

**MANAGEMENT OF STRATEGIC CHANGE AT THE HIGH COURT  
OF KENYA**

**BY  
CAROL NYAKIO MWANZA**

**A RESEARCH PROJECT SUBMITTED IN PARTIAL  
FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF  
MASTER OF BUSINESS ADMINISTRATION,  
SCHOOL OF BUSINESS,  
UNIVERSITY OF NAIROBI.**

**NOVEMBER, 2012**

## DECLARATION

This research project is my original work and has not been submitted for examination to any other University.

Signed ..... Date .....

**CAROL NYAKIO MWANYA**

**D61/61498/2010**

This research project is submitted for examination with my approval as the University Supervisor.

Signed ..... Date .....

**PROF. MARTIN OGUTU**

**LECTURER**

**DEPARTMENT OF BUSINESS ADMINISTRATION**

**SCHOOL OF BUSINESS**

**UNIVERSITY OF NAIROBI**

## **ACKNOWLEDGEMENT**

I wish to sincerely give my appreciation and outmost gratitude to my supervisor Prof.Martin Ogutu and Dr. John Yabs for their continuous, unwavering support and tireless dedication in ensuring that I'm well equipped with the knowledge and skills to confidently carry out the research project. I also acknowledge my course mates with whom we endlessly encouraged each other and shared the knowledge to make the research project a success story.

## **DEDICATION**

This research project is dedicated to my caring and loving mum for her emotional, financial and moral support. To my loving dad who instilled in me the virtue of hard work from a tender age.

## **ABSTRACT**

The world today is going through massive change and this is indicated by organizations redesigning, restructuring, merging and doing layoffs. As a result of these changes, strategic change management has become increasingly of interest to the management, need for organizations to have a competitive edge and reposition themselves. To satisfy these objective data was collected from the senior management employees of the judiciary of Kenya who were targeted as the principal respondents. A self administered questionnaire was used as major tool of data collection. Descriptive research design was preferred for the presentation of findings. In this case data was evaluated and presented in form of textual/content analysis. From the findings the researcher learnt some of the management of strategic change practices adopted includes change of leadership, change of structure, training of employees and change of programs. Some of the challenges of managing strategic change included resistance from the employees, resource constraints and skill gaps.

## TABLE OF CONTENTS

DECLARATION .....	ii
ACKNOWLEDGEMENT .....	iii
DEDICATION .....	iv
ABSTRACT.....	v
<b>CHAPTER ONE: 1INTRODUCTION.....</b>	<b>1</b>
1.1 Background of the Study .....	1
1.1.1 Strategic change management.....	1
1.1.2 Change management practices .....	4
1.1.3 The high Court of Kenya.....	4
1.2 Research Problem .....	6
1.3 Research Objectives.....	7
1.4 Value of the Study .....	8
<b>CHAPTER TWO: LITERATURE REVIEW.....</b>	<b>9</b>
2.1 Introduction.....	9
2.2 Strategic Change Management .....	9
2.3 Models of Change Management .....	11
2.4 Strategic Change Management Practices.....	14
2. 5 Challenges of Strategic Change Management .....	15

<b>CHAPTER THREE: RESEARCH METHODOLOGY .....</b>	<b>20</b>
3.1 Introduction.....	20
3.2 Research Design.....	20
3.3 Data Collection .....	21
3.4 Data Analysis .....	21
<b>CHAPTER FOUR: DATA ANALYSIS, RESULTS AND DISCUSSIONS .....</b>	<b>23</b>
4.1 Introduction.....	23
4.2 General Information.....	23
4.2.1 Interviewees’ designation and department.....	23
4.2.1 Interviewees’ Total Work Experience.....	24
4.3 Strategic Change Management Practices.....	24
4.3.1 Changes which have taken place at the high court of Kenya.....	24
4.3.2 Causes of high court changes.....	26
4.3.3 Anticipation and the preparedness for the high court changes.....	27
4.3.4 How changes have affected operation in the high court .....	27
4.3.5 The process of change management implementation .....	28
4.3.6 Strategic change management practices adopted.....	29
4.4 Challenges faced in the Management of Strategic Change .....	31
4.5 Discussion of the Findings.....	32

<b>CHAPTER FIVE: SUMMARY, CONCLUSIONS AND RECOMMENDATIONS</b>	<b>34</b>
5.1 Introduction.....	34
5.2 Summary of Findings.....	34
5.3 Conclusion .....	36
5.4 Recommendations for Policy and Practice .....	37
5.5 Limitations of the Study.....	38
5.6 Suggestions for Further Research .....	39
<b>REFERENCES.....</b>	<b>40</b>
<b>APPENDICES .....</b>	<b>46</b>
Appendix I: Introduction letter .....	46
Appendix II: Interview Guide.....	47



# **CHAPTER ONE**

## **INTRODUCTION**

### **1.1 Background of the Study**

Change is inevitable. The world today is going through some sort of change and this is clearly indicated by how organizations are merging, others do layoffs, redesigning, turnaround and restructuring. This explains why recently strategic change has become of increasing interest to the management. Many of these change programmes arise from management fads such as changes in culture, business process engineering, empowerment and total quality. Other change initiatives are driven by the need for organizations to reposition themselves in the face of changing competitive conditions.

According to Willis and Hurst (2008) He who rejects change is the architect of decay and that the only human institution which rejects progress is the cemetery. Since time in memorial, environment has been changing and organizations (the most human of human institutions) must change with the times or fail. Dealing with change has therefore become the primary role of the strategist in organizations, something widely accepted in both the theory and practice of strategic management that assist the strategist in making difficult change decisions.

#### **1.1.1 Strategic change management**

Van and Poole (1995) define strategic change as an empirical observation in an organizational entity of variations in shape, quality or state over time after the

deliberate introduction of new ways of thinking ,acting and operating. Ragsdell (2000), observed that the intention of any organizational change is to move the organization from its current state to a more desirable and improved state. Change is continuous, evolving and incremental and at times discontinuous and intermittent (Weick and Quinn, 1999).

Strategic change aligns the firm with its external environment. Although basic assumption exists that some managers are better able to change strategy than others and that firms that are able to match their information needs to environmental change perform better. Environments are characterized according to their attributes, which include stability, munificence, and complexity (Dess and Beard, 1984) and industry characteristics (Sutcliffe, 1994). The greater the environmental turbulence, the greater the difficulty in decision making, and the greater the information-processing requirements (Haleblian and Finkelstein, 1993).

