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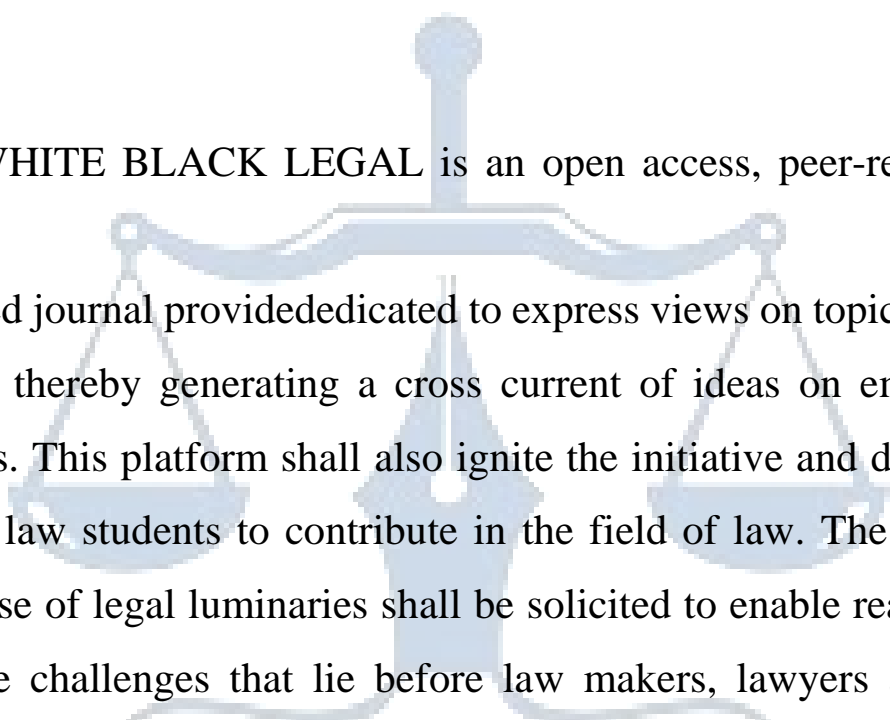


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With this thought, we hereby present to you

JUDICIAL STAFFING SHORTAGES: ANALYZING THEIR DIRECT IMPACT ON CASE DELAYS AND COURT EFFICIENCY

AUTHORED BY - M MAHASHREE ATHARVANA

Introduction

The protracted legal battle of the Ayodhya case highlights the inability of timely judgment in India. This dispute, instituted between 1950 and 1989 was given the final verdict on the year 2019.¹ The Indian courts took almost 7 decades to pronounce a verdict on this case. One of the most important inefficiencies of the Indian justice system is the lack of timely justice. Though the quality of the judgments provided isn't compromised the time that courts take is long. "India's oldest pending court case finally settled after 72- years"² an article from one of the renowned newspapers in India stated. This is not an issue of recent times, this has been in talks for years now, but what makes this very relevant in the present is the sudden surge in the percentage of the pendency. According to an article published in Times of India, India has around 5 crore pending cases, and around 10,000 cases were added to the Supreme Court in the last 5 months of 2023. It took almost 3 years, previously to attain this number.³

Ancient scriptures like Manusmriti, and Arthshastra has provided roots to the Indian judicial system. During the colonial era, the judicial system started following the common law system, after which the structure of the judicial system was classified into the Supreme Court, High Court, District Court, and Subordinate Courts. Each of these courts has their separate powers, responsibilities, and duties to care of. The Supreme Court is considered the apex court and the highest appellate jurisdiction of India, it is the agency that checks and interprets the constitution and subordinate courts are the last in the hierarchy of courts.⁴ One of the major contributors to

¹ Dhananjay Mahapatra, *SC to Rule on 70-Year-Old Ayodhya Land Dispute Case Today: Security Up*, Times of India (Nov. 9, 2019), <https://timesofindia.indiatimes.com/india/sc-to-rule-on-70-year-oldayodhya-land-dispute-case-today-security-up/articleshow/71977110.cms>.

² Saibal Sen, *72 Years On, India's Oldest Pending Case Finally Settled*, Times of India (Jan. 16, 2023, 12:41 IST), <https://timesofindia.indiatimes.com/city/kolkata/72-years-on-indias-oldest-pending-casefinally-settled/articleshow/97012986.cms>.

