

**ROLE OF STRATEGIC MANAGEMENT PRACTICES ON
ENHANCING SERVICE DELIVERY IN THE JUDICIARY OF
KENYA**

BY

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DECLARATION

I declare that this Research Project is my original work and has not been presented for any award in any other academic institution.

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This project has been submitted for examination with my approval as the University Supervisor.

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DEDICATION

This piece of work is dedicated to my son William Mwendwa Kyalo, it is my daily prayer that he will grow up to be a God fearing man and also a man who will appreciate the value of education and hard work.

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ABBREVIATION AND ACRONYMS

CRJ	Chief Registrar of the Judiciary
GoK	Government of Kenya
HR	Human Resources
JTF	Judiciary Transformation Framework
RBM	Result based management
RHC	Registrar High Court
RLC	Registrar Lower Court
SWOT	Strengths, Weaknesses, Opportunities and Threats

ABSTRACT

Strategic management practices are a combination of actions relating to strategic analysis, formulation, implementation and monitoring in order to achieve some desired goals. These actions are collective in nature and they offer support to managers and guide them on how to keep in touch with the external environment by showing them certain critical paths of development. Service delivery on the other hand is the act of providing services to customers. It is imperative that these services meet the established standard of care in terms of criteria and exhibit characteristics of being acceptable, accessible, available, affordable and accommodative. The study was aimed at establishing the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya. The research design that was used was a case study of the Milimani Law Courts. The researcher used primary sources of data collection to conduct the study. The primary data was collected using an interview guide which facilitated the interviewees into giving more details about the research objective respectively. The interviewees of the study were officers of the civil registry, judges and magistrates. The collected data was examined for completeness and clarity and was analyzed using content analysis. The responses that were generated by the interviewees were recorded and categorized in accordance with the identified themes. The study established that the Judiciary had adopted different strategic management practices which enhanced service delivery. The study ascertained that Milimani law Courts undertakes situation and problem analysis as part of environmental scanning practices. In terms of strategy formulation, the study established that the judiciary had established a strategic direction with a clear vision, mission and core values that facilitated the institution's achievement of its strategic goals and objectives which indeed enhanced the services it delivered. In implementation of the strategy, the study established that Milimani Law Courts had a well established organization culture and structure that enhanced service delivery. The study established further that despite the fact that Milimani Law Courts developed good plans to facilitate the administration of justice, there were challenges in their implementation that affected the quality of services which the institution delivered with resources allocation by the judiciary and financial capacity being cited to be insufficient. Another challenge was the shortage of judicial officers. The study also established that Strategy evaluation was undertaken through monitoring of the institution's Performance with technical capacity of some of the judicial officers being cited as the major challenge in adopting these practices since they affected the quality of the legal reports. The study concluded that the judiciary had adopted different strategic management practices in pursuit of the institution's mandate to provide independent, accessible, fair and even responsive fora for dispute resolution and the development of jurisprudence. The study further made recommendations for the institution that were based on the findings. These recommendations included but are not limited to; capacity building through training of the RHC and RLC at Milimani law courts in order to improve their performance thus ensuring that justice is served effectively and efficiently.

CHAPTER ONE: INTRODUCTION

In this chapter, the background of the study was discussed which involved; the concept and context of the study, the theories that anchored the study were outlined and justified too with the motivation of the study discussed respectively. The research problem was discussed and the research objective outlined. The value of the study was provided for whereof it was seen to be of benefit to different stakeholders.

1.1 Background of the study

Strategic management practices were defined by Hanasini, (2016) as a combination of actions relating to strategic analysis, formulation, implementation and monitoring in order to achieve some desired goals. It is evident that strategic management practices have become an influential area in the management of institutions and/or organizations, they consist of a comprehensive collection of actions that offer support to managers and guide them on how to keep in touch with the external environment by showing them certain critical paths of development as posited by Jones, (1981). Service delivery on the other hand is the act of providing service to customers, Cambridge University press, (2017). Success in organizations and/or institutions depend on their ability to provide services required by their customers in the quality, quantity and price which the customer want in respect to the said product. Wirtz & Lovelock, (2016) defined a service to be a product which is intangible and that it involves performance, effort or deed that is incapable of being processed physically.

The study was anchored by three theories namely; the strategic fit theory, the stakeholder theory and the new public management theory. The strategic fit theory was justified because it brought forth a justified explanation of the idea that; no single best way could be applied and be used to manage institutions and/or organizations. It also brought forth a justified explanation of the fact that; there is no universal prescription of strategic management practices (Donaldson & Luo, 2009). The stakeholder theory was justified because its effective use had been seen to yield good public relations, it also explained the morals and values in managing parastatals, (Bondy, 2011).The new public management theory was justified because the approach was used in running public service organizations used in government and public service institutions and the fact that its effective use had been seen to yield good performance.

The motivation of the study was initiated by the need of establishing the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya. This was of essence despite the challenge of increased demand of ensuring that justice is served to all. For instance, the service delivery in the Judiciary of Kenya was to be considered to be of quality if the said service with respect to the administration of justice is delivered fairly, expeditiously and impartially. The Judiciary of Kenya is mandated by law to deliver justice fairly, impartially and expeditiously by being consistent with Acts of parliament and the constitution (Constitution of Kenya, 2010). It's imperative to note the fact that; the possibility of a transformed Judiciary with respect to service delivery will certainly be achievable if Kenyans experience qualitative differences in the services offered to them by the institution.

1.1.1 The Concept of Strategy

The concept of strategy has attained universal recognition and acknowledgement as an ideal tool of management for achieving strategic targets. Through this time various scholars have tried to define the concept of strategy and they have come with the following deductions, strategy is determining the organization's long-term objectives ,adopting ideal courses of action, allocating resources that are necessary in executing the objectives and lastly planning and coordinating growth in the organization (Ghosal & Westney, 1993). Strategy being the link between the organization and its external environment aids in providing basic long-term direction for organizations and/or institutions. Strategy enables organizations and/or institutions to set up clear directions so as to guide managers in focusing on the future whilst ensuring that the vital functions within the organizations are undertaken (Grant, 1998). (Drucker, 1994) stated that strategy was a process whereof managers were compelled to analyze the current situation and incorporate changes if need be.

The concept of strategy involved determining the organization's long term objectives and goals, adoption of appropriate courses of action in order to achieve the targets and lastly allocating relevant resource to the said organization (Chandler, 1962). It is therefore the ultimate goal of strategy as a concept to establish a robust and systematic way of reaching these decisions (Nicolas, 2016). Schendel & Hofer, (1979) on the other hand posited that the main use of strategy is providing direction cues for the organization thus facilitating the achievement of its set goals and objectives.

Strategy is therefore the link between the organization and its external environment. It is a vital element of which without it organizations' may lose their sense of direction in terms of achieving their desired goals and objectives. For instance, strategy aids in providing basic long-term direction for organizations, it enables them to set up clear directions so as to guide managers in focusing on the future whilst ensuring that the vital functions within the organizations are undertaken (Grant, 1998).

