



UUBO COVID-19  
RESOURCE HUB:



# OVERVIEW OF THE GUIDELINES ISSUED BY NIGERIAN COURTS FOR THE CONDUCT OF COURT PROCEEDINGS DURING THE COVID-19 LOCKDOWN PERIOD



**O**n March 27, 2020, the Governor of Lagos State, exercising the powers conferred on him by the Quarantine Act, Chapter Q2, Laws of the Federation of Nigeria, 2004 and the Lagos State Public Health Law, Chapter P16, Laws of Lagos State, 2015, issued the Infectious Disease (Emergency Prevention) Regulations 2020 restricting the movement and public gatherings of persons within the State, among other related measures aimed at containing the spread of the novel Coronavirus .

Subsequently, the President of the Federal Republic of Nigeria, acting on the powers conferred on him by the Quarantine Act, Chapter Q2, Laws of the Federation of Nigeria, 2004, issued the Covid-19 Regulations, 2020. The regulations imposed lockdowns and restrictions of movement in the Federal Capital Territory (Abuja); Lagos State (which is the main commercial capital (Lagos) and Ogun State for an initial period of 14 days with effect from 30th March 2020. This was extended

for a further 14 days, commencing on 14th April 2020. Other states in the country, particularly those that have recorded incidences of the virus, have imposed various measures affecting or restricting public gatherings and the movement of people.

In order to ensure that the rule of law is maintained and that access to justice is not unduly impeded as a result of the ongoing COVID-19 pandemic, particularly in matters of extreme urgency, Nigerian courts and government authorities have issued various guidelines and measures to ensure that the wheel of justice does not grind to a complete halt during this period.

The update outlines various measures introduced by Nigerian courts and government authorities to ensure that certain matters are attended to in a manner that conforms to the efforts of the government and health authorities to curb the spread of the virus.



**Regulation/Directive/ Guidelines:** Covid-19 Regulations, 2020

**Issuing Authority:** The President of the Federal Republic of Nigeria

**Details of Guidelines/ Measures**

On March 30 2020 the President of the Federal Republic of Nigeria, acting pursuant to the powers conferred on him under the Quarantine Act, Chapter Q2, Laws of the Federation of Nigeria, 2004 issued the Covid-19 Regulations, 2020.

By the Regulations, the President imposed a restriction of movement in Abuja (the Federal Capital Territory), Lagos (Nigeria's commercial city), and Ogun States for an initial period of 14 days with effect from March 30 2020.

The Regulations referred to Circular No. NJC/CIR/HOC/11631 of March 23 2020 previously issued by the Chief Justice of Nigeria directing that court matters that are urgent, essential or time-bound in accordance with existing laws, will be handled as the Chief Justice of Nigeria may from time to time direct.





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**Regulation/Directive/  
Guidelines:**

Circular No. NJC/CIR/HOC/11/631

**Issuing Authority:**

Chief Justice of Nigeria

**Details of  
Guidelines/  
Measures**

In his capacity as the Chairman of the National Judicial Council (NJC) and as the head of the judicial arm of the government of Nigeria, the Chief Justice of Nigeria (CJN) issued a Circular No. NJC/CIR/HOC/11/631 dated March 23 2020 by which he directed all heads of the courts in Nigeria to suspend court sittings for an initial period of two weeks starting from March 24 2020, except in matters that are urgent, essential or time-bound according to existing laws of Nigeria.

On April 6 2020, before the expiration of the two-week suspension period on March 7th, the CJN issued another circular extending the suspension until further notice. In communicating the extension, the CJN stated that the extension was necessary because of the lockdown measures put in place by the federal government and some state governments to curtail the spread of the COVID-19 pandemic. He reminded the heads of courts, however, that urgent, essential and time-bound matters should be attended to during this period.

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**Regulation/Directive/  
Guidelines:**

Circular on Preventive Measures on the Spread of COVID-19 and the Protection of Justices, Judges and Staff of Courts

**Issuing Authority:**

The Chief Judge of the Federal High Court of Nigeria.

**Details of  
Guidelines/  
Measures**

On March 23 2020, the Chief Judge of the Federal High Court of Nigeria issued a directive suspending court proceedings at all the divisions of the court for a period of 13 days effective March 24, except for matters that are urgent, essential or time-bound in accordance with existing laws of Nigeria.

The directive, which was issued further to an earlier Circular No. NJC/CIR/11/629 by the Chief Judge, directed as follows:

- the general public will not be allowed access into the court premises unless in extreme urgencies for filing of new matters or applications.
- not more than 20 persons, including lawyers, litigants and court staff will be allowed into a court room/hall at any particular time or during the hearing of a case.