³ *Judicial Delay in India*, Times of India Readers' Blog (Apr. 8, 2021), <https://timesofindia.indiatimes.com/readersblog/lawpedia/judicial-delay-in-india-50731/>.

⁴ Harmandar Singh, *Judiciary in India*, 25 Indian J. Pol. Sci. 301, 301-06 (1964) (Conference Number for XXVI Indian Political Science Conference 1964: Annamalaiagar), published by Indian Political Science Association.

the delays is the high number of judicial vacancies in numerous courts. The depletion of judges has created considerable backlogs, creating obstacles in the prompt disposition of cases, and making excessively long judicial delays a more serious issue. The increase in pending cases is directly related to the excess number of judicial vacancies, which hinders the court from timely processing and resolving created by delayed litigation.

The pendency of cases in the judicial system is considered a critical concern in recent years. With a population of 141.72 crore and continuous growth in the number of people seeking justice through courts, it is very important to make a timely delivery of justice.

Even though the Supreme Court works with its full strength, it lacks efficiency, when we look at the pendency of cases an article in BS 50 news states “The pending cases in Supreme Court surged by 35% over last 5 years climbing from 59859 in 2019 to 80765 by the end of 2023” The case is much worse in the lower courts with over 38% increase in the pendency in comparison to 2019, it has reached an inflated value of 44,000,000 pendency cases at the end of 2023 .With all the staggering figures the high courts of India in no way an exception, the pending rose to over 6.2 million from 4.68 million in just 4 years.

Research Objectives

- To analyze the judicial pendency in India
- To analyze the judicial vacancies in India
- To analyze the causes of judicial inconsistencies.
- To examine whether a specialized legislature is required to address the inconsistency

Research Questions

1. What the causes of judicial delays?
2. What is the current position of judicial delays in India?
3. Is the collegium system effective in doing its job?
4. Is the existing measure to reduce the judicial inconsistencies effective?

REVIEW OF LITERATURE

THE CONSTITUTION OF INDIA:

The Constitution of India is the supreme law of India which provides for a parliamentary form

of government. This came into force on 26th of November 1950. In the case *Hussainara Khaitoon v. Home Secretary, State of Bihar* 1979, held that the “Right to a speedy trial” is a fundamental right implicit in the right of life and personal liberty under Article 21 of the Indian Constitution.

JUDICIARY IN INDIA: PROBLEMS AND PROSPECTS by K.G. Balakrishnan published in the journal of Indian Law Institute, Vol. 50, No. 4 in the year 2008

This article talks about the problems of arrears and delays in judicial system in particular. It recommends increasing productivity through improved infrastructure and employment, as productivity and efficiency are directly linked with infrastructure. This article also discusses about the creation of evening courts and special courses with regard to judicial delays. This article also gives us another new insight how the judicial authorities are in the process of continuous education. From this article, the readers can get an idea about the expensive culture of litigation. This article states that timely justice is the right of every litigant and speech justice is an obligation of every functionary of the judicial system

JUDICIAL DELAYS IN INDIA: CAUSES AND REMEDIES

The causes of judicial delays and their remedy are discussed in the article "Judicial Delays in India: Causes and Remedies" by Vandana Ajay Kumar published in the Journal of Law, Policy and Globalization, 2012. This work is against the wider context of judicial efficiency and legal reform, offering a critical issue that affects the efficacy of the Indian legal system and the public trust invested therein. This article identifies some of the contributing factors for judicial delay, such as procedural inefficiency, inadequate infrastructure, and a large volume of cases. It critically assesses various systemic problems, including obsolete laws and lack of judicial resources that contribute to delays. It also suggested some remedies like procedural reforms, the use of technology, and more judicial staffing to overcome these challenges.

Research methodology

The researcher here has used a doctrinal method of research to analyze the causes and effects of judicial delays. This Article has used various primary and secondary sources in it and the primary sources includes statutes, laws, etc and secondary sources include sources such as journals and articles. This article does various analyses with regard to the ways through which such an important concern “JUDICIAL DELAYS” could be addressed.