Strategic change management is lacking clear concepts, theories and practice and thus its yet to develop to a distinct discipline. Most of its theories and practice borrow heavily from social science schools of thought which form the foundation for change management which include:-group dynamics, individual behavior and open systems (Maalu, 2007). Davis and Holland (2002), define strategic change management as the use of systematic methods to ensure that an organization change can be guided in the planned direction ,conducted in a cost effective manner and completed within the targeted time frame and with desired

results. Change management is problem finding and problem solving activity in which the problem is the future state to be realized, some current state to be left behind and some organized process for getting from one state to the other (Burnes, 2004). For survival and success of any organization strategic change management is inevitable (Senior, 2002 and Graetz, 2000).

There have been various approaches developed by researchers which can be used individually or in combination to manage change. The approach is dependent on the type of change as they are of two types namely planned and emergent change. In Kotter's eight steps model of managing planned change, successful change goes through all eight stages which involves creating a sense of urgency, forming a guiding unity, create and communicate the vision, empower others to act on this vision, plan to succeed, consolidate improvements and institutionalize new approaches (Kotter, 1996). To understand the process of emergent change in the processual model perspective there is need to consider the past, present and the future context in which the organization functions, including external and internal factors. The substance of change and its significance include the transition process, activities, decisions, tasks, political activity within and external to the organization (Dawson, 1984).

Strategic change management practices refers to actions adopted by organizations when faced with functional distress to counteract the critical situations. Some organizations would opt to keep their previous structure and strategy (Hannan & Freeman, 1984).

### **1.1.2 Change management practices**

Many believe the notion managing change with noticeable positive effect is a myth in organizations. Part of change management problems relate to how we view the whole process of change. Change management practices refer to activities or tasks which aid in successful change management (Peter de Jager, 2005). Some common change management practices that an organization would consider include planning which involves creating and documenting goals to be realized and achieved by the change, establishing appropriate organizational structures, roles and responsibilities which support the change effort. Committed leadership is another practice which ensures organizational behaviour is guided towards this change. Lastly and not least there is need to inform stakeholders so as to ensure participation and also aligning workforce to this change by identifying skills and competencies.

### **1.1.3 The high Court of Kenya**

The high court constitute the largest component of the judiciary of Kenya, hence the high court and the judiciary are inseparable. The history of Kenyan judiciary has its origin to the East African Order in Council of 1897 and the Crown Regulations which marked the birth of a legal system in Kenya which was based on a tripartite division of subordinate courts. Later dual system of superior courts was also established, one court for Europeans and the other for Africans. Since independence the Judiciary has gone through a series of the changes, most notable was when Kenya attained the status of a republic in 1964 and the supreme court was renamed the high court. This remained the case until the adoption of the new

constitution in 2010. The high court comprises of the chief justice and not more than fifty puisne judges. It has unlimited original jurisdiction in civil and criminal matters and it is the highest court of original jurisdiction in Kenya.

Since the adoption of a new constitution, The Judiciary has been on the forefront of the reform campaign to restore the weaning public confidence. It has literary witnessed an overhaul of systems, people and structures. Case in points is the first ever competitive recruitment of the top judicial officers, the introduction of the Supreme Court as the highest court of Land, the vetting of judicial officers to establish their suitability in office among other changes, the automation of services and records just but to mention. The introduction of these changes especially the recruitment of top judicial officers from outside the bench, has caused jitters and resentment among the Judiciary members who view change as major threat challenging the status quo. This resentment although silent, has been very conspicuous and evident. For instance, the successful court application to stop the vetting of judges, the discontent by the senior members of the bench over the appointment of the chief justice and deputy chief justice from the civil society, the filing of the court petition to stop the president of the supreme court from establishing the position of the chief of staff in the judiciary, the suspension of the deputy chief justice and the power struggle between the executive and the judiciary over its “new found” independence. It’s therefore very evident that there is a strong desire by the seasoned veterans to retain the status quo rather than embrace the much needed change in the judicial system.

## **1.2 Research Problem**

The success and future of any institution largely depends on proper management of strategic change. Bullock and Batten (1985) change management involved creating awareness of need for change followed by proper planning and finally going into action and integration of change. Senge (1990) organizations are perpetually seeking change and hence uses learning, experimentation and communication to renew itself constantly.

For the last decade judiciary has been undergoing reforms. In 2003 after three years of pushing for judicial reforms, the international commission of jurists (ICJ) saw unprecedented shifts taking place within the judiciary. A new chief justice was appointed with the mandate of reforming this key institution. In March, an integrity and anti corruption committee was appointed, in September the committee released its report which revealed malfeasance at all levels of the judiciary with a total of 105 judicial officers accused of corruption. As steps to establish tribunals to investigate allegations, accused judges resigned while the remaining judges were suspended. Their suspension and resignation has paved the way for constructive dialogue between the judiciary and the key stakeholders. These drastic changes indicate that Kenya has now started putting together the building blocks of a judiciary that is independent and efficient and one which observes the rule of law.

Previous studies shows that very little research was done on management of change in the high court as there hardly was there any change. Studies on

management of strategic change have been done locally in different sectors, for instance Marete (2010) who focused on Glaxosmithkline Ltd, Mwangi (2010) looked at change management practices in International nongovernmental organizations (NGOs) of Kenya, Kihara (2010) researched on Kenya roads authorities, Nyalita (2006) on Unga group ltd, Rukunga (2003) on Nairobi bottlers. As much as the high court would borrow a leaf from these studies, it would be limiting in a way because in all the above mentioned sectors, most decisions made are in one way or another influenced by the two arms of government (parliament and the executive). The judiciary of which the high court is a major component is an independent body and hence the need to carry out a study because of the knowledge gap. This research would contribute to enriching existing knowledge about management of change not only in the high court but also in the other arms of government notably the parliament. To achieve the intended objective, the study will seek answers to two main questions; what strategic change management practices have been adopted by the high court of Kenya? And what are the challenges facing management of strategic change at the high court of Kenya?

### **1.3 Research Objectives**

The general objective of this study was to establish and document the management of strategic change in the Kenya judicial system. However the specific objectives were to;

- i. Determine the strategic change management practices adopted by the high court of Kenya
- ii. Establish the challenges of managing strategic change at the high court of Kenya.

## **1.4 Value of the Study**

The findings of this study are expected to be of particular value to a number of players in the various sectors in Kenya notably for academicians and other researchers wishing to carry out further research, it will contribute to the existing literature in the field of strategic change management. The study will be a source of reference material for future researchers on other related topics; it would also help other academicians who undertake the same topic in their studies.

This study is also expected to provide the judicial service commission with valuable information on how to manage strategic change in the high court. The findings will also help them to find out, the challenges and the change management strategies that are most critical for successful management of the Kenya high court.