1.1.2 Strategic Management Practices

Strategy is the direction and scope that enables organizations and/or institutions into achieving advantage in an environment characterized with increased dynamism via configuring resources and competences in order to fulfill stakeholder expectations over the long term, (Johnson & Scholes, 2003). The importance of strategic management in an organization is attributable to the significant impact it has on how well an organization performs, (Chell, Haworth & Brearley, 1991). The success of a given organization and/or institution is determined by the Strategic management practices it applies within a given environment.

Strategic management practices comprised of four elementary components. These components are; environmental scanning, strategy formulation, strategy implementation and, strategy evaluation and control (Wheeler & Hunger, 2008). Strategic management practices align organizations and/or institutions to the environment in which they operate. These practices facilitate the achievement of the set organizations goals and objectives.

Strategic management practices were defined by Hanasini, (2016) as a combination of actions. These actions relate to strategic analysis, formulation, implementation and monitoring in order to achieve some desired goals. The Strategic management process entails following six steps. These steps include; the formulation of the organization's and/or institution's mission and vision, situation analysis, determination of the strategic objectives, strategic analysis and choice, implementation of the strategy and lastly strategic evaluation and control (Pearce & Robinson, 2007).

Strategic management practices can also be viewed as processes whereof managers achieve their strategic goals through establishing their organization's and /or institutions long - term directions, setting specific performance objectives; developing strategies into achieving these objectives with respect to all relevant circumstances either internal or external, and undertaking the execution of the action plans that have been put into consideration (Strickland, 1996). Alkhafasi, (2003) posited that strategic management played a major role in the development of awareness regarding the processes that are required by different organizations in order to achieve their set objectives via effective inter-working of all departments within that organization.

1.1.3 The Concept of Service Delivery

Service delivery is the act of providing service to customers (Cambridge University press, 2017). A service is a product produced by an institution as a core output. Wirtz & Lovelock, (2016) defined a service to be a product which is intangible and that it involves performance, effort or deed that is incapable of being processed physically.

Quality on the other hand is the degree in which a certain service satisfies customer needs and expectations. Success in organizations and/or institutions depends on their ability to provide services required by their customers in the quality, quantity and price which the customer wants in respect to the said product. In most cases, poor management has been deduced to be the main contributor of poor delivery of service in Kenya (Joyce, 2015).

Generally leadership management affects the organization culture which in most cases is the main ingredient of effecting quality service delivery by organization, (Ministry of Health Kenya, 2013). It is imperative for services to meet the established standard of care in terms of criteria and exhibit characteristics of being acceptable, accessible, available, affordable and accommodative (Wirtz & Lovelock, 2016). The service being affordable refers to the financial aspect of the service whereof the service is able to be purchased by the consumer.

The service being acceptable refers to the attitude of the consumer and provider with respect to the characteristics of the service. The service being available refers to the intended service being able to obey the demand and supply forces in order to meet the overwhelming needs of consumers. The service being accessible refers to the service being in the right location facilitating proximity to consumer with respect to time and distance. The service being accommodative refers to the service being well organized to accept consumers (Penchansky & Thomas, 1981).

1.1.4 The Judiciary of Kenya

The Judiciary's establishment is provided for under the constitution (Constitution of Kenya, 2010). The institution derives its powers from the Constitution and exercises judicial authority given to it by Kenyans. The institution is therefore mandated to deliver justice fairly, impartially and expeditiously consistent with the constitution of Kenya and Acts of parliament (Constitution of Kenya, 2010).

The constitution envisages the Judiciary as an institution of delivering Justice. The institution is headed by the Chief Justice and it's mandated to administer justice through its various court systems (Constitution of Kenya, 2010). It is critical to note the fact that the Judiciary of Kenya isn't devolved and as a result County Governments in Kenya lack a distinct Judiciary. There exists a four tier structure in the Judiciary whereof the Supreme Court stands out as the highest court in Kenya.

Following the promulgation of the 2010 constitution of the Republic of Kenya, the JTF 2012-2016 was launched by the former Chief Justice, Dr. Justice Willy Mutunga. The Judiciary like any other arm of the Government is going through profound changes and with the release of the vision 2030, the Judiciary is mandated to effectively and efficiently conform to the demands and expectations of the people of Kenya in an expeditious and impartial manner. The JTF has considerably proven to be of great importance in attaining excellence in quality service delivery and meeting the overwhelming public expectations, this has indeed spurred the judiciary's success with respect to service delivery thus enabling the institution to meet its goals and objectives.

The foundations of JTF 2012-2016 were incorporated to develop the Judiciary's Strategic Plan 2014-2018. The 2014-2018 Judiciary's Strategic Plan provides the institution with comprehensive roadmaps for the implementation, sustainability and also moving the transformation agenda forth. Additionally, the Judiciary's Strategic Plan 2014-2018 positions the judiciary in the overall development agenda as an integral player whilst responding to emerging trends.

1.2 Research Problem

Strategic management practices are a combination of actions relating to strategic analysis, formulation, implementation and monitoring in order to achieve some desired goals, (Hanasini, 2016). Service delivery on the other hand is the act of providing service to customers (Cambridge University press, 2017). Organizations and/or institutions in either the Private or Public sector use strategic management practices as a tool for developing and improving their performance (Nartisa et al., 2012). The ever growing demand of adopting strategic management practices in the Public Sector has resulted to the introduction of public management reforms. The Kenyan Government introduced Result Based Management (RBM) in 2004 as part of the public sector reforms in order to enhance efficiency and effectiveness in service delivery. Therefore, the introduction of these reforms required the arms of government, government ministries, parastatals and even departments into adopting strategic management practices as a means of achieving accelerated delivery of public services (MFDR, 2011).

The Judiciary's establishment is provided for under the constitution (Constitution of Kenya, 2010). The institution derives its powers from the Constitution whereof it exercises judicial authority given to it by Kenyans. The judiciary is mandated to deliver justice fairly, impartially and expeditiously in consistent with the constitution of Kenya and Acts of parliament (Constitution of Kenya, 2010). The ever growing demand of ensuring that Justice is served to all regardless of their status in the society, gender, income, background and special needs creates a compelling reason to research on the extent in which the Judiciary of Kenya delivers quality services to its customers.

The Judiciary like any other arm of the Government is going through profound changes. With the release of the vision 2030 it is critical to align the Judiciary's strategic thinking and direction towards upholding the rule of law as a key component of good governance. The strategic plan of 2014-2018 is very important as it is useful in providing a comprehensive roadmap for the implementation, sustainability and moving forward with the agenda of the Judiciary's transformation so as to provide the Judiciary with a strategic direction towards being the best Judiciary in Africa, setting the highest standards in the delivery of quality justice and leading in the development of jurisprudence. For instance, the strategic plan acts as a guide for the judiciary to be proactive and responsive to emerging trends which is enabled because the judiciary is positioned in the overall national development agenda as an integral player. This therefore means that strategic management practices are very important in enhancing service delivery in the Kenyan Judiciary.