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# COVID-19 LOCKDOWN

- persons in a court room must keep a reasonable distance of not less than 1 meter from each other.
- only parties in a case, their lawyers and witnesses shall be allowed into the court room during proceedings.
- in criminal matters, only arraignment and bail applications will be heard.
- ex-parte and urgent civil applications and adoption of Final Written Addresses will be accommodated.
- judgments and rulings will be delivered as and when due.
- non-essential court staff are to stay away from their offices.

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## Regulation/Directive/ Guidelines:

### Issuing Authority:

Guidelines on Expeditious Conduct of Court Proceedings

The Acting President of the Court of Appeal

### Details of Guidelines/ Measures

Following the CJN's directive in furtherance of the Covid-19 Regulations 2020, the Acting President of the Court of Appeal, Hon. Justice Monica B. Dongban-Mensem, issued guidelines for the expeditious conduct of proceedings in the Court of Appeal and Tribunals.

The practice directives' objective is to reduce the time spent in court during oral arguments with a view to minimising the transmission of the coronavirus. They mandate lawyers/ law firms to write a letter to the Chief Registrar of the Court of Appeal ahead of the date set for hearing their appeals providing certain information and particulars in relation to the appeal. Specifically, such letters are expected to provide the following information:

- the name of the counsel and the party that he represents.
- the names of the parties to the appeal.
- the date on the Notice of Appeal as well as the actual date of filing of the Notice
- If a Notice of Cross Appeal was filed, the date on which it was signed by counsel as well as the date of the filing.
- where a Respondent's Notice was filed, the date endorsed on it by the counsel as well as the filing date.
- If a Notice of Preliminary Objection was filed, the date of filing as well as the date endorsed on it by the counsel.



- If the Record of Appeal has been compiled and transmitted, the date it was received/filed at the Court of Appeal.
- the date of delivery of the judgment or the decision giving rise to the appeal.
- the name of the trial court that delivered the judgment or decision appealed against.
- the name and location of the court from which the appeal emanated. and
- the date of filing of the relevant Briefs of Argument, namely Appellant's Brief, Respondent's Brief of Argument and Reply Brief.
- If a Cross Appellant's Brief of Argument has been filed, the date of the Cross-Appellant's Brief and the date it was filed.
  - the date on as well as the date of filing of any Cross Respondent's Brief of argument and Cross Appellant's Reply Brief.
  - the date(s) on which the various processes filed in the matter were served on and received by the other party(ies).

The Guidelines also state that where a party is served with a motion or application to which he has no objection, his counsel should simply send a notice of no-objection to the Court. This is to enable the Court to determine such applications in chambers.



**Regulation/Directive/  
Guidelines:**

Entry into Court Premises Guidelines dated 20th March 2020

**Issuing Authority:**

The Chief Judge of Lagos State

**Details of  
Guidelines/  
Measures**

On March 20, 2020, the Chief Judge of Lagos State issued guidelines on the conduct of court proceedings in the High Courts and in the Magistrates' Courts of Lagos State to curtail the spread of the coronavirus within the court facilities or during proceedings. The guidelines provide as follows:

- a. members of the general public will not be allowed access into the court premises, except for filing of urgent matters or applications.
- b. In all cases, only parties whose cases are to be heard, their witnesses and counsel, will be allowed into the court room at any time of sitting, subject to a maximum of twenty persons altogether.



- c. In the court rooms, persons will maintain social distancing of at least one metre as recommended by the World Health Organisation.
- d. In criminal matters-only remand/ bail applications, and overnight cases will be attended to.
- e. In civil matters, hearing of ex parte and urgent applications, adoption of written addresses and delivering of judgments and rulings will be accommodated.



#### **Regulation/Directive/ Guidelines:**

Directives on the Handling of Incoming Criminal Matters at the Magistrates Courts in Lagos State

#### **Issuing Authority:**

The Chief Judge of Lagos State

#### **Details of Guidelines/ Measures**

By a Circular dated March 23 2020, the Chief Judge of Lagos State, in order to safeguard and limit the exposure of the Magistrates to the Covid-19 infection directed that all Administrative Chief Magistrates shall henceforth take charge of incoming criminal overnight cases and strictly restrict assignments to only Courts within the Main Districts.



#### **Issuing Authority:**

The Chief Judge of the High Court of Ogun State

#### **Details of Guidelines/ Measures**

Similarly, on the March 19 2020, the Chief Judge of the High Court of Ogun State issued a directive on court matters in the state as follows:

- only urgent and criminal matters will be entertained at the High Court of Ogun State.
- new criminal matters and custody cases will henceforth and until further notice be entertained by the Magistrate Court of the State.
- only parties to the cases will be allowed into the court premises within the period of the restriction.



**FESTUS ONYIA**  
Partner



**JOHN AGA**  
Managing Associate



**CHISOM NDUBUISI**  
Associate

#### **Disclaimer**

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