Historical Legal Background

Judicial delays have been a long-standing issue ever since the independence. After the independence of India from colonial rule in 1947, the constitution was enacted in the year 1950. In the initial phase, there were no specific mentions regarding a person's right to speedy justice. It was only in *Lachmandas Kewalram Ahuja case*⁵, the court held that the defendants held in the period before 1950 would conform to the new constitutional system of India.

In the initial period after the enactment of the constitution, the court had no concern about the period that undertrial prisoners spent in the prison. Only after the judgement of Justice P.N Bhagwati, in the *Hussainara Khatoon*⁶ the fundamental right to a speedy trial was established under Article 21 of the Indian Constitution⁷. This judgment made a remarkable change, this mandated greater access to bail, more humane living conditions, and a significant reduction in the time from arrest to trial.⁸ This right to speedy trial is one of the most important rights about judicial delays in India and is a fundamental right.

Causes of judicial delays in India

Judiciary being one of the most important organs of the government, has not always been at its full working capacity. The efficiency of the judiciary is seriously undermined due to the time taken to give verdicts for cases. A normal citizen would think twice about filing a case in court because they have this mindset wherein it would take years to get the judgment. This is one or the other way true. Though it sounds bitter that's how the current judicial system works. Certain causes should be analyzed properly to get the complete idea of this paper.⁹

The institution of cases is far higher than the number of disposals in the courts.

The main issue behind the judicial delay lies in the number of institutions of cases in the courts, the disposal of cases is far lower than that of the cases added up in the courts. This in turn stresses out the judicial sector. Though there is a considerable amount of disposals every year, the number of institutions of cases outweighs the disposals. The average disposals of a judge

⁵ *Lachmandas Kewalram Ahuja v. State of Bombay*, AIR 1952 SC 235, 1952 SCR 710, 54 Bom. L.R. 854.

⁶ Singh, *supra* note 4, at 7.

⁷ India Const. art. 21.

⁸ Jayanth K. Krishnan & C. Raj Kumar, *Delay in Process, Denial of Justice: The Jurisprudence and Empirics of Speedy Trials in Comparative Perspective*, Digital Repository @ Maurer Law, Indiana University Maurer School of Law, 2011, <https://www.repository.law.indiana.edu/cgi/viewcontent.cgi?article=1065&context=faculty>.

⁹ K.G. Balakrishnan, *Judiciary in India: Problems and Prospects*, 50 J. Indian L.I. 403 (2008).

are approximately 2370 cases in the high court and the number in 1346 cases in subordinate courts. To calculate the number of judges required to clear the backlogs based on the number of disposals in a year and the working strength of judges with the averages of 2010, we need almost 1539 judges for high courts and 18479 for the subordinate courts to clear the backlogs, and again these are old figures, the new figures should be much higher.¹⁰

State government-related delays

The state government also plays a role when it comes to judicial delays. The judicial delays are this prominent these days because the state contributes to it by its lack of priority in the matters of administering the judicial sector. One of the main complaints against the state in this matter is about the allocation of sufficient funds to the judicial sector. Apart from this, there are various other issues which include delays in judicial appointments, lack of infrastructure in bars and bench.

Poor infrastructure in the courts of India,¹¹

Adequacy of court infrastructure is critical when it comes to the reduction of pendency of cases in the courts, Though the primary responsibility of infrastructure and development rests with the state government, the central government augments the resources and provides financial assistance to the state government for the infrastructure and development. The scheme aims at improving the physical infrastructure of the subordinate courts and it also facilitates the housing needs of judicial officers at District and subordinate courts levels. The schemes also allow new construction, upgradation, or renovation of existing court buildings.

This is done to facilitate a better justice delivery system for the citizens.¹²

Judicial Vacancy: Judicial vacancy is one of the most important factors affecting judicial vacancy, it will be discussed in detail in the later parts of the project.

Data of judicial pendency

The data on the pendency of various courts in India can be accessed through the official website of the National Judicial Data Grid. This information related to the pendency in the high courts

¹⁰ *Causes and Delays of Judicial System*, 4 J. L. Pol'y & Globalization 1 (2012), <https://www.iiste.org/Journals/index.php/JLPG/article/view/2042>.

¹¹ *Judicial Infrastructure*, Dep't of Justice, Govt. of India, <https://doj.gov.in/judicial-infrastructure/> (last visited Aug. 30, 2024).