The study will be useful to the management and staff of the Kenya high court having been triggered by the inherent need to change and to re-align itself with the new constitution dispensation. They will be able to recognize full potential resultant from adoption of appropriate strategic changes.



## **CHAPTER TWO**

### **LITERATURE REVIEW**

#### **2.1 Introduction**

This chapter reviews different perceptions on strategic change by other scholars. It analyses the models of change management, strategic change management practices and challenges of managing change. Change occurs mainly because organizations are open systems, must frequently cope with shifts in key environment domains. Thus organizations must change to cope with changes generated in their internal and external environments (Kagawe, 2008).

#### **2.2 Strategic Change Management**

Change management is a structured approach to transitioning individuals, teams, and organizations from a current state to a desired future state. In project management, change management refers to a project management process where changes to a project are formally introduced and approved (Filicetti, 2007). The field of change management grew from the recognition that organizations are composed of people. And the behaviors of people make up the outputs of an organization.

A number of strategists use scenario planning techniques to deal with change. The way Schartz (1991) put it is that strategic outcomes cannot be known in advance so the sources of competitive advantage cannot be predetermined. The fast changing business environment is too uncertain for us to find sustainable value in formulas of excellence or

competitive advantage. Instead, scenario planning is a technique in which multiple outcomes can be developed, their implications assessed, and their likelihood of occurrence evaluated. Moncrieff (1999) also stresses strategy dynamics. He recognized that strategy is partially deliberate and partially unplanned. The unplanned element comes from two sources: emergent strategies (result from the emergence of opportunities and threats in the environment) and Strategies in action (ad hoc actions by many people from all parts of the organization).

Managing change is a continuous process of aligning an organization with its marketplace, by being more efficient and effective than competitors, and continuously collecting feedback from within the organization (Berger et al., 1994). Specifically, change management examines external and internal conditions affecting an organization and uses skills, knowledge and strategies to effectively plan and implement change as well as support continuous improvement following change ("Managing Change," 2003).

Change management is an effective tool for reducing motivational, incentive and environmental barriers while defining and improving the structure of an organization.

Managing change is a matter of transforming states within an organization, specifically, from a problem or opportunity state to the solution state. An organization chooses to implement a new method or system in a planned and managed or systematic fashion (Nickols, 2000). This is an "anticipative or proactive response" change. Either internal events within the organization or the external environment triggers the shift in change.

An organization is forced to make changes or implement a new system based on the external factors such as laws, societal issues or competitors. This is known as a "knee-jerk or reactive response" change (Nickols, 2000). The organization has little or no much control and must change in order to stay competitive and in business. Kotter (1995) argues that many change projects fail because victory is declared too early. Real change runs deep. Quick wins are only the beginning of what needs to be done to achieve long-term change for improvements. Each success provides an opportunity to build on right and identify what it can improve.

### **2.3 Models of Change Management**

Several researchers and renowned practitioners have developed models on change management. The action research model highlights that to solve organization problems there is need to involve a rational, systematic analysis of the issues of concern. This model provides scientific methodology to manage planned change. The process involves perception of the problem, consulting with experts, data gathering in relation to some goal, taking action by altering selected variables within the system, evaluating the results and taking action again (Lewin, 1951).

On managing emergent change Dawson (1996) in his procession model supported the same approach. In this model temporal aspects of change are used as a means of breaking down the complex process of organizational change into manageable portions. It involves conception of the need for change which could be in response to some external or internal pressure for change, then process of organizational transition whereby strategic decisions

are made on different tasks, activities and decisions for individuals and groups inside and outside the organization. Finally there is the operation of new work practices and procedures whereby new organization arrangements and systems of operation begin to emerge and stabilize.

Lewin (1951) introduced the three step model, and argued that for there to be permanent changes in behaviour there is need to freeze the previous behaviour which is the status quo, introducing the change and finally refreezing the new change. The status quo is deemed to be an equilibrium state. Movement from this equilibrium, there is need to deal with group conformity and individual resistance and hence unfreezing is of importance. This can be achieved by either increasing forces which direct behaviour away from the status quo, decrease restraining forces which prevent movement from existing equilibrium or a combination of the two approaches (Robbins, 2003). Looking at Lewin's model refreezing is no longer possible given the constant transformation in most organizations.

Bullock and Batten (1985) developed their model which consisted of four broad stages namely exploration phase whereby awareness on need for change is created and also searching for solutions, planning phase which involves understanding the problem, collecting information, setting change goals, designing action plans, action phase whereby arrangements are done to manage change and feedback processes and finally the integration phase which is concerned with consolidating and stabilizing change and reinforcing new behaviours. This model did not take into consideration the changing

environment of organization. Bullock and Batten model is an expansion of Lewin's three step model.

Kotter (1996) introduced the eight steps model which he argued it's a process through which successful change has to go through. The first step is to establish a sense of urgency, this is important so as to have a team with enough power to guide in the change effort. The second step is to form a powerful guiding coalition; this takes a look at the composition of the coalition, level of trust and the common, shared objective. Leadership, expertise and credibility is very key. The third step is to develop or create a vision. A vision incorporates where an organization wants to be in the future and gives direction towards achievement of the set goals. A vision motivates people to move towards attainment of set goals and this ensures harmony and co-ordination of different actions.

The fourth step is to communicate the vision so as there is common understanding of the goals of the vision and direction to take. The fifth step is empowering others to act on the vision. Planning and creating short term wins is the sixth step. There is need for evidence that all the efforts are paying off and hence resources not being used in vain. The seventh step is to consolidate improvements and producing still more change. The final step is to institutionalize new approaches. According to Kotter culture changes when peoples' actions have been successfully altered, there are benefits to the new actions overtime.

## **2.4 Strategic Change Management Practices**

Strategic change can be affected by the internal state of an organization and its external environment. The fit between an organization and its external environment determines the performance of an organization and hence it's important to watch on prevailing opportunities and threats in the external environment to quickly adapt. Organizations change their strategy in response to the environmental change. How the organization is can affect the change of strategy .Some organizations would opt to keep their structure and strategy (Hannan & Freeman, 1984).The key objective of strategic change therefore is to enhance the competitiveness of the organization and continuous adaption of the organization to various environmental turbulence levels. Individuals resist the transition that has to be undergone to incorporate change rather than the actual change .Change is situational whereas transition is a process (Bridges, 1991).

