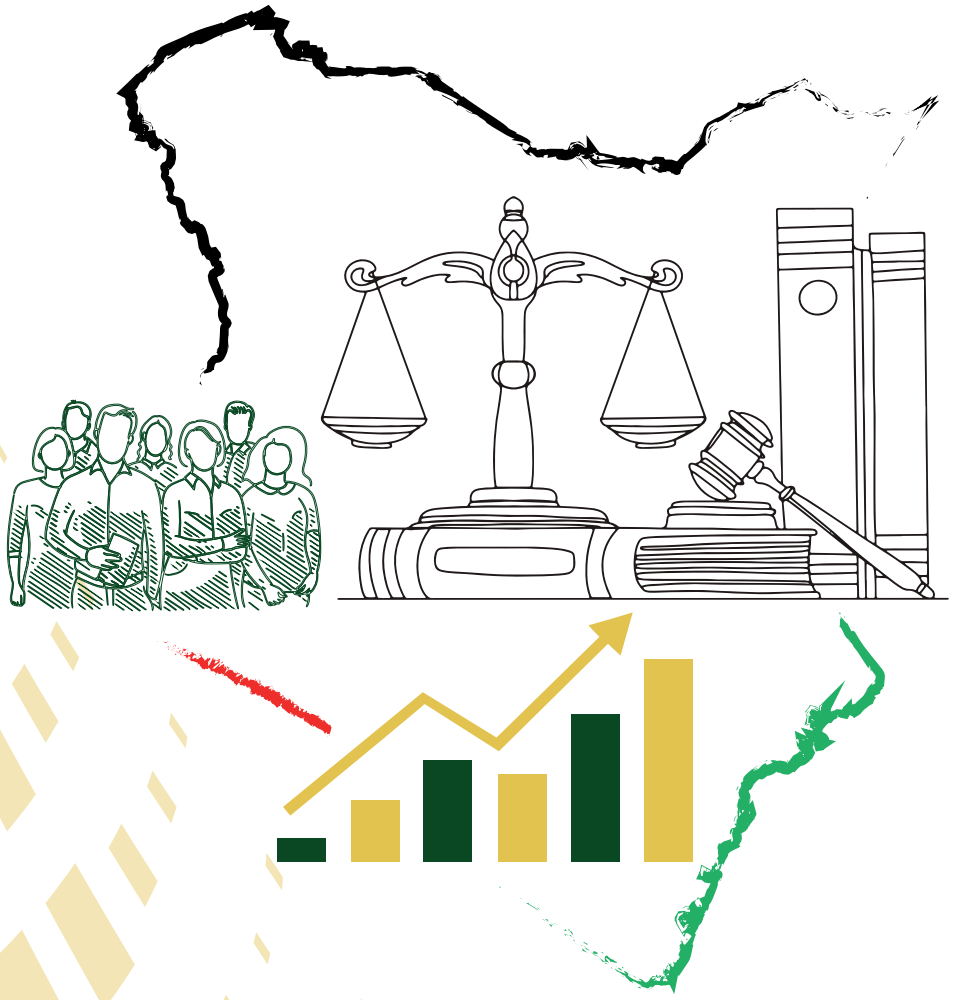
THE JUDICIARY

The Judiciary FY 2026/27 Budget: A guide for the CItizen



Social Transformation
through Access to Justice



The Judiciary FY 2026/27 Budget: A guide for the CItizen.



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1.0 Introduction

The Judiciary is primarily financed from the Consolidated Fund as appropriated by the National Assembly. The Judiciary Fund established under Article 173 of the Constitution requires the approved estimates of expenditure of the Judiciary to be a direct charge on the Consolidated Fund. The Judiciary's budget process is anchored under Article 173 (3) in the Constitution of Kenya, which requires that each financial year, the Chief Registrar of the Judiciary shall prepare estimates of expenditure for the following year and submit them to the National Assembly by 30th April.

Mandated by Article 159 of the Constitution, the Judiciary administers justice and promotes the rule of law through the Courts and Tribunals. The Judiciary discharges this mandate by developing jurisprudence and providing independent, accessible, fair, and responsive institution for dispute resolution. Through interpretation of the Constitution, the Judiciary promotes the rule of law by shaping public policy and ensuring access to justice. This essential mandate is delivered through the Dispensation of Justice Programme, which focuses on two key sub-programmes: Access to Justice and General Administration.

This document highlights Judiciary's performance for FY 2024/25 and presents key priority areas for FY 2026/27 and the medium term drawn from the Social Transformation through Access to Justice (STAJ) blueprint. The document seeks to promote understanding and inclusivity of the Judiciary's budgeting process enabling citizens to meaningfully engage and giving feedback pursuant to Article 201(a) of the Constitution and Section 37(5)(a) of the Public Finance Management (PFM) Act, 2012 which requires public participation in all financial matters.