Strategic management practices are vital given the significant role and mandate of the judiciary which is enshrined in the Constitution (Constitution of Kenya, 2010). The constitution envisages the judiciary as an institution of delivering Justice. However, due to the overwhelming number of suits which are filed in court, the Judiciary has been experiencing difficulties in ensuring that justice is delivered fairly, impartially and expeditiously in consistent with the 2010 constitution of Kenya and Acts of parliament. This is because the filed suits tend to take a long time to be heard and determined which in turn results to delayed justice.

Several studies have established that organizations and/or institutions which practice strategic management, whether in the private or public sector devised clear strategic directions. Some of the studies were conducted locally and they include and aren't limited to (Ogollah, 2007; Mutindi, 2017; Nzoka, 2017; Muthusi, 2014 and Guchu, 2014). On the other hand, some of the studies were conducted internationally and they include and aren't limited to (Greenley, 1994 ; Dauda et al , 2010 & Niwagaba , 2013). The studies and literature that were reviewed did reveal some research gaps that showed that the role of strategic management practices in the judiciary of Kenya as a public entity was understudied. It is also evident that there are no studies undertaken on the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya. It is therefore, for this reason, and the above mentioned study gaps that this study is seeking to answer the research problem; what is the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya?

1.3 Research Objective

The main research objective of this study was to establish the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya.

1.4 Value of the Study

To the legal practitioners in the judiciary, the findings of the study can hopefully be a resource in assessing performance of the institution and the relevance of strategic management practices in delivery of judicial services in Kenya. The research study would also raise the legal practitioners' awareness and sensitize them on the importance of effective embracement of strategic management practices with respect to quality service delivery. It will be in the best interest of justice if the said legal practitioners embrace the strategic management practices as this will facilitate and spearhead the achievement of their organization's desired goals and objectives.

Strategic management has been adopted as a tool for improving service delivery, the study adds value to all public and even private sector organizations and/or institutions in Kenya. Since the study targeted a public entity, the results of the study can be beneficial to litigants and other stakeholders in Kenya who benefit from services delivered by the judiciary in advocating for better services and improvement of the quality of the services rendered by the institution. The research findings should contribute in addition of knowledge in the field of strategic management and how it can be utilized or applied in either public or private sectors organizations and/or institutions in Kenya.

The study could also benefit the judiciary especially at Milimani law courts where the study was conducted to establish effective ways of embracing strategic management practices so as to enhance the administration of justice effectively and with great efficiency. Additionally, Government institutions like the Judicial Service Commission would find this study as of great importance, this is because the study may give them insights on how the effective embracement and enforcement of strategic management practices would enhance the quality of the services delivered by the judiciary of Kenya.

To policy makers in the judiciary, this study may help in improving the making of policies that would guide in enhancing the administration of Justice. This research is of paramount importance to policy makers in the judiciary since it serves as feedback on judicial issues to ensure that justice is served to all. The study would also guide policy makers in other organizations and/or institutions in identifying important areas within their and resort in making appropriate decisions to ensure that strategic management practices are critically emphasized and duly enforced.

Academicians and strategic management scholars may find the study helpful in identifying further areas of research. The study may also be their source of reference with respect to other related topics. The study will add to the existing body of knowledge and assist in providing more literature to support the fact that the incorporation of strategic management practices in institutions and/or organizations is beneficial as it enhances the quality of service delivery.

The study may highlight other important areas that require further research in strategic management not only at the Kenyan Judiciary, but also other arms of government, ministries and even the private sector. Scholars and researchers may utilize this research as a basis for engagement and discussions on strategic management practices in public entities. In terms of theory in strategic management, data and information from this study can also help in development of sustainable and effective model for adoption of strategic management in the judiciary. The study contributed in widening knowledge in strategic management theories and strategic management in the judiciary of Kenya.

CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

This study was anchored on the strategic fit theory, the new public management theory and the Stakeholders theory respectively. These theories have developed with time into literature with regards to strategic management practices and organizational and/or institutional performance. The research was also anchored on an empirical review of how strategic management practices enhance service delivery in organizations and/or institutions.

These proposed theories brought forth justified explanations on their relevance to the topic under study. Generally, strategic management practices has been a topic which has been researched widely by various scholars both locally and internationally. An empirical review of relevant literature and studies with respect to the topic under study was incorporated to shed light on the study topic.

2.2 Theoretical Foundation

A theoretical foundation is the application of set concepts that are drawn from one specific theory with the aim of offering justified explanations to certain events or shed light to certain research problems (Fox & Bayat, 2007) .The theories that advanced this research and enhanced understanding amongst institutions and/or organizations were: the strategic fit theory, the new public management theory and the stakeholder theory respectively. These theories brought forth explanations of the benefits of strategic management practices to institutions and/or organizations.

2.2.1 Strategic Fit Theory

The strategic fit theory can be referred to as the structural contingency theory, this theory brings forth a justified explanation of the idea that; no single best way can be applied and used to manage institutions and/or organizations, therefore, the institutions and/or organizations are mandated to establish managerial strategies owing to the situations and conditions they face (Donaldson & Luo, 2009). The strategic fit theory can also be referred to as the strategic decision theory or the best fit strategic management theory. These theories also bring forth a justified explanation that there is no universal prescription of strategic management practices. For instance, a strategic fit enables organizations and/or institutions to operate in their particular competitive situation at peak effectiveness.

Strategy involves a lot of strategic alignment meaning that organizational performance in most cases will depend on the consequence of fit between the organization's factors such as its strategy, its structure, the kind of technology it has adopted, the culture, and the environment. The proponents of this theory envisioned the fact that strategic management practices would be deemed to be more effective if the said practices were appropriately integrated to the institutions and/or organizations accompanied with an ideal understanding of the environment in which the said institutions and/or organizations operated. Wright & Snell, (2005) argued that; strategic management practices applications were dependent on the institution's and/or organization's; business strategy, culture and context.

The Strategic fit theory elaborates the significance of making sure that strategic management practices are in conjunction with the circumstances of the institution and/or organization, these circumstances include: the culture, external environment and operational processes. It's imperative to note the fact that; any strategy or management style is usually appropriate strictly under special and specific circumstances, therefore, the search for universally applicable strategies and management styles should be considered a futile effort and should be discarded forthwith. Little, (2006) observed the external environment to be always posing certain requirements. These requirements compelled the organizations and/or institutions to work on their distinctive competencies so as to enable their survival and prosperity. The application of the strategic fit concept was observed to have assisted organizations and/or institutions in the management of their resources with utmost efficiency as well as facilitating their effective response to the external environment (Barney & Delwyn, 2007).