One way of ensuring existence of a company is innovation. There is need to stifle innovation by loosening very tight controls and rigid structures, widening the search for new ideas, maintaining a link between innovators and mainstream operators and finally improving co-operation and communication (Kanter, 2006). Leadership is very important in the management of change with emphasis on establishing direction, aligning, motivating and inspiring people (Kotter, 1990a).While leadership has always been associated with executive managers, there is need for all managers to develop leadership skills. While change leaders refer to senior managers and change managers to middle managers, practically the two roles are indistinguishable as the attributes required to lead and manage change are simply inseparable aspects of managerial work in

organizations faced with constant change (Caldwell, 2003). There is a need to change programs and projects to best manage change in an organization (Boonstra, 2003). Change is only possible when it is contextualized against the backdrop of a company's particular past and present (Pettigrew, 1987).

## **2.5 Challenges of Strategic Change Management**

Deciding how to change an organization is a complex matter, not least since it disrupts the status quo and poses a threat prompting employees to resist attempts to alter work relationships and procedures. There are many managerial challenges in change management which require very specific and talented type of individual to successfully cope with them. It will require an individual who will motivate the different types of people and character in a way that ensures the change management process proceeds as smoothly as possible (Rukunga, 2003).

The first managerial challenge likely to be faced in change management is getting the staff or employees of the company to buy in to the entire change program. It is vital that those who will be most affected by the change are made to see what benefits the change will bring to the business and to their daily working lives in the long term. If this initial managerial challenge can be successfully overcome, all future challenges are considerably more manageable. A similar cognitive approach was described by Heller (1998) who used organization economics to explain resistance to change in terms of the evolution of organization routines. They suggested that organizations adapt operational, generic routines because these routines were initially accepted and implemented as the

most efficient ways to achieve organizational goals. Changing routines normally result in a temporary decrease in production as the organization learns and adopts the new routines. The resulting effect is that organizations resist changing routines unless the superior benefits of new ones are evident to a broad spectrum of organizational stakeholders.

Senge (1990) also used a cognitive approach to resistance to change when he suggested that resistance to change is not capricious or mysterious organizations feedback systems resist change because they are attempting to meet objectives of old routines that are not relevant to the post change process. Change will be resisted until new objectives are set that require new routines. Kotter (1996) also advocated viewing resistance to change. The second managerial challenge faced by those dealing with change management will be in identifying and implementing any training needs which will be appropriate to employees. This could be as a result simply of new administration procedures which have to be effectively communicated or it could be more technical in that training is required in new technology resources or software systems which are to be implemented in a business. A training needs analysis will have to be conducted for every role that is performed within the business and the appropriate practical activities scheduled and arranged. This could be a time when hands on management are particularly important to encourage individuals perhaps having difficulty with grasping the intricacies of technical systems.

Change effort may also fail if the pressure to overwhelm the opposing forces does not persist until the change effort is completed and all the necessary elements of refreezing



Lewin (1947) have been accomplished. Lewin suggested that the change process requires unfreezing existing processes and procedures making the change and then refreezing the organization with new processes and procedures that support the change to prevent the organization from returning to the pre change state. Efforts to overwhelm resistance to change may pressure a system to operate at disequilibrium if the necessary processes and procedures are not in place. Operating at a point of disequilibrium requires greater resources than operating at equilibrium (Senge, 1990). The organizations ability to operate at disequilibrium over time depends on leaders attention and willingness to allocate the necessary resources consistently and continuously (Lewin, 1951).

A change in the leaders agenda or a change in leadership can permit forces promoting change to return to prior levels or tower allowing the resisting forces to have the upper hand. This loss of political pressure can occur anywhere in the change process because irrational and political resistance to change never dissipates (Kotter, 1996). When the training of the organizations personnel has been completed, the next managerial challenge will be to verify that the training received by each individual has been sufficient and successful.

This is the best approached not as setting any form of formal examination which can prove daunting but simply by taking through procedures and checking understanding in a conversational fashion. It is a fact that changes bring hiccups and very often large scale and unanticipated problems. The principle managerial challenge in this aspect of change

management will be a balance reassuring the staff with ensuring the cause of the problem is identified and eliminated in a timely manner.

Christensen (1997) took the position that great companies can fail precisely because they do everything right since the capabilities of the organization also defines its disabilities. Christensen's thesis is that outstanding companies lose their market leadership when confronted with disruptive technology. He called the approach to discovering the emerging markets for disruptive technologies agnostic marketing, i.e., marketing under the implicit assumption that no one - not the company, not the customers - can know how or in what quantities a disruptive product can or will be used before they have experience using it.

A number of strategists use scenario planning techniques to deal with change. The way Schartz (1991) put it is that strategic outcomes cannot be known in advance so the sources of competitive advantage cannot be predetermined. The fast changing business environment is too uncertain for us to find sustainable value in formulas of excellence or competitive advantage. Instead, scenario planning is a technique in which multiple outcomes can be developed, their implications assessed, and their likeliness of occurrence evaluated.

Schermerhorn (2005) maintain that when employees resist change they are protecting/defending something they value and which seems threatened by the attempt at change. reasons for resistance include, fear of the unknown, lack of good information,

fear of loss of security, no reasons to change, fear of loss of power, lack of resources, bad timing habit.

There is no right or wrong model to change management. It is not an exact science. However through the ongoing research and studies, a clearer picture of what it takes to lead a change effort effectively will continue to emerge. It is important that we must continually review and consider how our changing environment will require fresh insight on the appropriate change process.

## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.1 Introduction**

This chapter provides a discussion of the research methodology that was used in this study. It outlines the overall methodology that was used to carry out this research. It embodies; the research design, the research population, sampling design, data collection methods, research procedures and the methodology that the researcher employed in the study.

#### **3.2 Research Design**

The case study method was adopted with the intent of creating a deep understanding of change management at the Kenya high court. Case studies according to Merriam (1988) are used to study a phenomenon and investigate processes or causes of events in present time without manipulating the relevant variables. It aimed to get detailed information in order to find out how the Kenya high court has managed change and the challenges it encountered. A case study was used to give an in depth study of change management rather than a sweeping statistical survey. The case study was useful for testing if scientific models & theories in the reality work. Like in this case, this research design sought to establish if any of the models of change management were embraced in the Kenya high court.

Based on information required for the study, a case study was appropriate design since it gave a full contextual analysis of events. Case study is a powerful form of qualitative analysis that involves a careful and complete observation of a social unit, irrespective of what types of unit is under study and aid in making comparison.

### **3.3 Data Collection**

This case study focused on carrying out an intensive study on the approaches to change management and the challenges encountered. To achieve this, discussions and interviews were conducted and an interview was guide used. The procedure involved personal interviews to help to determine the approaches to change management and challenges encountered.

Five people were interviewed. They include top level managers in the Kenya High court who are tasked with overall judicial goals, strategies, operating policies and represent the judiciary to other external environment such as suppliers and middle managers who were primarily responsible for implementing policies and plans developed for the Kenya high court.