¹² Vandana Ajay Kumar, *Judicial Delays in India: Causes & Remedies*, 4 J. Law, Pol'y & Globalization 16 (2012).

was lastly accessed on 30.08.2024, according to that data, The number of pendency cases in Allahabad High Court is 880696, the pendency in the high court of Bombay is 717498, the pendency in the high court of Calcutta, the pendency in high court of Gauhati, the pendency in the high court of Telangana, the pendency in high court of Andhra Pradesh, the pendency in high court of Chhattisgarh, the pendency in high court of Delhi is , the pendency in high court of Gujarat is, the pendency in high court of Himachal Pradesh , the pendency in high court of Jammu and Kashmir, the pendency in high court of Jharkhand, the pendency in high court of Karnataka, the pendency in high court of Kerala, the pendency in high court of Manipur, the pendency in high court of Meghalaya is , the pendency in high court of Orissa is , the pendency in high court of Punjab is, the pendency in high court of Rajasthan is , the pendency in high court of Sikkim, the pendency in high court of Tripura, the pendency in high court of Uttarakhand, the pendency in high court of madras, the pendency in high court of Patna.

Judicial vacancies:

The Supreme Court is functioning with full strength through 2024 with no vacancies, but this is not the same case with other courts, especially the high courts of India. 12 out of 25 high courts were having more than 10 vacancies by the start of the year.¹³

The vacancies and the existing mechanisms to address the same will be discussed in the coming passages. At the end of this article, we will interpret the flaws of judicial vacancies and delays and suggest more measures to address the same.

The collegium system:

The collegium system is a process wherein the judges select the judges., The word collegium though not mentioned in the constitution has gained prominence.¹⁴ The regulations of appointments and transfer of judges are done by the collegium system. The collegium system is headed by the chief justice of India, and four other senior-most judges of the central govt. and the high court collegium is formed with the Chief Justice and 2 other senior judges of that count in the state.

¹³ *High Court Vacancies Remain Unaddressed: Only Three Out of 25 Functioning at Full Strength*, SC Observer, <https://www.scobserver.in/journal/high-court-vacancies-remain-unaddressed-only-threeout-of-25-functioning-at-full-strength/> (last visited Aug. 30, 2024).

¹⁴ *Collegium System in India*, KSG India, <https://www.ksgindia.com/blog/collegium-system-inindia.html#:~:text=Notably%2C%20this%20system%20involves%20a,gained%20prominence%20through%20judicial%20pronouncements> (last visited Aug. 30, 2024).

The judiciary has increased the maximum number of judges in the Supreme Court almost 5 times now, initially, it was 8 in the year 1950, 11 in 1956, 14 in 1960 next, 26 in 1986, 31 in 2009, and finally, 34 in 2019, which is the current strength of Supreme court.¹⁵

The current limit of the judges is 34 including the chief justice of India. The constitution of India mandates that the Supreme Court judges should be appointed by the president after consultation with other judges in the Supreme Court or High Court, whatsoever. This process of appointment of CJI by the president is given under Article 121 of the Indian constitution.¹⁶ Indian judiciary follows a very unique system, the Collegium system. whenever there is a vacancy in the Supreme Court, the collegium appoints a potential nominee to the law minister. The Constitution prescribes, that any citizen of India under the age of 65 who has either been a high court judge for 5 years or an advocate for 10 years, or a distinguished jurist can be appointed as a judge in the supreme court.

Usually, it is the judges of high courts who have been appointed as the supreme court judges, it is only in very rare cases we can see advocates as a supreme court judge. There are no fixed time limits for the judges, the tenure of a judge appointed ends at the age of 65, and they retire at 65.¹⁷

A memorandum of procedure is a document jointly framed by the judiciary and the government to appoint judges in the year 1999, and it was reconsidered in the year 2015. The Memorandum of Procedure, widely referred to as MOP's objective is to have transparent selection processes for the judges. But this wasn't very efficient in practical use. This was stalled for a long time because of the lack of consensus between the Supreme Court and the government¹⁸.