2.2.2 Stakeholder Theory

The stakeholder theory is a theory of firm management and business ethics that explains morals and values in managing parastatals (Bondy, 2011). There are other groups of people who are important to the institution and/or organization and these peoples' requirements first and also increase their value besides the value of the institution's and/or organization's stakeholders' (Miles, 2012). Freeman, (2010) suggested that; stakeholders are those groups that support the institution and/or organization and without their support the said institution and/or organization would cease to be in existence.

The stakeholder theory states that the institutions and/or organizations need to place great consideration on the various concerns of individuals and parties who directly or indirectly interact with the institutions and/or organizations activities (Gibson, 2000). The stakeholder theory has been very effective since its application and use has been seen to yield good public relations. The theory rotates on stakeholders' issues in the institution and/or organization. Consequently, the proponents of this theory argue that; institutions and/or organizations need to pay close attention to all their stakeholders (Miles, 2012).

An institution and/or organization should indeed provide a balance between its diverse stakeholders' interests. This is critical because it ensures that the institution and/or organization stakeholders' interests unequivocally attain the reasonable levels of satisfaction. From this theory's perspective, it should be noted that it is the management's duty to support all of its key groups in the institution and/or organization by aligning their differing interests which are needed in creating the institution and/or organization to be a venue where stakeholders' interests can be collectively maximized incrementally (Freeman,2010).

2.2.3 New Public Management Theory

This theory provides for government policies which are meant to enhance the efficiency in the public sector. The theory is the process of breaking down the formal systems of control by instilling in government bureaucracies (Savoie, 2003).The theory is the best blend to divide bureaucracies in small competition between the departments in the public and private sectors on an economic basis that is appropriate (Khilji &Wang, 2006).

The new public management theory is a new bias for action and a public sector management theory which facilitates responsiveness and efficiency in the government by employing the techniques used in the private sector and creating market conditions for the delivery of services in the public sector (Savoie, 2003). The new public management theory generally points to the failures and even inadequacies of the public sector performance over time. The theory is a new paradigm of public administration and it clearly points out the problems experienced by the public sector activities and the traditional public administration (Kalimullar, Ashraf & Ashaduzzaman, 2012).

In new public management theory, the efficiency of the service organization processes of input to output is an important principle and the public service organization are assumed, regulated and steered to compete in a more/less horizontally quasi market. The new public management theory focuses on administrative units. It emphasizes on logical elements which include; the management of organizational resources and performance, their input-output relationship, the organizational business tools and management doctrines (Kalimullar, Ashraf & Ashaduzzaman, 2012).

2.3 Empirical Studies and Knowledge Gaps

The Strategic management process entails following six steps. These steps include; the formulation of the organization's mission and vision, situation analysis, determination of the strategic objectives, strategic analysis and choice, implementation of the strategy and lastly strategic evaluation and control (Pearce & Robinson, 2007). There are several studies that have been done locally and are related to strategic management practices.

A research on the strategic management practices of pharmaceutical importers and distributors in Kenya was carried out by Ogollah, (2007). His study was conducted using a cross-sectional survey design whereof the study unit sought to discover the strategic management practices of pharmaceutical importers and distributors in Kenya. In his findings he established that; that organizations that were developing plans were required to embrace strategic management practice since such practices played a very important role in the organizations by equipping business managers with timely management processes.

Similarly, a study on strategic management practices at the Kenya Revenue Authority was carried out by Lekasi, (2010). Her study was carried out via a case study whereof the study unit sought to discover strategic management practices at Kenya Revenue Authority. In her findings she established that despite the challenges experienced by Kenya Revenue Authority in executing its strategic management processes, the organization had a five year strategic plan that facilitated the performance of the organization via the incorporation of strategic management practices. Another study on the Strategic Planning Practices at the Barclays Bank of Kenya was conducted by Murega, (2011). Her study was carried out via a case study whereof the study unit sought to discover the Strategic Planning Practices at the Barclays Bank of Kenya. In her findings she demonstrated that the Barclays Bank of Kenya did have a strategic plan that facilitated the incorporation of strategic management practices which resulted to the success of the organization by ensuring the achievements of both the organization goals and objective.

Additionally, a study on the strategic management practices in parliament of Kenya was conducted by Guchu, (2014). His study was carried out via a case study whereof the study unit sought to discover the strategic management practices at the parliament of Kenya. In his findings he established that the strategic management process was a continuous process that was characterized by changes given the evolvement of the organizational goals and objective. He further posited that Strategic planning could help in improving organization performance through the embracement of strategic planning procedures so as to reduce risk.

Similarly, Onyango, (2014) carried out a research on strategic management practices adopted by the Kenya commercial bank limited. His study was carried out via a case study whereof the study unit sought to discover the strategic management practices adopted by the Kenya commercial bank limited. In his study he established the fact that; KCB's senior management did adopt strategic management practices which have enabled the bank to achieve great mile stones in the banking sector. (Mutindi, 2017) on the other hand conducted a study on the strategic management practices in the ministry of water and irrigation in Kenya. Her study unit sought to discover the strategic management practices at the ministry of water and irrigation. Her study findings clearly demonstrated that strategic planning processes were constantly reviewed with the aim of improving performance measures.

Another study on strategic management practices adoption and service delivery by the health department of Nairobi city county, Kenya was conducted by Nzoka, (2017). His study was carried out via a case study whereof his unit of study sought to determine the strategic management practices adopted by the health department of Nairobi City County and their influence on service delivery. His study established that there was adoption of strategic management practices in Nairobi City County which had an influence on the way service was delivered. The study also concluded that the health department of Nairobi City County had adopted strategic management practices that contributed to its effective performance.

On the other hand, several studies have been done locally and are related to the link between strategic management practices and the Judiciary of Kenya. Muthusi, (2014) conducted a research study on the Strategic planning practices in the Kenyan Judiciary. His study was carried out via a case study whereof the unit of study sought to determine the Strategic planning practices in the Kenyan Judiciary. In his study he demonstrated that the judiciary of Kenya had adopted the modern management method through the incorporation of strategic management practices by formulating the vision and mission statements which guided the institution in operating and also guiding management. He further concluded that the judiciary did use strategic management practices to get optimal results. Additionally, other studies were conducted internationally and they include Greenley, (1994) whereof his unit of study was to investigate whether or not there existed any link between strategic planning and performance. He thereafter concluded that firms with strategic management outperform firms without strategic management.

Additionally, Dauda et al (2010) conducted a research on the influence of strategic management on corporate performance in selected small scale enterprises in Lagos, Nigeria, his unit of study sought to establish the influence of strategic management on corporate performance in selected small scale enterprises in Lagos, Nigeria. He conducted a cross sectional survey whereof his research findings demonstrated that organizational profits and even market share were enhanced through the incorporation of strategic management practices.

