



IN THE HIGH COURT OF JUSTICE
OGUN STATE OF NIGERIA
PRACTICE DIRECTION NO 2 OF 2020

Whereas:

The Corona Virus (COVID – 19) pandemic is mainly spread through close personal contact thus leading to the identification of aggressive social distancing (and the attendant limitations to person to person interaction) as one of the cardinal measures to curb the spread of the COVID - 19.

The Corona Virus (COVID – 19) pandemic, therefore, necessitates the use of Online Hearings to ensure that cases are heard and disposed of urgently where possible.

1. This Practice Direction therefore sets out the procedure to be adopted in the Online Hearings, recognising the urgent need for the Judiciary to put in place measures to guarantee continued access to justice and expeditious disposal of cases while minimising the risk of transmission of COVID – 19.
2. **Now therefore, I, Honourable Justice Mosunmola A. Dipeolu** the Chief Judge of Ogun State pursuant to the provisions of Section 274 of the Constitution of the Federal Republic of Nigeria (as amended) Section 52 (1) of the High Court Law of Ogun State 2006, Order 45, Rules 1, 2, and 3 of the High Court of Ogun State Civil Procedure Rules 2014, Section 115 of the Magistrates Court Law of Ogun State 2006, Section 506 of the Administration

of Criminal Justice Law of Ogun State 2017 and any other enabling legislation, hereby issue the following Practice Direction:

3. OBJECTIVES.

The objectives of this Practice Direction shall be to ensure:

- i. Timely and efficient disposal of cases;
- ii. Use of suitable technology;
- iii. Just determination of the proceedings; and
- iv. Efficient use of available judicial and administrative resources.

4. E – FILING OF PROCESSES

4.1 Parties and counsel shall ensure every document filed electronically or at the Court Registry has the email address and mobile telephone number of the Counsel or contact person where the parties are not represented by counsel.

4.2 The Registry shall receive documents for filing electronically. All documents to be filed must be scanned or converted to an appropriate PDF and forwarded to the Registry via designated email address. Where documents are filed by counsel, each process shall be signed and sealed by such counsel.

4.3 Where it is impracticable to file processes electronically, same may be filed at the Registry of the Court.

4.4 The Chief Registrar shall designate appropriate officials who shall assess the fees payable by parties and communicate same to them by email or text message.

4.5 Parties shall pay the assessed fees by electronic transfer into the Bank account of the Court.

- i. A copy of the electronic receipt issued shall be forwarded to the Registry for verification
- ii. The document shall be deemed to have been filed when the payment is verified by the Court.
- iii. Where it is impracticable to make electronic payments, payments can be made at the Registry.

4.6 The email address and contact telephone number of the Registry shall be made available on the Ogun State Judiciary website.

5. E-SERVICE OF PROCESSES

- 5.1 Notwithstanding the provisions of the rules of Court applicable in Ogun State, service of processes may be by email or as otherwise directed by the Court.
- 5.2 Time shall prima facie begin to run from the date the process was sent, and successful delivery of messages shall constitute sufficient acknowledgement of service.
- 5.3 Service of processes shall be proved by a screen shot from the electronic device used in sending the process showing the date and time of despatch of same to the other party.

6. PREPARATION FOR ONLINE HEARINGS

- 6.1 Parties and counsel shall liaise with the Registry for the purpose of scheduling hearings.
- 6.2 Parties and Counsel shall indicate voluntary participation in the Online Hearing and may also indicate desired platform, through the official email of the Court.
- 6.3 Online Hearings shall be by Microsoft Teams, Zoom, Google Meet, Skype for Business or any other audio or video communication method approved by the Court.
- 6.4 Before ordering an Online Hearing, the Court Registrar shall liaise with all the counsel on record to ensure that suitable facilities are available. The Court shall thereafter direct:
- i. An appropriate remote communication method for the hearing; or
 - ii. An adjournment, if an Online Hearing is not possible.
- 6.5 Notice of an Online Hearing shall be stated on the Cause List, the Judiciary website and also sent to the appearing counsel or parties by email or whatsapp or sms.
- 6.6 The notice of an Online hearing shall contain the platform to be used for the hearing.

7. CONDUCT OF ONLINE HEARINGS

7.1 The Court shall give directions to Parties during Online Hearings on the use of video and audio during proceedings.

7.2 All Participants shall dress appropriately for Court proceedings.

8. RECORDING OF PROCEEDINGS

8.1 Proceedings of the Remote Hearing shall be recorded manually and electronically by the Court.

8.2 Recording of proceedings by other participants shall only be with the leave of Court.

8.3 Certified True Copy of Proceedings shall be made available upon request.

9. ADOPTION OF WRITTEN ADDRESS

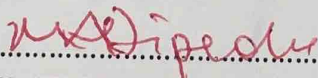
9.1 Adoption of Written Addresses shall be in compliance with the provisions of the rules of Court provided that oral argument thereof may be dispensed with.

10. NOTICE OF DELIVERY OF JUDGMENT AND/OR RULING

10.1 The Court shall, through the Registry notify Counsel and/or Parties by email or text of the date reserved for the delivery of Judgment and/or Ruling.

11. COMMENCEMENT.

This Practice Direction shall commence on the ^{5th} Day of May, 2020.


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HON. JUSTICE MOSUNMOLA. A. DIPEOLU
CHIEF JUDGE
^{5th} day of May, 2020