Appointment and filling of vacancies in high courts

Appointment of Chief Justice

The chief justice of the high courts will be appointed in consultation with the chief justice of India. The initial appointment of a chief justice in the high court will be regulated under Article

¹⁵ *History*, Sup. Ct. of India, <https://www.sci.gov.in/about-department/history/> (last visited Aug. 30, 2024).

¹⁶ India Const. art. 121.

¹⁷ India Const. art. 124A.

¹⁸ The Contest Over the Collegium System in India,* LSE South Asia Blog (June 5, 2023), <https://blogs.lse.ac.uk/southasia/2023/06/05/the-contest-over-the-collegium-system-in-india/>.

217¹⁹. Initiation of the proposal for the appointment of chief justice would be done well in advance, at least one month before the position becomes vacant. ²⁰ After receiving the recommendation from the chief justice of India, the union law minister, Justice, and company affairs would obtain the views of the state government.

Eligibility of chief justice of high courts.

There are specific regulations for the appointment of chief justice in high courts, which include;

- i. has been a judicial officer in the territory of India at least for a period of ten years. Or
- ii. Has been an advocate in the high courts of India at least for a period of ten years

Number of Judicial vacancies in Indian High courts.

As per the data released by the government on 01/08/2024, the Supreme Court has zero vacancies and is working at its full strength, but it's not the same case in other courts. The judicial vacancy in high courts reveals the substantial shortfall in the number of judicial vacancies in India. The total sanctioned strength of the high courts is 1114 and the total working strength is 754. A staggering number of 360 positions are vacant in the judicial office. The vacancy amounts to 32.32% of the available positions.

To get a clear idea of the vacancy rates of all high courts in India, we will be analyzing the number of sanctioned posts, the working strength of all 25 high courts in India, and the vacancies they have, to begin with, the highest number of vacancies, The high court of Allahabad has an alarming number of vacancies, 76, which means almost 47.5% of the posts have not been filled. The number of sanctioned strength is 160 and the current strength is only 84. With such a staggering number of vacancies, the court will have impacts of the same in its efficiency. The High Court of Punjab and Haryana has a sanctioned strength of 85, but only 55 posts have been filled and 30 vacancies are unfilled. For a high court handling two populous states, the shortfall is tremendous. The Bombay High Court has an authorized strength of 94, out of which 28 positions are vacant now. The high court of Calcutta faces similar challenges the number of vacancies is around 28 now, and the sanctioned strength now is 72, which means only 44 judges are holding the positions.

¹⁹ India Const. art. 217.

²⁰ *Memorandum of Procedure of Appointment of High Court Judges*, Dep't of Justice, Govt. of India, <https://doj.gov.in/memorandum-of-procedure-of-appointment-of-high-court-judges/> (last visited Aug. 30, 2024).

The number of vacancies in the High Court of Andhra Pradesh is 9 with a working strength of 28. Chhattisgarh High Court's total number of sanctioned strengths is 22 whereas only 15 vacancies are filled and the rest 7 are unfilled posts. The Delhi High Court has a strength of 9 working judges and the limit is 60 It has almost a rate of 35% of unfilled positions. The High Court of Gauhati has a total sanctioned strength of 30 and out of which 24 seats have been filled and 6 remain unfilled. The vacancies make up about 27.27% of the sanctioned strength. The High Court of Gujarat has 52 as the sanctioned strength and 23 vacancies. The number of sanctioned judges in the High Court of Himachal Pradesh is 17 out of which 12 are filled and there's a vacancy of 5 positions. The High Court of Jammu Kashmir and Ladakh has a sanctioned strength of 17, out of which almost 15 seats were filled and only around 2 positions are vacant. The High Court of Jharkhand has a working strength of 18 of 25 sanctioned strength and the number of vacancies is 7. The High Court of Karnataka, has sanctioned a strength of 62 judges and the current working number is just 50, 12 seats are vacant. The High Court of Kerala has a sanctioned strength of 47 out of which 8 are vacant and 39 are already filled.