2.0 Financial Performance Review

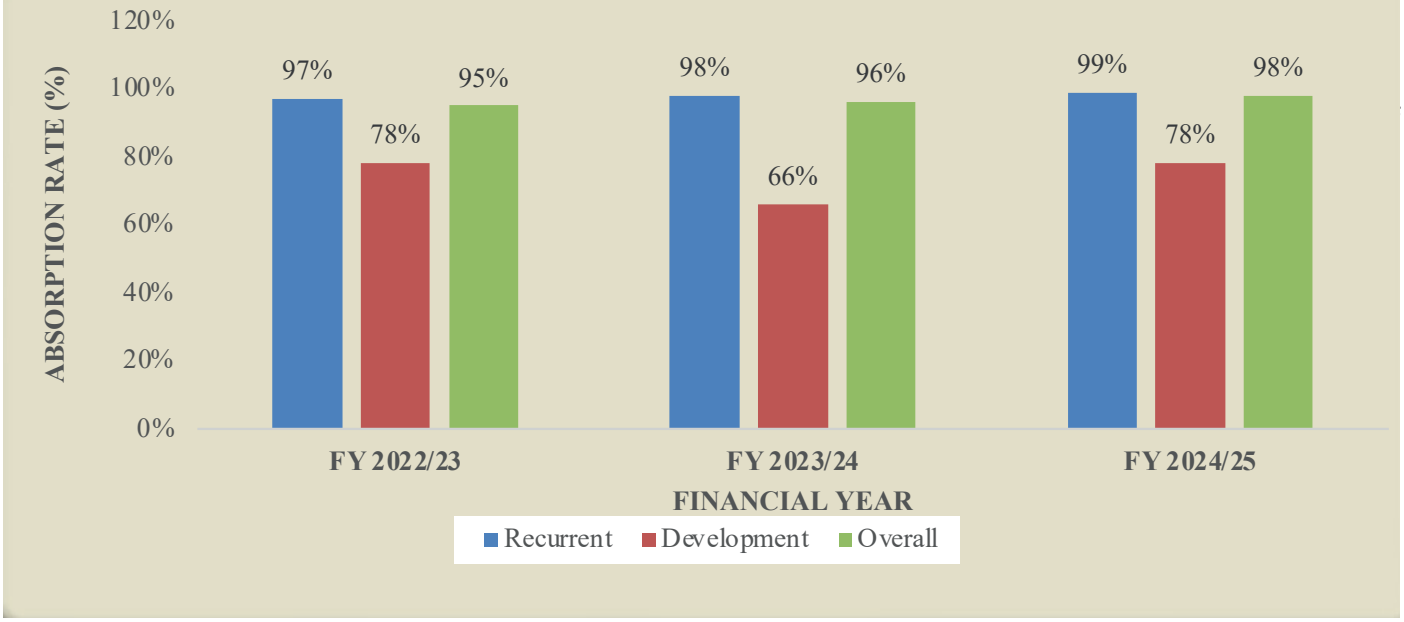


Fig 1: Budget Absorption

3.0 Non-Financial Performance Review

i) Case Statistics

a) Case Clearance

Case clearance rate improved from 99% in FY 2023/24 to 104% in FY 2024/25, notwithstanding the increase in the number of filed cases by 105,805 cases as shown in Figure 2.

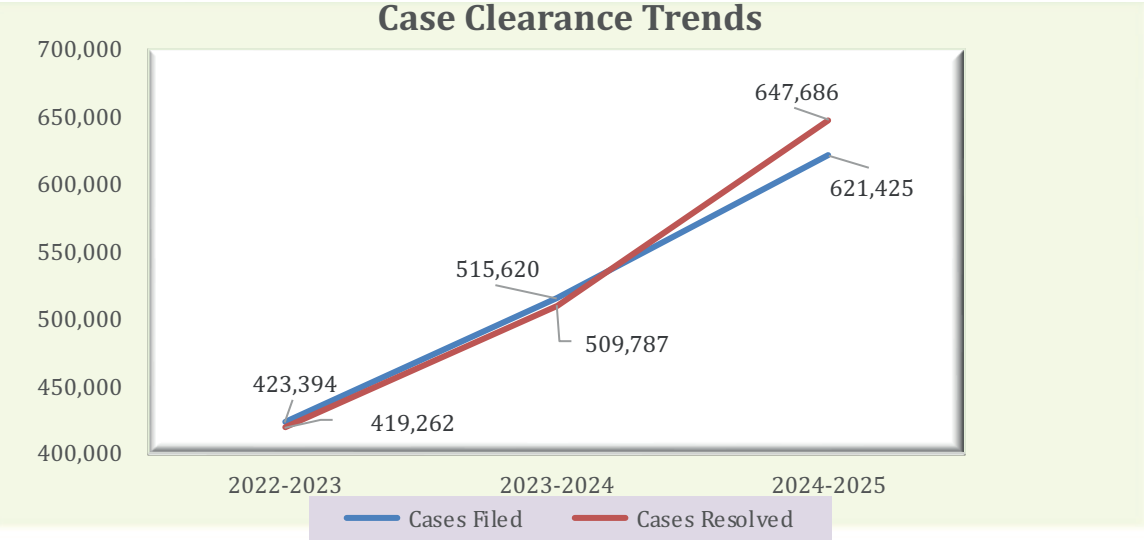


Fig. 2: Case Clearance Trends

b) Backlog

There was a remarkable improvement in addressing backlog cases with a decline of 27%, from 243,383 in June 2024 to 177,081in June 2025 as shown in Table 1. Although the proportion of backlog in the Magistrates courts declined from 76% to 72% in FY 2024/25 and FY2023/24, respectively it still remains the highest. This is attributed to the inadequate number of Magistrates compared to the high caseload.