### **3.4 Data Analysis**

Content analysis was used to analyze data. Content analysis is used in making inferences by systematically and objectively identifying specified characteristics of information (Nachmias & Nachmias, 1996).To conduct a content analysis on any such text, the text is coded or broken down into manageable categories on a variety of levels-: word, word

sense, phrase, sentence or theme and then examined using one of content analysis basic methods namely conceptual analysis or relational analysis. It does not limit the respondents on answers and has potential for generating more information with more details. Content analysis approach has been used previously in similar research papers. The data was first sorted out around key central questions and used in pattern matching and explanation building. This was done to establish whether it would fit or fail to fit to the research question.

## **CHAPTER FOUR**

### **DATA ANALYSIS, RESULTS AND DISCUSSIONS**

#### **4.1 Introduction**

Discussions and findings of the study with reference to the research methodology are presented in this chapter. Findings on management of strategic change practices adopted at the high court of Kenya are presented. Data was collected from six interviewees working in different capacities through use of interview guides as the instrument of research.

#### **4.2 General Information**

##### **4.2.1 Interviewees' designation and department**

The interviewees, position and the section of work in the high court and the judiciary at large was sought in this study. As per the findings the respondents positions were as follows, Director of human resource management(judiciary),Deputy chief finance Officer(judiciary),Chief account controller(judiciary),Registrar(supreme court),Assistant registrar(high court) and Assistant registrars(subordinate courts).The interviewees are directly involved in making key decisions in the high court of Kenya and undertaking its implementation and thus were better placed and aware of changes which had taken place in this institution and strategic change management practices adopted.

### **4.2.1 Interviewees' Total Work Experience**

An inquiry was made on the number of years the interviewees had worked in the high court of Kenya. They had working experience in the judiciary ranging from eight to twenty years. This clearly implies information collected was from employees who have massive experience and familiarity with strategic change management practices adopted at the high court of Kenya.

## **4.3 Strategic Change Management Practices**

### **4.3.1 Changes which have taken place at the high court of Kenya**

This study sought to find out the changes which have taken place at the high court over the years. The interviewees clearly brought out that many of the changes and transformation had taken place in the last five years and some of the changes are still taking place even now. According to the interviewees, the high court is no longer the highest court on the land; Supreme Court was created and given that mandate. A judiciary fund was created whereby the high court can formulate its budget and present it to the treasury for approval and provision.

Initially the chief justice was a president appointee. This is a thing of the past, now the chief justice is appointed by the judicial service commission through an open vetting process. Equally judges go through a vetting process before appointment. Duration of hearing of cases has been shortened to as even a shorter duration as 21 days. This was so as to reduce on anxiety associated with having to wait for so long over even 5 years.



According to the interviewees number of judges was increased. Initially there was a fixed number of how many judges should be hired. Generally in the judiciary, has seen the number of judges rise from 50 to as high as 150. This is so as to ensure a proper balance between number of judges and the population. Automation of procedures and processes has also taken place. Computers and laptops are in use in most of the work stations. Proceedings and hearings have been digitized. Paperwork is becoming less and mostly for back up purposes.

According to the interviewees a mortgage scheme of about 3% has been established for the employees and also a medical scheme. Initially there was none and this has served to motivate the employees to offer quality services to Kenyans. There's also a change in code of dressing. The court attire or gown is one which incorporates African culture, kitenge like. Although this has not fully been implemented as still the black gown, wigs made from horse fur is still been worn.

Initially judges decided on court cases on their own and gave verdicts. Currently there are legal researchers who work hand in hand with the judges in reaching a verdict. These legal researchers source out how similar cases have been handled in other parts of the world and hence a comparative final decision is reached. The interviewees agreed that in the past, corruption was deeply enrooted in the high court and judiciary at large. Now this is a thing of the past. A code of conduct and ethics was created, for example, a judge cannot operate a restaurant, a bar or engage in activities where there is conflict of

interests. Committees were created to ensure transparency and accountability across the board.

All the interviewees agreed that the reporting structure also changed. There's been massive decentralization. Different administrative cadres have been created to cover different regions. Initially the Chief registrar of the judiciary carried out most of the administration work. Currently there is a Chief registrar of the judiciary, Registrar of the Supreme Court, Registrar of the high court, Registrar of court of appeal, all carrying out similar roles but in different sections of the judiciary. According to the interviewees the structures have also changed. New departments have been created, finance, information technology and performance evaluation departments. Initially the Chief registrar's office carried out most of the work to do with financing, information technology of the judiciary. For the performance evaluation department, this is a special department whereby the head reports to the chief justice.

### **4.3.2 Causes of high court changes**

This study investigated the forces of change. From the findings the interviewees clearly brought out that most of these changes were brought about by the adoption of the new constitution. The new constitution clearly outlines how judicial officers including judges and the chief justice should be selected, how long court cases should take to be finalized (Article 140 in the constitution of Kenya).

According to the interviewees the need to win back the weaning public confidence was also another force which brought change in the high court and judiciary as a whole. Pressure from non governmental bodies which had listened to public complains and took measures to bring about sanity in this institution, for example the United Nations commission of human rights (UNCHR) was also a key force to change.

### **4.3.3 Anticipation and the preparedness for the high court changes**

The study sought to find out if the high court and the judiciary at large anticipated these changes and if enough preparations had been done with regard to the changes. The interviewees clearly brought out that these changes were anticipated, the institution at large saw the change coming immediately when the new constitution was adopted. This is because the new constitution gave guidelines on how activities should now be carried out in the high court and judiciary at large. The interviewees agreed that the institution despite anticipating change was not fully prepared to embrace these changes. Did not have the infrastructure and facilities to fully implement these changes, for example automation of procedures and processes, when the changes began to take effect in the high court and judiciary at large most working stations did not have computers.

### **4.3.4 How changes have affected operation in the high court**

According to the interviewees, changes which have taken place have affected the operations in the high court and judiciary at large. Automation of procedures and processes has enabled faster completion of work and quick access to judicial services, one example in particular is court proceedings where judges no longer write on books but

rather enter details into the computer. Creation of a judiciary fund has facilitated smooth implementation of these changes as the budget is larger than normally.

The introduction of the mortgage scheme and medical scheme for all employees from the sweeper to the top judge has led to motivated employees who are more than willing to assist the public. The introduction of code of conduct and ethics in the judiciary at large has seen zero tolerance to corruption in the high court and hence justice to all. The change of reporting structure where massive decentralization has taken place for example rather than having the chief registrar do most of the work, there is a registrar for the supreme court, registrar for the high court who carry out administration work has enabled faster carrying out of activities in this institution rather than piling work just because the individual who is supposed to be doing the work is away. Hiring more judges across the whole judiciary from 50 to currently 150 has translated to hearing and resolving of more cases, hence a reduction on the backlog of unheard cases. Most of these changes has lead to effective and efficient operation in the high court and judiciary at large.

