

**OPENING REMARKS BY THE CHIEF JUDGE OF EDO STATE , HON. JUSTICE E. F. IKPONWMEN, AT THE ONE DAY TRAINING WORKSHOP ORGANISED FOR THE EDO STATE MULTIDOOR COURT HOUSE BY THE INTERNATIONAL CENTRE FOR ARBITRATION AND MEDIATION, ABUJA. ON 23<sup>RD</sup> DAY OF JUNE, 2017.**

At the opening of the 2017 Refresher course for Judges and Kadis the administrator of the National Judicial Institute, Hon. Justice R. P. I Bozimo, OFR, in her welcome address stated inter alia

“May I urge you, my Lords to explore the use of Alternative Dispute Resolution (ADR) mechanism as a modern trend in administration of justice, particularly in civil matters, including commercial cases, land and family cases among others. This will go a long way in curtailing delays in our court.”

It is on this note I want to welcome all of you to this training workshop organized pro bono by the International Centre for Arbitration and Mediation Abuja ably led by Chief Bayo Ojo SAN, CON. We are indeed lucky to have this training session at this time when we are about kick starting the multidoor court house in Edo State Judiciary.

There is no doubt that all over the world there is an increasing awareness in the alternative dispute resolution to improve access to justice and enhance economic development. I believe that our people in Edo State need to rise up to take on this means of resolving their dispute. I recall my visit to our revered Oba of Benin, Oba Ewuare II when I encouraged the palace to continue with the customary arbitration as it in no small way assists in resolving dispute in our communities. Be that as it may the effective take off of our Multidoor

Court House is overdue. There is need for a sensitization of all concerned to take advantage of the Multidoor Court House. This training is one way of getting us prepare for the task ahead.

Lawyers must begin to clamour for the operation of the court house and encourage their clients to follow the path. Rules 15(3)(d) of the Rules of professional conduct for Legal Practitioners provides thus:

“In his representation of his client, a lawyer shall not fail or neglect to inform his client of the option of alternative dispute resolution mechanisms before resorting to or continuing litigation on behalf of his client”

On the part of the court order 25 Rule 1 (1 & 2) of the Edo State High Court (Civil Procedure) Rules 2012 enjoins the court to give opportunity for the litigants to explore the possibility of settlement of disputes outside the court.

It provides thus:- “1 Period for Settlement

(1.) When a matter comes before the Court for the first time, the judge shall in circumstances when it is appropriate, grant to the parties time, not more than thirty days within which parties may explore possibilities for settlement of the dispute.

(2.) Where parties fail to settle within thirty days or such other period as the court may grant, the case shall without more, proceed to trial.”

I must hasten to state that the ADR is not a new found system. It is as old as the legal system itself. In the words of Warren Earl Burger the 15th Chief Justice of USA (1969-86):

“The entire legal profession-lawyers, judges, law professors have become so mesmerized with stimulation of the court room that we tend to forget that we ought to be the healers of conflicts. For some disputes trials will be the only means, but for many claims, trial by the adversarial contest must in time go the way of the ancient trial battle. Our system is too costly, too painful, too destructive and too ineffective for really civilized people.”

I agree with these sentiments and hence I once again thank the organizers for this training.

May I also comment on the hard work and zeal shown by the Hon. Justice A.N. Ehigiamusoe who is to head this Multidoor Court House in Benin. I must not also fail to mention the pioneering efforts by Chief Judge emeritus, Hon. Justice C. O. Idahosa and Hon, Justice J. O. Okeaya-Inneh in ensuring the coming to being of the Multidoor Court House in Edo State. It is therefore my singular honour to declare this training workshop open.

Thank you God bless.