Similarly, Niwagba (2013) conducted a research on the application of strategic management practices on organizational performance in Kampala Capital City Authority. His unit of study sought to establish the application of strategic management practices on organizational performance in Kampala Capital City Authority. He conducted a case study and in his findings, he was able to establish the fact that there was indeed a significant and positive relationship between the performance of the organization and strategic management practices and also the fact that strategic management practices did contribute towards organizational performance. The studies and literature that were reviewed by the researcher did reveal knowledge gaps. Apparently no emphasis has been demonstrated on the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya and this study intends to fill the identified gap.

CHAPTER THREE: RESEARCH METHODOLOGY

3.1 Introduction

The methodology which was employed by the researcher when conducting the study of the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya will be discussed in this chapter. The methodology included; the research design, data collection methods and data analysis.

3.2 Research Design

A research design is a plan and procedure used in research which spans decisions from broad assumptions to detailed methods of data collection and analysis (Creswell, 2014). A good research design exhibits a clear defined purpose with a consistency between the proposed research method and the research question as posited by Sekaran, (2010). Denscombe, (2007) defined a case study to be a powerful form which incorporated qualitative analysis involving complete and careful observations of a social unit.

This study's research design was a case study of the Milimani law courts. Gerring, (2004) posited that a case study design involved a detailed and intensive study of a single unit. For instance, the intended case study design permitted the utilization of a variety of methods that were used to validate the evidence accrued in respect to the study. Yin, (1984) on the other hand argued that a case study had the value to retain characteristics that were holistic in institutions managerial processes and even real life events.

The Judiciary of Kenya being a major player in the administration of Justice was considered an ideal institution for the better understanding of the role of strategic management practices on enhancing the quality of services delivered by the institution. A case study on the other hand was the most appropriate research design in meeting this research's objective. The study provided a detailed investigation and/or determination of a single unit, therefore emphasizing on depth rather than breadth analysis of the subject matter.

3.3 Data Collection

In order to establish the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya, the researcher mainly used primary data. An interview guide was the primary data collection tool that was basically designed to accurately capture the study's research objective. The data collection method involved conducting in-depth interviews with the Milimani law courts-Judiciary's personnel.

The appointments with the interviewees were booked via correspondence and emails that included a brief of what the interview was about. The RHC at Milimani law courts facilitated the booking of the interviews as was requested by the CRJ and the researcher managed to interview eight officers of the civil registry, three Judges and five Magistrates who were the selected interviewees. The interview guide facilitated the interviewees into giving more details about the research objective respectively. The selected respondents were ideal for the study because they were the judicial officers responsible for ensuring that justice was served effectively and efficiently in the judiciary at Milimani law courts.

3.4 Data Analysis

The data that was collected in the study was verified to ensure its consistency and completeness in preparation for content analysis. Analyzing of the interviewees views was by content analysis where the interviewees expressed their views regarding the role of strategic management practices on enhancing service delivery in the Kenyan Judiciary which clearly brought out common themes and data from the various responses made by the interviewees. Content analysis did provide the researcher with a qualitative picture of the respondent's attitudes, feelings, concerns and ideas.

With respect to this study, the recorded interview data was transcribed. The qualitative content was incorporated and the main findings of the study were captured and reputed on. The analysis entailed counting responses and the number of participants in each response category and the technique culminated the interpretation and description of the data patterns. This approach ensured that any unanticipated themes were given an opportunity to emerge from the data.

CHAPTER FOUR

DATA ANALYSIS, RESULTS AND DISCUSSION

4.1 Introduction

The main objective of this study was to establish the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya. To accomplish this an interview guide was used by the researcher to collect data. The analyzed data for the study was obtained through interviewing the judicial officers who included, eight officers of the civil registry, three Judges and five Magistrates. The respective interviews were conducted along the four elements of the strategic management process and their impact on service delivery. This chapter presents the findings of the study and their discussion in relation to the model guiding the study and the study objective respectively.

4.2 Environmental Scanning Practices and Service Delivery

This part of the study was intended to determine the strategic management practices that were adopted by Milimani law courts when undertaking environmental scanning, which is the first element in the strategic management process. The interviewees were asked about how often Milimani law courts undertook situation analysis in the administration of justice, leadership in undertaking situation analysis and the challenges encountered by Milimani law courts in adopting environmental scanning practices. Interviewees were also asked about their opinion on the role of environmental scanning practices on delivering justice in Kenya.

The study found that Milimani law courts undertakes SWOT analysis. It also established that the RHC is the one who takes lead in conducting the analysis. Relating to the challenges faced when undertaking SWOT analysis, all the interviewees noted resource limitation as the biggest challenge at Milimani law courts. One of the respondents said and I quote, ‘the judicial officers here are under staffed, there is a numerous number of suits which are filed in this court that need to be heard and determined and it’s unfortunate that we are experiencing difficulties in executing justice expeditiously which in some cases results to delayed justice’. The civil registry’s congested and demanding calendar with many overriding dates of hearings and mentions for civil suits and various applications were also cited as challenges. Milimani law courts however tries to overcome these challenges by mobilizing resources from the judiciary which in some cases takes time to address the issue. With reference to service delivery, the study found out that involving different judicial stakeholders, ownership was indeed cultivated. Additionally, the processes provided an opportunity for Milimani law courts to undertake lobby for resources that were required to build and/or enhance judicial systems for effective delivery of justice.

4.3 Strategy Formulation Practices and Service Delivery

This section of the study intended to determine strategic management practices adopted by Milimani law courts when undertaking strategy formulation. Strategy formulation is the second element in the strategic management process. Interviewees were asked of the relevance and revision of the judiciary’s vision, mission and core values, involvement of stakeholders in the formulation of the judiciary’s strategic objectives and plans.

Sources of resources for planning and the leadership in developing the strategic planning process at Milimani law courts was also inquired from the interviewees. The interviewees were asked about the challenges which they faced at Milimani law courts during the process of adopting strategic management practices in the strategy formulation phase of the strategic management process. The respondents were also asked of their opinion on the role of strategy formulation practices on enhancing the delivery justice in Kenya. They were further asked to describe the Judiciary's vision, mission and core values, in relation to the core mandate of Milimani law courts which was the administration of justice. The judiciary was found to have vision and mission statements which all the respondents were well conversant with. The vision statement was; 'to be an independent institution of excellence in the delivery of justice to all'. The mission statement was; 'To administer justice in a fair, timely, accountable and accessible manner, uphold the rule of law, advance indigenous jurisprudence and protect the constitution'. The core values that guided the judiciary were; professionalism, integrity, diligence, team work, courage and humility.

Most of the interviewees stated that they ensure visibility of the two statements and core values in notice boards. This was being done at Milimani law courts as a way of communicating the judiciary's aspirations and strategic direction. The study revealed that the judiciary's mission and vision are not frequently reviewed. The study further revealed that in the formulation of the judiciary's strategic objectives and plans, the institution relied on data and information from environmental scanning processes.