#### **4.3.5 The process of change management implementation**

From the findings, change having been necessitated by the adoption of a new constitution, the same constitution advocated for the dismantling of the then existing judicial service commission and its reconstitution with the help of the electoral commission of Kenya. With the new judicial service commission constituted, this judicial service commission then embarked on vetting and appointing of judicial officers with the

chief justice included. Then through these top officials the new amendments communicated from top to the bottom of the institution.

#### **4.3.6 Strategic change management practices adopted**

This study sought to find out what strategic change management practices were adopted at the high court of Kenya and the judiciary at large. According to the interviewees, several practices were adopted. New people were appointed to assist in the management of change, one case in particular; a new Director of human resource was brought on board. Leadership changed across the board, officers who have served this institution for over eight years getting promotion to senior management.

In the midst of change a Judicial Training Institute (JTI) was created. This was so, so as to sensitize the employees on the change which is ongoing. Scholarships have been given to some employees to go to school and equip themselves with skills needed in the judiciary at large. According to the interviewees, programs in the high court and judiciary at large changed to incorporate change, for example one case in particular, building of courts stopped until a clear picture of how the structures should look like to ensure uniformity and similarity across the country. There is a proposal to have courts with banking halls inside to facilitate easy payment of bonds.

According to the interviewees the high court and the judiciary at large has been holding workshops and seminars to persuade and motivate employees to embrace change. Another practice adopted to manage change is intensive planning and efficient utilization

of the available resources, but because change is costly like in this study the labour force was increased, computers bought, official vehicles increased from 18 to 80 and this saw the budget rise from Kshs 3 billion to Kshs 9 billion and with an expectation of it to clock Kshs 15 billion in the coming financial year.

With more cases being resolved every day, more clerks have been hired to aid the public especially those who cannot understand English, clerks translate to Kiswahili. The interviewees concurred that a technical committee was set up to oversee the amendments which have been taking place in the judiciary with the chief registrar of the judiciary being the chair. This committee is responsible for maintaining the change momentum. Another practice adopted by the high court and judiciary at large was delinking from the executive, an example being initially at the District level the judiciary did not operate on its own, it got funds through the district officers office, today it gets the funds directly.

According to the interviewees in the midst of change a performance review department was set up in the judiciary to continuously evaluate if target and set goals have been attained by all employees. It's this same department concerned with promotion of employees on the basis of performance. When change came into the high court and judiciary at large, structures to enable change to be implemented smoothly were not yet set up, the judiciary sourced employees from the treasury and several ministries for example Ministry of planning to assist setting up the structures.

#### **4.4 Challenges faced in the Management of Strategic Change**

This study sought to find out the challenges encountered in the management of strategic change at the high court of Kenya. According to the interviewees there were numerous challenges and some continue to be experienced even today .When change was introduced at the judiciary, there was resistance from the staff and this was across the board, from the top officials to the subordinates. There was disbelief particularly at the top who thought status quo cannot be challenged. Some indicators of resistance is shown by employees not doing what they are told to do.

According to the interviewees, another challenge was resource constraints. Change is costly. Since the transformation begun in the judiciary ,the budget has been stretched from Kshs 3 billion to Kshs 9 billion and there is a likelihood it will clock Kshs 15 billion in the coming financial year. Expenses went up for example, hiring more judges meant more money been set aside in the form of salaries. Automation of systems translated to purchasing computers and softwares.

The interviewees agreed that employees who lack the needed skills was also another challenge .With automation of systems, most employees were not well versed with computer usage and this resulted to overworking those who knew to operate them. When the change was implemented, proper and sufficient infrastructure had not been set up. There were insufficient facilities in terms of building, cars; this posed a challenge in the strategic change management. Tension and sidelining was also another challenge when change was implemented. This was more so when new labour force was brought on

board. There was a perception among the old employees that their employer did not have confidence in them to handle the change. This created conflicts among the employees. For any change to be successfully implemented there is need for cooperation and proper coordination of activities.

The high court and Judiciary at large, even in the midst of all these transformations, cannot become efficient and effective by its own effort, for example for pending cases to be resolved, police have to bring in suspects, prisons have to produce the prisoner they are holding, equally these institutions need to cooperate if not change, this has been a challenge.

Keeping the change momentum alive is another challenge. The judiciary has a committee which oversees transformation progress. This committee has to ensure all activities taking place at the judiciary are directed towards attainment of set goals and objectives.

#### **4.5 Discussion of the Findings**

According to the interviewees many changes had taken place at the high court of Kenya and judiciary at large. Changes in structure whereby supreme court was created and made the highest court on the land, creation of a judiciary fund, chief justice being selected via a public vetting process rather than being a president appointee, an increased number of judges, creation of a mortgage and medical scheme for all employees and the implementation of an effective reporting structure.



As a result of these many changes there was need to adopt strategic change management practices. This study established some previous behavior and practices at the high court of Kenya was frozen so as to introduce new practices and finally reinforcement of these adopted practices was done. For example, the chief justice ceased being a president appointee but now appointed by the judicial service commission through an open vetting process, change in reporting structure whereby there was massive decentralization .This clearly indicates Lewin three step model of change management was applied. Lewin (1951) introduced the three step model, and argued that for there to be permanent changes in behavior there is need to freeze the previous behavior which is the status quo, introducing the change and finally refreezing the new change.

According to the interviewees it was evident that the changes which took place at the high court of Kenya and continue to take place was both emergent and planned change. When the new constitution was implemented, a sense of urgency for the high court and judiciary at large to change was created. Leadership and expertise was brought in to aid in realizing of the change. A vision was created and communicated. This clearly brings out that Kotter,s eight step model was also applied at the high court of Kenya and judiciary at large. Kotter introduced the eight steps model in which the steps are creating a sense of urgency, form a powerful guiding coalition, create a vision, communicate the vision, empowerment, planning, consolidate improvements and lastly institutionalize new approaches (Kotter,1996).

## **CHAPTER FIVE**

### **SUMMARY, CONCLUSIONS AND RECOMMENDATIONS**

#### **5.1 Introduction**

A summary of findings as highlighted in chapter four are presented in this chapter and based on objectives of the study gives the conclusions and recommendations. Objectives of the study were to determine the strategic change management practices adopted at the high court of Kenya and challenges encountered in the management of strategic change.

