.6	13	22.0	34	57.6
Increased speed in retrieval of information	1	1.7	3	5.1	10	16.9	8	13.6	37	62.7
Provide a quick reference while attending to clients	1	1.7	4	6.9	4	6.9	6	10.3	43	74.1
Reduced traffic in the court corridors	3	5.2	10	17.2	7	12.1	17	28.8	21	36.2
Enhanced monitoring and evaluation of cases	2	3.4	7	12.1	11	19.0	18	31.0	20	34.5
Improved the report generation and reporting	6	10.5	8	14.0	7	12.3	12	21.1	24	42.1
Improved case tracking	4	6.8	4	6.8	3	5.1	16	27.1	32	54.2

The study findings show that most of the respondents consider the cost of ICT as an important component in the delivery of service to their clients. Few respondents negatively and this could be attributed to the non-users of the system to provide services on a daily basis. The quick reference was followed by the speed of retrieval of information using the system.

4.9   Rate of Job Satisfaction

It is a truth universally acknowledged among experts and researchers that an employee's satisfaction level has a direct and profound impact on their productivity (Allison, 2011) Employees with higher job satisfaction care more about the quality of their work, are more committed to the organization, have higher retention rates, provide better customer service, and are more productive in general. Table 4.8 shows employee job satisfaction activities and their rating from the respondents'. The Mean Responses in Employee Satisfaction Categories is 3.67 that denotes an above average.

Table 4.8 Rate of Job Satisfaction

	Mean Response	Strongly disagree		Disagree		Neutral		Agree		Strongly Agree	
		Count	%	Count	%	Count	%	Count	%	Count	%
I understand how my job contributes to the overall mission of the court	4.31	0	0.0	0	0.0	6	10.2	29	49.2	24	40.7
I feel valued by my supervisor	3.78	1	1.7	8	13.6	9	15.3	26	44.1	15	25.4
On my job, I know exactly what is expected of me	4.49	1	7.1	0	0.0	1	1.7	24	40.7	33	55.9
The court uses my time and talent well	3.59	1	1.7	5	8.5	20	33.9	24	40.7	9	15.3
I know what it means for me to be successful on the job	4.37	0	0.0	0	0.0	3	5.1	31	52.5	25	42.4
I am kept informed about matters that affect me in my workplace	3.08	8	13.6	13	22.0	15	25.4	12	20.3	11	18.6
I enjoy coming to work	4	0	0.0	3	5.1	15	25.4	20	33.9	21	35.6
I am proud that I work in the court	3.85	0	0.0	6	10.7	14	25.0	16	28.6	20	35.7
I get the training I need to do the job well	2.22	17	28.8	26	44.1	5	8.5	8	13.6	3	5.1
The court and its leaders are dedicated to continuous improvement	3.53	0	0.0	10	16.9	19	32.2	19	32.2	11	18.6

Statement	Mean										
My work unit looks for ways to improve processes and procedures	3.51	2	3.4	9	15.3	15	25.4	23	39.0	10	16.9
As I gain experience, I am given responsibility for new and exciting challenges at work	3.41	4	6.8	10	16.9	14	23.7	20	33.9	11	18.6
I have an opportunity to develop my own special abilities	3.58	2	3.4	13	22.0	8	13.6	21	35.6	15	25.4
When appropriate, I am encouraged to use my own judgment in getting the job done	3.58	1	1.7	11	18.6	9	15.3	25	42.4	13	22.0
I have opportunities to express my opinion about how things are done in my division	3.64	1	1.7	11	18.6	9	15.3	25	42.4	13	22.0
Overall Mean response	3.67										

Further analysis in Table 4.8 shows that a mean response of 4.49 of the employees knows exactly what is expected of them in the Job. Few employees (Mean 2.22) believe they get the training they need to do their job well this could be attributed to the lack of structured trainings and having the training for a specific group of high-ranking officials.

4.10 Influence of ECMS to court data security

The study analyzed the influence of ICT to court data Security the outcomes were ranked in the order of Least importance (1) to most important (5) as shown in table 4.9. An overall mean response of 3.86 is indicative that ICT implementation has had an influence on court data security.