Resources for undertaking formulation of objectives and development of plans came from the GoK as stated by some of the interviewees. The GoK did play a major role in this process, through provision of funds, materials and technical skills and knowledge necessary for the process in conjunction with the judiciary. The study revealed that Milimani law courts faces many challenges when developing strategies and plans. These challenges included, lack of commitment by judicial officers, missing or inadequate data, lack of competent staff to be involved in the process, poorly defined indicators of performance and the low participation of lower level judicial officers.

In relation to influence of adoption of strategy formulation practices on service delivery, the study found that by involving different judicial officers, ownership was cultivated. Some of the interviewees said and I quote, ‘our inputs on strategy formulation are always put into consideration and this cultivates a sense of ownership and belonging which motivates us into serving the people of Kenya’. The study also revealed that the process of strategy formulation provided an opportunity for Milimani law courts to undertake lobby for resources that were required to build and/or enhance judicial systems for effective delivery of justice. Additionally, the process further enhanced service delivery because the judicial officers were afforded a forum which enabled them to voice matters that related to their work for consideration.

4.4 Strategy Implementation Practices and Service Delivery

This section of the study was intended to determine the strategic management practices adopted by Milimani law courts when undertaking strategy implementation, which is the third element in the strategic management process. The study also sought opinion of interviewees on capacity, and process of strategy implementation including the challenges encountered in the process. The interviewees were also asked about the role of strategy implementation practices on delivering justice in Kenya. In the implementation of the judiciary's strategy plans and annual work plans, the study revealed that all the judicial officers at Milimani law courts were involved in different ways.

The institution had an organized structure and an organization culture which facilitated implementation of its strategic objectives. This included the office of RHC and the office of the RLC who were charged with the responsibility of providing executive leadership, management and linkage of Milimani law courts and the judiciary at large. The core values that guide the judiciary in the administration of justice aided the creation of an organization culture that enhanced service delivery. Some of the interviewees said that, and I quote, 'decision making here is always tied to the judiciary's strategic plan of 2014-2018'. With reference to the organization structure, all the interviewees noted that the structure was appropriate for implementation of the strategy. Additionally, with reference to the organization culture, all the interviewees further noted that the culture was indeed appropriate for the implementation of the strategy.

The study however revealed some weaknesses in the implementation of the strategic plan of 2014-2018. Resources allocation by the GoK to the Judiciary and financial capacity to aid Milimani law courts to implement the strategies of the judiciary was found to be insufficient. Another challenge experienced by Milimani law courts in adoption of strategy implementation practices included shortage of judicial officers. It was noted that Milimani law courts addresses these challenges through capacity building of its available judicial officers and resource mobilization.

The study sought to determine whether adoption of strategy implementation practices had led to enhanced service delivery by the department. It was found that by translation of strategy to annual work-plans, the process contributed to improved service delivery since those plans acted as a guide to the administration of justice at Milimani law courts. For instance, these plans pointed out preference actions to be undertaken, thus creating a sense of direction. On the other hand, the study found out that Milimani law courts faces several challenges at the implementation stage and as a result, this impacted negatively the quality of services rendered by it.

4.5 Strategy Evaluation, Control Practices and Service Delivery

This section was intended to determine the strategic management practices adopted by Milimani law courts when undertaking strategy evaluation and control. This is the fourth element in the strategic management process. The focus was on process of strategy monitoring and evaluation and the participants in the process. Challenges in the adoption of strategic management practices in this element were also explored.

The interviewees were further asked about the role of strategy evaluation and control practices on delivering justice in Kenya. Milimani law courts undertakes monitoring and evaluation during its strategy implementation. The study revealed that the RHC is responsible for the achievement of the strategy aims and objectives. The interviewees were asked on how Milimani law courts undertook performance evaluation of different aspects in application of strategic management process. The study revealed that the Judiciary's mission is often assessed.

In evaluation of strategies employed, Milimani law courts undertakes assessments against set performance indicators and review of achievements and the data from the review informs the review guide of Milimani law courts. In review of performance of human resources, Milimani law courts HR department conducts annual performance appraisals of its judicial officers. These assessments are undertaken to establish the level of competency in service delivery of the judicial officers. The HR department also assesses workload assessment, the needs of the judicial officers in pursuit of Milimani law courts set goals and objectives. Performance evaluation and control of financial resources is undertaken regularly. Financial resources monitoring is undertaken under the leadership of the institution's accounts offices, these offices conduct the monitoring of budget line items and track expenditure for accountability purposes.

The study revealed a major challenge that Milimani law courts faced in undertaking strategy evaluation and control practices which was technical capacity of some of the judicial officers which affected the quality of the legal reports. The study found out that strategy evaluation and control practices had enhanced the delivery of services at Milimani law courts. Consequently, the failure of consistently collecting enough data and information on implementation of strategy implementation, Milimani law courts was found to be unable to measure progress in attaining the judiciary's mission, vision and objectives.

4.6 Discussion of Findings

The success of a given organization and/or institution is determined by the Strategic management practices it applies within a given environment. Strategic management practices comprise of four elementary components. These components are; environmental analysis, strategy formulation, strategy implementation and strategy evaluation and control (Wheeler & Hunger, 2008).

The study included Information gathered along the four elements of the strategic management process and their impact on service delivery. These elements of the strategic management process were, environmental scanning practices, strategy formulation practices, strategy implementation practices and lastly strategy evaluation and control practices. These strategic elements were seen to have enabled Milimani law courts to plan for and administer justice.

Strategic management practices were found to align the judiciary to the environment in which it operated. These practices facilitated the achievement of the judiciary's set goals and objectives which is in agreement with the strategic fit theory which elaborates the significance of making sure that strategic management practices are aligned with the circumstances that either an institution and/or organization faces. Consequently, before an institution can formulate and implement a strategy, it must understand its environment and ensure that there is indeed a fit between the institution and the respective environment. This understanding can be achieved by scanning the internal environment for weaknesses and strengths, and outside the organization for identification of opportunities and threats (Wheelen & Hunger, 2012).

Interviewees were also asked, based on their experience and opinion on whether adoption of strategic management practices enhanced delivery of services in the Judiciary. The vision and mission of the judiciary was found to have significant influence on the administration of justice. On the other hand, the core values were reported to also enhance service delivery at Milimani law courts by their inspiration to the workforce.

The study findings did show significant influence of the mission and vision of the judiciary on the operational aspects of Milimani law courts in terms of service delivery. All the interviewees concurred that Milimani law courts did make decisions based on the judiciary's strategic plan 2014-2018. The interviewees pointed out that judicial officers were well compensated and this was found to enhance their motivation in ensuring that justice is served and this impacted positively the quality of services that were delivered.