#### **5.2 Summary of Findings**

According to the interviewees numerous changes and massive transformation had taken place at the high court and Judiciary at large. These changes continue to be felt even today hence change is a continuous process. The driving force to these was the adoption of the new constitution. The new constitution clearly stipulated how business should be conducted in the judiciary.

This study established that the judiciary training institute (JTI) was created to sensitize the employees on change and try filling in skill gaps as most of the processes and procedures had changed. It's in this institute that employees of the judiciary of Kenya got to know firsthand on the changes which had taken place and what was expected of them. In this training institute employee competencies are made stronger through continuous learning and nurturing which has resulted to many of the employees feeling motivated.

According to the interviewees programs in the high court and judiciary at large were readjusted to incorporate changes which were taking place in the judiciary. One case in particular is stopping further building of courts until one uniform structure, design was agreed upon. During the launch of the transformational plan 2012-2016 in may 2012, the chief justice had the pleasure to show the public a picture of the proposed design of court buildings, one with banking halls inside to facilitate easy carrying out of financial transactions like in the case of fines.

All the interviewees concurred that since the changes begun being implemented in this institution workshops and seminars are always been held to create awareness on these changes and inform employees and stakeholders on how far they've come in terms of goal realization and what needs more effort. It's in these workshops and seminars that employees get a feeling of being part of the change and that their input is equally important.

This study established that the budget grew from Kshs 3 billion to Kshs 9 billion with the adoption of the changes with a possibility of it skyrocketing to Kshs 15 billion in the coming financial year. This has called for intensive planning to ensure proper utilization of the scarce resources.

According to the interviewees one of the greatest threats to the transformation taking place in the high court and judiciary at large is losing the change momentum. A technical committee was set up to oversee this transformation, to keep check of activities within

the judiciary and ensure all activities are directed towards achievement of set goals. The belief that the judiciary was an independent body was just a notion until the transformation begun to take place. Initially the judiciary had a lot of influence on its undertakings from the other arms of government, parliament and executive. With the changes having taken place the judiciary has delinked itself from the other two arms of government.

This study established that the high court is no longer the highest court on land .The highest court on land is Supreme Court. The whole court structure changed with the highest court being Supreme Court followed by court of appeal then high court and lastly subordinate court. This study established the creation of a mortgage scheme and medical scheme for all employees' right from the sweeper to the top most official. Employees now feel valued and appreciated.

### **5.3 Conclusion**

According to the interviewees many changes which have taken place in the high court and judiciary at large were for the better. This is clearly indicated by the improved service delivery, for example, initially suppliers had to wait for months before payments are done because of the many officers involved in approving the payments, today the suppliers do not have to come to the judicial offices, the amount is deposited in the bank within a week. Automation of procedures has quickened service delivery and reduced on the bulkiness of paperwork.

This study concluded that there's need for the judiciary to heavily invest in training its employees so as to have necessary skills. Currently there are lots of activities in the judiciary which needs professional skills and majority of the employees lack these skills. Employees resisted adopting change for fear of the unknown outcome, likelihood of economic downfalls and possibility of an end to social relationship. With continuous awareness on the benefits of embracing change, resistance is very minimal among employees.

This study concluded that despite these changes taking place, the people who crusaded for change, managed change and tirelessly worked to make it a dream come true were not rewarded. There's need to reward those who actively participate in realizing of set goals. This serves to motivate them. But unfortunately the remuneration structure is so structured; it's a bureaucracy. The motivation is to keep your job.

This study concluded even the most rigid of institutions can undergo massive transformation; the only institution where there is no change is the cemetery. The judiciary had stayed long without major changes until very recently.

#### **5.4 Recommendations for Policy and Practice**

According to the interviewees, this transformation was for the better and has yielded a lot of positive fruits. However, all the interviewees seemed to agree in that the way the change was introduced into the institution was rather harsh, there is need to have a human face when introducing change as change in itself is a process. In the future should more

changes be introduced in this institution there is need to do it in a humane way, and if need be set a guiding and counseling office to enable employees to cope with the change. In the course of all these transformation, and most of the changes adopted and change programs having succeeded, no rewarding was done especially for the employees who were on the front line to see the changes come to be. In the future, the high court should develop a reward system; this goes a long way in motivating the employees and boosting their work morale.

## **5.5 Limitations of the Study**

This study encountered several limitations. This study on the high court of Kenya borrows heavily from the judiciary as a whole; one cannot talk about the high court in isolation with judiciary and this necessitated intensive study of the whole judiciary which was time consuming to better understand the high court.

Another limitation was that the interviewees being top officials in the judiciary had very limited time for the interview due to the nature of their jobs and tight schedules. And this called for one to rush through the interview guide so as to cover all the questions. But what was interesting is that all respondents seemed to have similar responses to the questions and equally shared similar experiences with regard to change management.

Another limitation to this study is that when the research was being conducted most of these changes were still taking place, some of the strategic change management practices

were still on trial basis and it was not easy to make a conclusion that it was that particular practice adopted which made managing change a success.

## **5.6 Suggestions for Further Research**

This study focused on strategic change management practices adopted at the high court of Kenya and challenges encountered. This study was done when changes were still taking place. Changes continue to be experienced even now, there is need to carry a further study on which other changes have taken place and different strategic change management practices adopted.

There is also need to carry out a study to find out if the change momentum has been sustained. According to the interviewees, maintaining the change momentum was one of the threats to this great transformation.

## REFERENCES

- Abell, D. (1978). Strategic Windows. *Journal of Marketing*, 42, 21-28.
- Aosa, E. (1994), *Strategic Management Practices in Kenya Manufacturing Companies*. A Research report.
- Berger, L. A., Sikora, M. J., & Berger, D. R. (1994). The change management handbook: *A road map to corporate transformation*. Burr Ridge, IL & New York, NY: Irwin Professional Publishing.
- Bett S.K. (1995), *Strategic Marketing of Dairy products in Kenya*, unpublished MBA Project, University of Nairobi
- Burnes, B. (2000), *Managing Change: A Strategic Approach to Organizational Dynamics* Financial Times Prentice Hall, Harlow.
- Christensen, C. (1997). The Innovator's Dilemma. *Harvard Business Review*, 19.
- Dent, M and Barry, J. (2004) New public management and the professional in the UK: *Questioning the New Public Management*, Ashgate, Aldershot, pp.7-20
- Donaldson. (1984), *Managing Corporate Wealth*, Praegar, New York, NY,.
- Drucker, P. (1969). *The Age of Discontinuity*. London: Heinemann.