Table 4.9 Influence of ECMS to court data security

	Mean Response	1 Count	1 %	2 Count	2 %	3 Count	3 %	4 Count	4 %	5 Count	5 %
The use of the system has improved security of court data	3.98	5	8.5	0	0.0	7	11.9	26	44.1	21	36.6
The enablement of signing in to the system has brought accountability in handling of the court data	3.93	2	3.4	6	10.2	7	11.9	23	39.0	21	35.6
ICT use has increased the transparency of court operations	3.88	3	5.3	0	0.0	16	28.1	16	28.1	22	38.6
Its easy to trace back to a staff any missing file	3.73	8	13.6	2	3.4	8	13.6	21	35.6	20	33.9
The introduction of the system has clarified the staff reporting structure	3.19	10	17.5	8	14.0	12	21.1	15	26.3	12	21.1
The number of lost files reduced	4.15	2	7.7	0	0.0	2	77.7	10	38.5	12	46.2
The current system enables quick reconstruction of lost	4.12	4	6.8	2	3.4	6	10.2	18	30.5	29	49.2
Overall Mean response	3.86										

The findings indicate that majority of the employee trust the system and that the security of their clients' data has been enhanced by the system. The judiciary in the past been accused of loosing court files (Sitienei., 2010). According to this study the Number of lost files have significantly decreased with a mean 4.15 (49) of the respondents supporting this view. This implies that the security of court data has increased considerably with the use of the system.

4.11 General level of fraud/corruption

In order to assess the general level of fraud/ Corruption a number of locations were given to determine the employees' perception on its presence. Most of the respondents hold a view that there is less existence of corruption in the different locations as shown in the Table 4:10.

Table 4.10 General level of fraud/corruption

	1		2		3		4		5		N/A	
	Count	%	Count	%	Count	%	Count	%	Count	%	Count	%
Court Corridors	17	29.8	8	14.0	3	5.3	6	10.5	5	8.8	18	31.6
Court registries	17	29.8	6	10.5	2	3.5	5	8.8	5	8.5	22	38.6
Court compound	16	29.1	6	10.9	9	16.4	4	7.3	3	5.5	17	30.9
Court room	15	26.3	3	5.3	0	0.0	9	15.8	5	8.8	25	43.9
Court offices	18	32.7	5	9.1	2	3.6	3	5.5	7	12.7	20	36.4

Most of the respondents claimed fraud/corruption is not applicable in the station. This could be attributed to the systems ability to eliminate fraud/corruption from its root.

4.12 Influence of ECMS on the level of fraud/corruption

A number of questions were asked to assess influence of ICT on the level of fraud/corruption. The respondents response showed that the implementation of the system has reduced fraud/corruption with an overall Mean response of 3.92 as shown in table 4.11.

Table 4.11 Influence of ECMS on the level of fraud/corruption

	Mean Response	1		2		3		4		5	
		Count	%	Count	%	Count	%	Count	%	Count	%
The use of the system has reduced corrupt activities at the court.	3.86	9	16.1	2	3.6	6	10.7	10	17.9	29	51.8
The use of the system has eliminated court brokers	3.8	10	18.5	0	0.0	5	9.3	12	22.2	27	50.0
Collusion between the staff and the public is eliminated/ reduced	4.1	3	5.5	5	9.1	7	12.7	8	14.5	32	58.2
Overall Mean response	3.92										

The survey results indicated that 49 (Mean 4.1) of the employees confirm that the implementation of the system has eliminated the collusion between the staff and their clients making the system a viable judiciary project.