The High Court of Madhya Pradesh has a strength of 36 working currently and 17 of the sanctioned posts are unfilled. Madras High Court has a sanctioned strength of 75, with 63 of the posts filled, it has 12 seats unfilled. The high court of Manipur has a sanctioned strength of 5, with almost 4 seats filled, only 1 position is unfilled. The high court of Meghalaya has no vacancies, all its sanctioned 4 posts have been already filled. The High Court of Orissa, has sanctioned seats of 33 and only 20 of them are filled, it has almost 13 vacancies. The high court of Patna has a sanctioned strength of 53 and out of which 34 has been filled and 19 remains vacant. The high court of Patna and Haryana has a sanctioned strength of 85 and 30 of it is remaining. The high court of Rajasthan has only working strength of 33 out of total 50 and 17 seats remain unfilled. The high court of Sikkim has a sanctioned strength of 3 and it has no vacancies. The high court of Telangana has sanctioned strength of 42 and only 27 of them are filled. The high court of Tripura has a sanctioned strength of 5 and out of that everything has been filled. Lastly, the high court of Uttarakhand has a strength of 11 out of which only 7 got filled and 4 remain vacant.

Comparative analysis of data

The significant vacancies in various high courts across India have a direct impact on the high pendency of cases, leading to delays in justice delivery. The Allahabad High Court, which faces

the highest pendency with 880,6a96 cases, is also severely impacted by its alarming judicial vacancy rate—76 out of its 160 sanctioned positions remain unfilled, resulting in only 84 judges being available to handle the massive backlog. This substantial shortfall in judicial strength exacerbates the delays. Similarly, the Bombay High Court, dealing with 717,498 pending cases, has 28 out of 94 positions vacant, significantly hampering its ability to deliver timely justice. The Madras High Court, where 523,753 cases are pending, has 12 out of 75 sanctioned positions unfilled, contributing to delays.

The Punjab and Haryana High Court, with 433,644 pending cases, suffers from 30 vacancies out of 85 sanctioned posts, causing a severe strain on its capacity to manage the caseload efficiently. The Rajasthan High Court, which has 652,419 pending cases, is also struggling with 17 vacancies out of 50 sanctioned posts, leading to a bottleneck in the judicial process. The Karnataka High Court, with 297,061 pending cases, is burdened by 12 vacancies out of its 62 sanctioned positions, affecting its efficiency. The Kerala High Court, which has 256,681 pending cases, is similarly affected by 8 vacancies out of 47 sanctioned posts.

The Andhra Pradesh High Court, with 246,293 pending cases, has 9 vacancies out of its 37 sanctioned positions, impacting its ability to clear the backlog. The Telangana High Court, with 243,640 pending cases, faces 15 vacancies out of 42 sanctioned positions, further delaying justice. The Calcutta High Court, dealing with 188,809 pending cases, has 28 vacancies out of its 72 sanctioned positions, which significantly contributes to its backlog. The Gujarat High Court has 171,293 pending cases and 23 vacancies out of 52 sanctioned posts, leading to delays in case resolution.

The Orissa High Court, with 143,378 pending cases, has 13 vacancies out of 33 sanctioned positions, exacerbating the delay in handling cases. The Delhi High Court, with 127,349 pending cases, is impacted by a 35% vacancy rate, with 21 unfilled positions out of its 60 sanctioned posts, leading to a severe strain on its judicial capacity. The Patna High Court, handling 198,999 pending cases, has 19 vacancies out of its 53 sanctioned posts, adding to the delays. The Himachal Pradesh High Court, with 89,384 pending cases, is dealing with 5 vacancies out of its 17 sanctioned positions.

The Chhattisgarh High Court, with 86,155 pending cases, has 7 vacancies out of its 22 sanctioned positions, struggling to manage its caseload effectively. The Jharkhand High Court,

with 76,434 pending cases, has 7 vacancies out of 25 sanctioned positions, further contributing to delays. The Jammu and Kashmir High Court, with 46,183 pending cases, has only 2 vacancies out of its 17 sanctioned posts, yet this still impacts its efficiency. The Gauhati High Court, with 61,401 pending cases, has 6 vacancies out of 30 sanctioned positions, leading to delays.

The Uttarakhand High Court, with 53,235 pending cases, has 4 vacancies out of its 11 sanctioned positions, which exacerbates its backlog. The Manipur High Court, with 5,017 pending cases, has 1 vacancy out of its 5 sanctioned positions. The Meghalaya High Court, with 1,093 pending cases, and the Tripura High Court, with 942 pending cases, have no vacancies, enabling them to manage their caseloads more effectively. The Sikkim High Court, with just 197 pending cases, also has no vacancies, ensuring smooth case processing. The Madhya Pradesh High Court, with 198,714 pending cases, has 17 vacancies out of its 53 sanctioned positions, facing significant delays due to this shortfall. Lastly, the Ladakh High Court, despite its smaller scale, reflects the pervasive impact of vacancies across the judicial system.