However, being a public institution , Milimani law courts was seen to face the challenge of high expectations and forces from litigants who expect justice to be served upon them. The study also found out that Milimani law courts lacked enough judicial officers to undertake the processes involved in implementation of the judiciary's strategy. The findings further revealed that Milimani law courts faces the challenge in undertaking control function, contributed by technical capacity of some of the judicial officers that affected the quality of the legal reports.

The findings of the study also present evidence on the extent of adoption and the role of strategic management practices in a public entity, therefore, if the particulars of the new public management theory which is a new bias for action and a public sector management theory are fully embraced and put into consideration, this can aid in facilitating the responsiveness and efficiency in the judiciary by employing the techniques used in the private sector and this can result in the creation of certain conditions that could enhance the delivery of services in the judiciary of Kenya. The new public management theory also points to the failures and even inadequacies of the public sector performance over time and this can be of great use if incorporated by the judiciary of Kenya whereof the institution would be able to address its respective weaknesses and also threats.

The role of strategic management practices has indeed enhanced Milimani law courts service delivery. This concurs with the empirical studies that were reviewed by the researcher. The empirical studies reviewed were done locally and internationally with respect to the adoption of strategic management practices as the subject matter.

The respective studies established that organizations and/or institutions that embraced strategic management practices whether in the private or public sector devised clear strategic directions that enhanced their performance with respect to service delivery. Some of the studies were done locally by (Ogollah, 2007; Mutindi, 2017; Nzoka 2017; Muthusi, 2014 and Guchu 2014). On the other hand, some of the studies were conducted internationally by (Greenley 1994; Dauda et al, 2010 & Niwagaba 2013) that arrived to a similar conclusion as those studies conducted locally.

4.7 Chapter Summary

In this chapter, the study findings are presented and discussed. The findings of the study revealed that the judiciary of Kenya had adopted strategic management practices in pursuit of its mandate to provide independent, accessible, fair and even a responsive fora for dispute resolution and the development of jurisprudence. Strategic management practices were utilized in all the four phases of strategic management process.

Milimani law courts undertakes environmental scanning via the analysis of its operating environment, it undertakes strategy formulation, implementation of the strategy and its evaluation and control. In the utilization of these practices, Milimani law courts did face challenges, with the major challenge being cited as inadequate resources. However, the study established that the adoption of strategic management practices did have a positive impact on service delivery by significantly influencing positively the administration of justice.

Strategic management practices as a tool for improving performance in public organizations has grown in importance in the recent years. It has become a major subject of interest with numerous studies being conducted to explore the concept of strategic management and practice in Public organizations and/or institutions with the aim of answering the grand question in strategic management, which is how to create and sustain competitive advantage and improve service delivery. It should be noted that it is the judiciary's duty to support all of its key groups in the institution by aligning their differing interests which are needed in creating the institution to be a venue where stakeholders' interests can be collectively maximized incrementally as was posited by Freeman in his stakeholders theory (Freeman, 2010).

CHAPTER FIVE

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introduction

This chapter presents the summary of the study based on the findings, the conclusions and recommendations. The chapter also provides implications of the findings for theory, for policy and for legal practice. The chapter finally discusses the limitations of the study and provides areas whereof research can be undertaken for future studies.

5.2 Summary of Findings

The study was undertaken with respect to the objective of the study which was to establish the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya. The study established that Milimani law courts had adopted different strategic management practices and was committed in delivery of its mandate which is to provide independent, accessible, fair and even a responsive fora for dispute resolution and the development of jurisprudence. The study also ascertained that Milimani law courts did undertake situation and problem analysis as part of environmental scanning practices to improve on service delivery with respect to administration of justice.

With reference to strategy formulation, the study established that the judiciary had established a strategic direction, with a clear vision, mission and core values. In the implementation of the strategy it was established in the study that Milimani law courts had a well established organization structure and organization culture which enhanced service delivery. The study further established that despite the fact that the judiciary develops good plans, there were challenges in their implementation at Milimani law courts.

Resources allocation by the judiciary and shortage of judicial officers were cited as the main challenges. Strategy evaluation is undertaken, based on the findings of the study, through monitoring of the performance, with comparison to set targets, with technical capacity of some of the judicial officers being cited as the major challenge since it affected the quality of the legal reports. In relation to the role of strategic management practices on enhancing service delivery, strategy implementation practices were found to have great effect on service delivery. Additionally, the adoption of other strategic management practices had contributed positively, through motivation of judicial officers and their empowerment.

5.3 Conclusion

With respect to the findings of the study, the study hereby concludes that the Judiciary of Kenya has adopted different strategic management practices. These practices have enhanced the services it delivers. The practices also had influence on its pursuit of mandate as enshrined in the constitution of Kenya.

For instance, the strategic management practices have enabled the judiciary to provide independent, accessible, fair and even a responsive fora for dispute resolution and the development of jurisprudence. These strategic management practices are in the four elements of strategic management process, which are situation analysis, formulation of strategy, strategy implementation, strategy evaluation and control. Generally, the adoption of strategic management practices has contributed to and also affected the service provision of this public sector institution. The study however found out several challenges and gaps that impacted the process and quality of service delivery in the judiciary of Kenya and this limitation has consequently contributed to reduced morale of the judicial officers which has negatively impacted service delivery.

5.4 Recommendations of the Study

The following recommendations are hereby made for the judiciary based on the findings at Milimani law courts. The judiciary senior management and leadership needs to rethink ways of providing the resources necessary to enable and/or facilitate proper implementation of Milimani law courts plans, projects and activities. This can be undertaken through development of resource mobilization strategy, to guide Milimani law courts in acquiring resources necessary from the judiciary for the effective administration of justice. The study recommends capacity building through training for RHC and RLC at Milimani law courts since it will improve their performance in ensuring that justice is served.

On the other hand in the improvement of strategy evaluation Milimani law courts was found to rely on its information system that collected quantitative data only. Therefore, there is need for it to establish a mechanism whereof it can collect data on qualitative indicators as this would aid in measuring strategy implementation and evaluation in areas like relevance, efficiency, effectiveness and sustainability. These can then be related with their impact on service delivery respectively.

5.5 Limitations of the Study

The study was undertaken with respect to the research's objective which was establishing the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya. Generally, the said objective of the study was met, albeit with some limitations. A limitation, with respect to the purpose of this study was termed as any factor which was present at the period of the study that resulted to the study getting data that was inadequate or influencing the quality of the data which was gathered. When undertaking the task of collecting data, some of the interviewees selected for the study were on leave and others were away on official duties and this affected the study in that they were targeted in the study for in-depth interviews for provision of data and information. This however, did not compromise the quality of findings, since the judicial officers who include judges and magistrates who play major role in the administration of justice were interviewed.