4.17 Correlation analysis of variable

Table 4.12: correlation matrix

	Simplified procedures	Speed in retrieval	Reference	Monitoring and Evaluation	Reporting	Case tracking	Expectation of me	Lost files reduced	Reconstruction of lost	Corruption activities	Eliminated court brokers	Collusion
Simplified procedures	1	.525**	.659**	.631**	.685**	.817**	-.011	.327*	.450**	.099	.205	.156
Speed in retrieval	.525**	1	.776**	.639**	.361**	.482**	-.020	.066	-.031	.127	.097	-.011
Reference	.659**	.776**	1	.654**	.484**	.581**	.017	-.034	.113	-.038	.028	-.038
Monitoring and Evaluation	.631**	.639**	.654**	1	.696**	.784**	.223	.036	.212	.179	.163	.224
Reporting	.685**	.361**	.484**	.696**	1	.793**	.092	.086	.567**	.263*	.292*	.372**
Case tracking	.817**	.482**	.581**	.784**	.793**	1	.032	.289*	.415**	.192	.276*	.336**
Expectation of me	-.011	-.020	.017	.223	.092	.032	1	-.056	-.115	.065	.081	.121
Lost files reduced	.327*	.066	-.034	.036	.086	.289*	-.056	1	.278*	.155	.173	.173
Reconstruction of lost	.450**	-.031	.113	.212	.567**	.415**	-.115	.278*	1	-.080	.024	.149
Corruption activities	.099	.127	-.038	.179	.263*	.192	.065	.155	-.080	1	.775**	.648**
Eliminated court brokers	.205	.097	.028	.163	.292*	.276*	.081	.173	.024	.775**	1	.741**
Collusion	.156	-.011	-.038	.224	.372**	.336**	.121	.173	.149	.648**	.741**	1

Notes: * Correlation is significant at the 0.05 level (two-tailed); * * correlation is significant at the 0.01 level (two-tailed)

4.13 Correlation analysis

Pearson correlation analysis was conducted to examine the relationship between the variables (Wong and Hiew, 2005; Jahangir and Begum, 2008). As cited in Wong and Hiew (2005) the correlation coefficient value (r) range from 0.10 to 0.29 is considered weak, from 0.30 to 0.49 is considered medium and from 0.50 to 1.0 is considered strong.

The analysis of the selected indicators showed some relationships, which will have a bearing in the understanding of the influencing of ICT on the delivery of court services. Simplified court procedures was found to have a positive relationship with improvement of case tracking that is as the procedure are simplified by the adoption of the system the ability to track a case and generate quick reports from the system is enhanced.as shown by positive relationship (+0.817**). Further the elimination of court brokers was found to have a positive relationship with the reduction of corrupt activities at the courts (+0.775**), as well as the collusion between the employees and their clients (+0.741**).

4.14 Summary of the Chapter

This chapter focuses on the analysis of data obtained from the field, its presentation and interpretation. It ends with a table showing the correlation of variables in the study.

CHAPTER FIVE

SUMMARY, DISCUSSIONS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The findings and analysis of data are summarized in this chapter in line with the study objectives. Conclusions are based on the study findings and analysis conducted in the previous chapter. The recommendations are made with regard to the conclusions reached after the data is analyzed.

5.2 Summary of the findings

The return rate of the questionnaires was at 81.9% and the majority of the respondents were men. The study distributed 72 questionnaires to the respondents, out of which 59 questionnaires were filled and returned. Concerning the age most respondents were above the youth age bracket of 35 years with a majority (33.3%) between the age of 46 and 54 years old. 54.2%(32) of the employees had worked for more than 5 years this means that hey had interacted with both the manual system and the electronic system this provided a lot of useful information for the study. Majority of the employees (78%) in the station believe that effective service delivery is very important to the judiciary with 91.5%(54) of the respondents indicating that the use of ICT has greatly influenced service delivery in the station.

The study analyzed Specific cost cutting activities and their influence effectiveness of service delivery. The range was found to be above average in all the activities. The system provided a quick reference while attending to clients 74.1% (44). The overall Mean Responses in Employee Satisfaction Categories was 3.67 that denoted an above normal. A large majority (mean response of 4.49) of the employees knew exactly what was expected of them in their Job with few employees (Mean 2.22) getting the training they need to do their job well. That indicated an area the court can improve in by utilization of the judiciary training institute to come up with relevant and competitive employee training programs.

The study showed a significant reduction in the Number of lost files with a mean 4.15 (49) of the respondents supporting this view. With an overal mean response of 3.86 it was indicative that ICT implementation had positively influenced court data security. This implied that the security of court data had increased considerably with the use of the system. The respondents' response showed that the implementation of the system has reduced fraud/corruption with an overall Mean response of 3.92 with 49 of them (Mean 4.1) confirming that the implementation of the system has eliminated the collusion between the staff and their clients. The implementation of the case management system has thus been an asset to the employees of the court station.