Inefficiency of Existing measures for reduction of judicial vacancies

We can very well consider that the address mechanism of judicial vacancies and their impact on judicial delays has been mostly inefficient, by the interpretation that if they had been efficient the high courts wouldn't have such a high number of vacancies. The existing measures to reduce the judicial vacancy includes, The collegium system, where this particular group will engage in the process of selecting the judges, Fast track courts, and digital initiatives these remedies are not up to the mark. Even after the implementation of all these, the judicial vacancies and judicial delay exists. That's a specialized legislation and control over this part of judiciary would help to address the issue.

Conclusion

It is a critical issue which affects the very efficiency of our legal system — judicial delays because there are quite literally no judges to try cases. The study has, therefore, investigated why open posts of the judges make cases loners and in when a new system is required to deal with such challenges.

One simple example of a bottleneck is that places on the federal bench go vacant because judges retire or for some other reason vacate their posts. This puts a burden on the judges when there are even fewer available. That means more cases per judge, which can slow down how quickly a case is decided and increase the time. Citizens will have to wait for justice. The delays associated with these vacancies especially impact individuals and businesses who are parties to legal disputes; they have longer waits for their cases to be heard and concluded.

This also delays the justice. Cases not being resolved speedily create more likelihood that witnesses will forget important details and evidence may become less reliable, leading to the possible effect of negating many benefits which could thus have arisen over such efficiency. Below the quality standards can cause a lack of confidence in the judicial system by not timely delivering justice.

The results of our study demonstrate that the current judicial vacancy replacement system is often fraught with delays and red tape. Be it lengthy procedures or political/ bureaucratic delays. This can lead to prolonged periods during which vacancies go unfilled, which makes case backlogs worse and puts more pressure on the limited number of judges. Thus, the judicial system is impaired and also decreases its efficiency in determining justice.

All of these issues suggest that there is a particular need for an independent and effective law on judicial appointments, to reduce the vacancies in justice. Well, the need is for such a law to also simply concentrate on how these appointments can happen as fast and in a liberal manner as possible. No, for instance, it could establish clear timelines by when new judges would have to be appointed and provide processes that would allow this to happen fast. It will stop prolonged position outgoings of the office and minimize judicial outcomes due to vacancies.

The new law should include provisions for how to accommodate the increased case load that court vacancies create, in addition to facilitating a smoother appointment process. That might include establishing ways to distribute cases more evenly among judges so no single one becomes swamped. Efficiency could be improved and delays reduced by implementing technology solutions such as advanced case management systems. These systems are able to track cases, administer dockets and support judges for better distribution of their workloads.

One of the most important areas in which attention should be given to filling judicial vacancies

is that the appointment process must also be transparent and fair. A well-designed law will define the criteria for appointing a judge, and it can help guard against political appointments. It would have the effect of increasing trust that members of the public had in their judicial court system, as well as making sure only suitable people were made judges.

Besides legislative reforms, alternative mechanisms must also be explored to help the judiciary manage vacancies. Such as boosting funds for the judiciary would give more resources to judges, which improve their capacity to deal with cases in a timely fashion. Continued training programs, including for judges and court staff can aid in up skilling them as well so they are more efficient, this further reduces delays.

In the end, properly filling judicial vacancies needs to be a mix of both legislative and administrative solutions. Base lining the fulfilment of vacancy against a dedicated law, laying down procedures for appointment and use technology solutions can go long way in making our judiciary effective to dispense timely justice.

Judicial vacancies have a huge bearing on judicial delays and, therefore, the effectiveness of prevalence of justice in any legal system. And there clearly is a need for such unique and robust law to address the issue of these vacancies. Passing something like this into law will help to make sure our courts keep running smoothly and don't get bogged down with unnecessary paperwork. This will not only enhance the administration of justice, but also reinspire public faith in the legal system thus benefitting society as a whole.

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