The researcher for this study was self-sponsored, contributing to limitation in funding of study activities like transport. This however, did not compromise the study in terms of its quality, as the researcher observed basic research process guidelines and a decent code of conduct. Information gathering from government offices is not usually easy, due to secrecy observed by the officers. Despite the authorization gotten by the researcher, some respondents were not comfortable answering some questions, as they thought they would be exposing the weaknesses in the judiciary and even risk being summarily dismissed from work. However, the researcher mitigated this by assuring the interviewees on confidentiality of the content relating to the research objective.

5.6 Suggestions for Further Research

With respect to the findings of the conducted study, future researchers should consider the following issues and areas for further study. For instance, this study focused on the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya. The context of the study being Milimani law courts in a system of government that is not devolved. Future research could be undertaken in other law courts within Kenya for comparison of the findings with the aim of establishing the role of strategic management practices on enhancing service delivery in the judiciary.

The study can also be replicated in a different context. It can be undertaken in another arm of government, this can either be in the executive or parliament of Kenya. The focus of the study was also on qualitative aspects in terms of enhancement of service delivery, additionally, a similar study can also be undertaken, with quantitative measurements.

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APPENDICES

Appendix I: Letter of Introduction



UNIVERSITY OF NAIROBI SCHOOL OF BUSINESS

Telephone: 020-2059162
Telegrams: "Varsity", Nairobi
Telex: 22095 Varsity

P.O. Box 30197
Nairobi, Kenya

DATE...15/11/2018

TO WHOM IT MAY CONCERN


The bearer of this letterNYAMAI ELIZABETH MWONGELI
Registration No.....D61/27132/2016.....

is a bona fide continuing student in the Master of Business Administration (MBA) degree program in this University.

He/she is required to submit as part of his/her coursework assessment a research project report on a management problem. We would like the students to do their projects on real problems affecting firms in Kenya. We would, therefore, appreciate your assistance to enable him/her collect data in your organization.

The results of the report will be used solely for academic purposes and a copy of the same will be availed to the interviewed organizations on request.

Thank you.


PROF. JAMES M. NJIHIA
DEAN, SCHOOL OF BUSINESS

15 NOV 2018

Appendix II: Request to collect data

Nyamai Elizabeth Mwangeli,
MBA Registration No. D61/87132/2016,
School of Business, University of Nairobi.
elyzbets@yahoo.com
Cell: 0716129123

15th November, 2018.

Chief registrar of the judiciary
Supreme Court building
P.O. Box 30041- 00100
Nairobi, Kenya.

Dear Madam,

RE: REQUEST TO COLLECT DATA AT MILIMANI LAW COURTS.

I am a student at the University of Nairobi pursuing a Master of Business Administration degree program. I would like to conduct a research project on the role of strategic management practices on enhancing service delivery in the Judiciary of Kenya.

I humbly request for permission to interview some judges, magistrates and officers of the civil registry at Milimani law courts in order to facilitate the completion of my research project.

Attached please find my introductory letter from the University for your perusal and a copy of an interview guide that I will use for collecting data.

I will highly appreciate your assistance of granting my request and am looking forward to hearing from you.

Yours Faithfully,

Nyamai Elizabeth Mwangeli

Appendix III: Data collection Authorization

Telephone Nairobi 2221221
Email: chiefregistrar@judiciary.go.ke



REPUBLIC OF KENYA

CHIEF REGISTRAR'S CHAMBERS, JUDICIARY
SUPREME COURT BUILDING
P.O. Box 30041 - 00100
NAIROBI.

When replying please quote
CRJ/7.4E

26th November 2018

THE JUDICIARY

Ms. Nyamai Elizabeth Mwongeli
Registration No. DB/87132/2016
School of Business, University of Nairobi
Cell: 0716129123

Dear Ms. Mwongeli

RE: REQUEST TO COLLECT DATA AT MILIMANI LAW COURTS

The above matter refers.

Thank you for your letter dated 15th November 2018, requesting us to allow you interview some Judges, Magistrates and clerical officers at Milimani Law Courts to facilitate completion of your research project.

Your request is hereby approved. By a copy of this letter the Registrar High Court is requested to facilitate.

Yours faithfully

Anne A. Amadi, CBS
CHIEF REGISTRAR OF THE JUDICIARY.

Registrar
High Court of Kenya
P O Box 30041-00100
NAIROBI

aaa/jn

Appendix IV: Interview Guide

Kindly take note that the information you provide in the interview questions will be treated confidentially and will not be used for any purpose other than academic. The questions have been set in relation to the study.

Part A: interviewee's details

Name.....
Gender.....
Position held in the judiciary
Duration of the position held.....
Highest level of education attained.....
How long have you been working for the Judiciary.....
Name of the stationed Law Court.....

Part B: Strategic Management Practices and service delivery

Environmental scanning practices and service delivery

- i. How often does Milimani Law Courts undertake situation analysis (SWOT) in the administration of Justice in the Judiciary of Kenya?
- ii. The process of undertaking situation analysis is lead by who?
- iii. Are there any challenges that you face while undertaking situation analysis? If yes, how do you overcome them?
- iv. What are the positive or negative impacts of adopting environmental scanning practices?
- v. Do you have any comment related to environmental scanning?

Strategy Formulation practices and service delivery

- i. Is the Judiciary's mission and vision reviewed?
- ii. Is the vision statement relevant with regards to the Milimani Law Courts activities and mandate?
- iii. Who is/are involved in the formulation of the Judiciary's mission and vision?
- iv. Who is involved in the formulation of Milimani Law Courts strategic objectives and plans and how?
- v. What is the level of participation of the judiciary and its personnel in the formulation of Milimani Law Courts Strategies?
- vi. Where do the resources of planning come from?
- vii. Who leads in the development of strategic plans at Milimani Law Courts?
- viii. What are the positive or negative impacts of the adoption of strategy formulation practices?
- ix. What are the challenges you face in Milimani Law Courts with regards to the formulation of strategies, and how do you overcome them?
- x. Do you have any comment related to Strategy formulation?

Strategy Implementation Practices and service delivery

- i. Who is/are involved in implementing Milimani Law Courts plans, and what is/are their roles?
- ii. How do you implement the developed strategies and plans?
- iii. What are the positive or negative impacts of the adoption of strategy implementation practices?
- iv. What are the challenges you face in Milimani Law Courts with regards to the implementation of strategies and how do you overcome them?
- v. Do you have any comment related to Strategy implementation?

Evaluation and control practices and service delivery

- i. Who is/are involved in Monitoring and Evaluation at Milimani Law Courts and what is/are their roles?
- ii. How do you undertake performance evaluation of the following in Milimani Law Courts:
 - a. Mission
 - b. Objectives
 - c. Strategies
 - d. Policies
 - e. Human resources
 - f. Financial resources
- iii. What are the positive or negative impacts of the adoption of strategy evaluation and control practices in Milimani Law Courts?
- iv. What are the challenges you face in Milimani Law Courts with regards to the evaluation and monitoring of strategies and how do you overcome them?
- v. Do you have any comment related to Strategy evaluation and Control?

Thank you for participating.