5.3 Discussions

The Eldoret case management system was commissioned slightly over one and a half years ago on the 15th February 2011. With most of the employees having worked for more than six year was indicative that they had experience in their Job. Majority of the employees use the case management system with many of them believing that the use of the system had improved service delivery. The adoption of the case management system provides a better and easier way of working. Simplified complex procedures provide the fuel for learning the system whose use slowly infiltrated in to the court station daily operations. Most employees offer quick services to their clients with the use of the system since it easier to refer to matters in the system. The manual process needed an employee to manually locate the file before referring to it in order to answer a client's question. With the current system everything is at a click of a button.

The high rate of overall job satisfaction among the respondents tells us that the case management system has greatly influenced the employees' morale. The enthusiasm with which they serve the clients can also be attributed to the understanding of what is expected of them and what to do with a very high number of the respondents having this view. Employees with higher job satisfaction care more about the quality of their work, are more committed to the organization, have higher retention rates, provide better customer service, and are more productive in general (Allison, 2011). The goal of increasing job satisfaction is as important for its humanitarian value as it is for the benefits to the organization. This study agrees with Dr. Jan Stringer (2009) among other employee surveys that the quality of the workplace has the most impact on the psyche. The

relationships with coworkers, supervisors and even the workplace surroundings are all factors that influence absenteeism, morale and ultimately, how long they remain on the job.

Most of the employees in the station believe that the implementation of the case management system has impacted positively on the security of court data. This results match well with other studies relation to implementation of court management systems and ICT elsewhere in the world (Fabri et al., 2001). The system contains security features that can track a file with every movement of the file recorded and updated in the system. This led to a significant reduction in the number of lost files which has for many years been iconic of the courts stations in the country (Sitienei, 2010). The clients of the courts build their confidence based on the kind of security the court station invests in to keep their files or documents secure. Most employees underscored the existence very minimum level of fraud/corrupt activities.. Fraud/corrupt could take different dimension; between court clients, between the employees and clients and even between employee to employee. The study showed that the use of the ICT system has greatly reduced the level of fraud/corrupt. According to Sitienei (2010) there was a very high level of corruption and fraud in the courts with a lot of money changing hand in the court compound. The study showed that the collusion between employees and clients was greatly reduced, this was due to the accountability and transparency with the system adoption came with.

5.4   Conclusions

This study has endeavored to determine the influence of ICT on effective court service delivery at the Eldoret court station. The results from the data analysis in chapter four has pointed to an agreement with the analysis of the other studies in chapter two. Service delivery has lately been an important consideration is many institutions. Customer satisfaction is a function of both the service and the method of service delivery. Profit seeking institutions like banks invest on efficient service delivery as it's in this was that they could attract and retain customers. On the other hand public institutions that don't seek profit are deemed to care less about their clients. This however has changed greatly Kenya with the new constitution. With the judiciary being the major custodian of the constitution its transformation is key to the transformation of other public

institution. The research found out that the use of case management system has improved service delivery in the Court.

The implementation of the case management system has been instrumental in the reduction of cost. Before its implementation the any information retrieval cost the station a lot in money to engage other staff and also its reputation. Currently the information availability at a click of a button has reduced costs. The study also showed that employees' morale was boosted by the implementation of the system. The level of job satisfaction is high compared to other court stations with manual operations. Court data security increased with the use of the system according to this study while fraud/corruption levels have significantly reduced.

The stakeholders in this setup, who includes the management of the judiciary, the court stations and the general public should embrace this technological change. A shift from the current manual system requires a lot of resources and stakeholder engagement. This engagement will birth better system requirements, speed and the acceptability of the future improved system. Furthermore the judiciary should take proactive measures to market the system among its employees and the public through media. This will hasten the adoption of the system as well as the understandability by the public. In conclusion the adoption of ICT case management system has improved the effeteness of court service delivery at the Eldoret court station

5.5 Recommendations

1. These study recommend the quick implementation of the case management system to all the court stations in the country. The influences of ICT on effective court service delivery in Eldoret court station are unlimited and the study did not exhaust all since it concentrated on the employees in the station.
2. The study also recommends further research in this and other related fields to provide deeper insight into what impact the implementation of the system has brought about especially from the public perspective.