- French, WL and Bell, CH (1973), *Organizational Development*. Prentice Hall:  
Englewood Cliffs, NS, USA.
- Harrington, H.J. (2006). *The five pillars of organizational excellence*. IEEE Engineering  
*Management Review*, 34. (4) 40.
- Heller, R. (1998). *Managing change*. London: Dorling Kindersley.
- Kathure, D. M. (2010), *Strategic Change Management Practices at Glaxosmith Kline Ltd*  
unpublished MBA project, School of Business, University of Nairobi
- Khamis, A. O. (2008), *Change Management Practices in Kenya Department of*  
*Immigration*, unpublished MBA project, School of Business, University of  
Nairobi
- Kotter, J.P. (1996), *Leading Change*. Harvard Business School Press: Boston, MA, USA.
- Lewin, K (1974), *Frontiers in-group dynamics*. In D Cartwright (Ed) 1952: *Field*  
*Theory in Social Science*. Social Science paperbacks: London.
- Marrow, AJ (1969), *the practical Theorist: The life and work of Kurt Lewin*. Teachers  
College Press (1977 edition): New York, USA.

Maina, N. (2010) *Construction biz review*, Business Merriam, S. B (1988). *Case study research in education: A qualitative approach*. SanFrancisco: Jossey-Bass

Mitzberg, H. & Quinn, J. B. (1991). *The Strategic Process* (2nd ed.). Essex: Prentice-Hall Int.

Moncrieff, J. (1999). Is Strategy Making A Difference. *Long Range Planning Review* , 32  
41 (2), 273-276.

Nachmias S, C.F. and Nachmias, D.(1996), *Research methods in the Social Sciences*; 5th ed. Arnold University

Nandwa, P.D. (2010), *Factors influencing implementation of strategic change: The case Of Development Bank of Kenya Limited*, unpublished MBA project, School of Business, University of Nairobi.

Nickols, F. (2000). *Change management 101: A primer*. Retrieved February 1, 2004 from <http://home.att.net/~nickols/change.htm>.

Njau, G.M. (2000), *Strategic Response by firms facing changed Competitive Conditions: The Case of East African Breweries Ltd*, unpublished MBA project, School of Business, University of Nairobi.

Nyalita , A.D. (2006), *Strategic change management and its impact on performance of Unga group Ltd*: unpublished MBA project, School of Business, University of Nairobi.

Orlikowski, W. (1996) *Improvising organizational transformation over time: a situated change perspective* .*Information system research*, 7(1), p63-92.

Pascale, R. (1990). *Managing on the Edge*. New York: Simon and Schuster.

Peters, T., & Austin, N.(1985). *A Passion for Excellence*. New York: Random House

Pettigrew, AM and Whipps, L 1991), *Shaping Strategic Change*. Sage: London.

Romanelli, E and Tushman. ML (1994), Organizational Transformation as punctuated Equilibrium: An empirical test. *Academy of Management Journal*, 37 (5), 1141-66. 42

Rukunga, J.K. (2003). *Strategic change management practices in Kenya: The case of Nairobi bottlers □ Ltd*, Unpublished MBA project, School of Business, University of Nairobi.

Schartz, P. (1991). *The Art of the Long View*. New/York: Doubleday.

- Schellenberg, D.A. (1982), "Conceptual issues of linkage in the assessment of Organizational performance", *Academy of Management Review*, Vol.7 No.1, pp.49-58.
- Schermerhorn, J.R., (2005). *Organizational Behavior* (9th ed.). New York: John Wiley & Sons, Inc.
- Senge, P. (1990), *the fifth Discipline*, Doubleday, Newyork, also Century. London
- Terziovski, M., Samson, D. (1999), "The link between total quality management and organizational performance", *International Journal of Quality & Reliability*, Vol.16 No.3,pp.226-37.
- Thompson, A.A., and Strickland III, A.J (1999). *Strategic management: concepts and cases*, 11th ed., Singapore: Irwin /McGraw-Hill.
- Venkatraman, N.,Ramanujan,V. (1986), " Measurement of business performance in Strategic research: a comparison of approaches", *Academy of Management Review*, Vol. 11 No.4, pp.801-14.
- Vermuelen,F.JPuranam, P. & Gulati R (2010) Change for change's sake. *Harvard Business Review*, 2 (6). PP.71-82.

Walker, O.C Jr, Ruekert, R.W. (1987), “Marketing role in the implementation of business Strategies: a critical review and conceptual framework”, *Journal of Marketing* , Vol. 43 51 pp. 15-33.

Weick, K. E and Quinn, R.E (1999) *Organizational Change and development*. Annual *Review of Psychology*, 50 p361-86.

Wilson, DC (1992), *A Strategy of Change*. Routledge: London.

[www.judiciary.org](http://www.judiciary.org)

[www.klr.or](http://www.klr.or)

## APPENDICES

### Appendix I: Introduction letter

University of Nairobi,  
School of Business,  
P.O. Box 30197-00100,  
Nairobi.

10<sup>TH</sup> April, 2012.

Dear respondent,

I am a postgraduate student at the University of Nairobi, School of Business. I am conducting a research on —Management of strategic Change at the High court of Kenya. This is in partial fulfillment of the requirements for the Master of Business Administration Degree.

Kindly fill the attached questionnaire to the best of knowledge. The information will be used purely for academic purposes and will be treated with strict confidence. A copy of the final report will be availed to you on request.

Your assistance will be highly appreciated. Thank you.

Yours faithfully,

Nyakio C. M

MBA Student

Prof. Martin Ogutu

Research supervisor

## **Appendix II: Interview Guide**

### **SECTION A: General Information**

1. What is your position in the High Court of Kenya?
2. How long have you worked in the High Court of Kenya

### **SECTION B: Strategic Change**

3. Have there been any changes in the High Court of Kenya in the past?
4. Have the changes affected your operation; please Indicate the cause of change?
5. How is High Court of Kenya structured?
6. Were the changes anticipated and were you prepared and informed about the change?
7. How did you handle the change?
8. How did the change impact on the general performance of the High Court of Kenya?
9. What are your views on the changing practices that were undertaken?
10. Were you part of the change management implementation?
11. Who was the change leader?
12. What are the challenges faced in the process of implementing the change, how did you handle them?
13. Did you have short term targets to monitor the changes? Please provide details
15. What steps have you taken to ensure that the change momentum is achieved and maintained?
16. What lessons have you learned from change management so far?
17. Where those who achieved such targets rewarded?

18. Has the change programs affected structure, systems, processes, services or behaviors?
19. As a change agent of Kenyan Judicial strategy, what would you list as the High Court of Kenya, s position in terms of its strengths, weaknesses, opportunities and threats?
20. Do you have any recommendations on how changes should be?
21. What would you do differently as part of the strategic management team in ensuring the organizations strategies are aligned to the organizations objectives?

**Thank you for your cooperation**