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Appendix I: SAMPLE QUESTIONNAIRE

Instructions

Please put a tick to the questionnaire items and fill the blank spaces provided

(Information provided will be treated with total confidentially)

PART 1: General information

1) Gender   Male [ ]   Female [ ]

2) Age   19-25 [ ]   26-35 [ ]
                 36-45 [ ]   46-54 [ ]

3) Designation
   Judge   [ ]   Archivist   [ ]

   Magistrate   [ ]   Accountant   [ ]

   Executive officer [ ]   librarian   [ ]

   Clerk   [ ]   process server   [ ]

   Telephone operator [ ]

4) Length of service
   Less than 5 years [ ]   6-10 years   [ ]

   11-15 years   [ ]   16-20 years [ ]

   21-25 years   [ ]   over 25 years [ ]

5) Do you in your operations/duties use the Case management system to provide service

Yes ☐   No ☐

How important is effective service delivery to the judiciary?

Very important ☐   Averagely important ☐   Not important ☐

PART 2: The efficiency of ICT on the effective court service delivery

1) Has the use of ICT in the station influenced service delivery?

Yes ☐   No ☐

2) How would you rate the influence of ICT to the following services at the Eldoret Court Station? (please tick) (1 being least important and 5 being most important)

Statement	1	2	3	4	5	
Reduced repetitive tasks						
Simplified procedures court/registry processes						
Increased accuracy and speed of data capturing						
Increased order in the storage of data						
Increased speed in retrieval of information						
Provide a quick reference while attending to clients						
Reduced traffic in the court corridors						
Enhanced monitoring and evaluation of cases						
Improved the report generation and reporting						
Improved case tracking						

PART 3: The influence of job satisfaction on the effective court service delivery

How would rate the following statements relating to your job?

	Statement	Strongly disagree	Disagree	Neutral	Agree	Strongly Agree
1.	I understand how my job contributes to the overall mission of the court					
2.	I feel valued by my supervisor based on my knowledge and contribution to my department, unit, or division					
3.	On my job, I know exactly what is expected of me					
4.	The court uses my time and talent well					
5.	I know what it means for me to be successful on the job					
6.	I am kept informed about matters that affect me in my workplace					
7.	I enjoy coming to work					
8.	I am proud that I work in the court					
9.	I get the training I need to do the job well					
10	The court and its leaders are dedicated to continuous improvement					
11	My work unit looks for ways to improve processes and procedures					
12	As I gain experience, I am given responsibility for new and exciting challenges at work					
13	I have an opportunity to develop my own special abilities					

		1	2	3	4	5	
14	When appropriate, I am encouraged to use my own judgment in getting the job done						
15	I have opportunities to express my opinion about how things are done in my division						

PART 4: The influence of court data security on the effective court service delivery

How would you rate the influence of ICT to court data security at the Eldoret Court Station?

(please tick) (1 being least important and 5 being most important)

Statement	1	2	3	4	5	
The use of the system has improved security of court data						
The enablement of signing in to the system has brought accountability in handling of the court data						
ICT use has increased the transparency of court operations						
Its easy to trace back to a staff any missing file						
The introduction of the system has clarified the staff reporting structure: (I know who am answerable to)						
The number of lost files reduced						
The current system enables quick reconstruction of lost						

Are there any other data security benefits that the system has brought? (list)

1………………………………………………………………………………

2………………………………………………………………………………

3………………………………………………………………………………

4…………………………………………………………………………………

5…………………………………………………………………………………

PART 5: The influence of fraud/corruption on the effective court service delivery

Generally rate the existence of the level of fraud/corruption in the following areas related to a court? (Please tick) (1 being least and 5 being most, N/A- Not Applicable)

Area	1	2	3	4	5	N/A
Court Corridors						
Court registries						
Court compound						
Court room						
Court offices						

How would you rate the influence of ICT on the level of fraud/corruption at the Eldoret Court Station? (please tick) (1 being least important and 5 being most important)

Statement	1	2	3	4	5	
The use of the system has reduced corrupt activities at the court.						
The use of the system has eliminated court brokers						
Collusion between the staff and the public is eliminated/ reduced						