Table 1: Case Backlog Analysis

		CASE BACKLOG AS AT 30TH JUNE 2025			
COURT RANK	CASE BACKLOG 30TH JUNE 2024	1-3 YEARS	OVER 3 YEARS	ALL AGES	% CHANGE IN BACKLOG
Supreme Court	7	2	1	3	-57%
Court of Appeal	6,570	3,585	1,832	5,204	-21%
High Court	31,106	9,336	14,133	23,469	-25%
ELRC	4,370	3,455	409	3,864	-12%
ELC	6,625	2,368	2,791	5,159	-22%
Magistrates' Courts	184,458	94,048	33,216	127,264	-31%
Tribunals	8,092	1,145	2,721	3,866	-52%
Kadhis' Courts	2155	251	56	307	-86%
All Courts	**243,383**	**114,190**	**55,159**	**177,081**	**-27%**

ii) Multi-door Approaches to Justice

Court-Annexed Mediation

Court-annexed mediation was operationalised in fourteen courts, namely Isiolo, Olkalou, Marsabit, Kamwangi, Ruiru, Githunguri, Kapenguria, Lodwar, Kakuma, Lokichar Mobile Court, Kwale, Msambweni, Lokitang Mobile Court and Kilgoris. During the period, a total of 9,823 matters were referred to mediation, out of which 61.3% were successfully settled, resulting in the release of approximately KShs. 26.7 billion into the economy.





The Launch of Marsabit Court Annexed Registry, Guidelines for processing Private Mediation Agreements in Kenya, Family Mediation Guidelines and FAQs by the Hon. Chief Justice

- **Alternative Justice Systems**

Alternative Justice Systems (AJS) action plans were launched in 6 counties namely Narok, Uasin-Gishu, Kisumu, Trans Nzoia, Isiolo and Marsabit bringing the number of Counties with AJS to 10. The AJS Policy provides accessible, affordable and flexible dispute resolution mechanisms that integrates community practices into formal jurisprudence.





Launch of AJS Programme in Trans-Nzoia(left) and Isiolo Counties (right)

- **Small Claims Courts**

Three (3) Small Claims Courts were established at Dagoretti, Garissa and Voi Law Courts, bringing their total number to forty (40).

- **Tribunals Operationalization**

The Retirement Benefit Appeals Tribunal transited to the Judiciary. This brought the total of Tribunals that have transited to Judiciary to twenty-three (23). Thirty-one (31) Chairpersons and members of several tribunals were sworn in.

In addition, shared services for Tribunals were launched in Nairobi and Kisumu Counties to enhance

access to justice. This initiative seeks to streamline administrative processes, optimize resource allocation, and standardize service delivery by pooling resources and leveraging economies of scale.



Swearing in of the Tribunals Chairpersons and Members



Hon. Chief Justice Martha Koome and H.E. Prof. Anyang' Nyong'o Governor Kisumu County during the opening of Tribunal shared services in Kisumu

- **Mahakama Popote**

This is an innovation designed to enhance efficiency and equitable access to justice by leveraging technology and redistributing workload across court stations. It enables Judicial Officers in courts with lower caseloads to support busier courts through virtual platforms and e-filing, eliminating the need for physical transfers. During the reporting period, the initiative was implemented in Milimani Commercial, Mombasa, Milimani SCC, Eldoret SCC, Kisumu SCC, Kakamega SCC, Thika SCC, Thika Kadhis Court and Mombasa Kadhis Court. A total of 19,089 cases identified in these courts were distributed to Judicial Officers in other court stations with lower caseloads, out of which 14,240 were resolved. This enhanced access to justice by reducing case backlog. To guide and strengthen its implementation, the Mahakama Popote Guidelines were launched.

- **Decongesting Prisons through RRI**

During the year, the Judiciary launched a Rapid Results Initiative (RRI) to decongest prisons in the Nairobi region, officially rolled out at the Industrial Area Remand and Maximum Prison. Through this initiative, 3,157 matters were reviewed, resulting in inmates being placed on probation, assigned Community Service Orders (CSOs), having their sentences reduced, or being released.





Makadara Chief Magistrate presides over a decongestion exercise to release inmates at Industrial area Remand Prison.

- **Circuits and service weeks**

a. Court Circuits

Circuits are need-based court sessions designed to expedite the resolution of disputes and bring justice closer to the people. This is achieved by temporarily deploying Judges and judicial officers to specific court stations. The Judiciary carried out circuits for all court levels as shown in the Table 2.

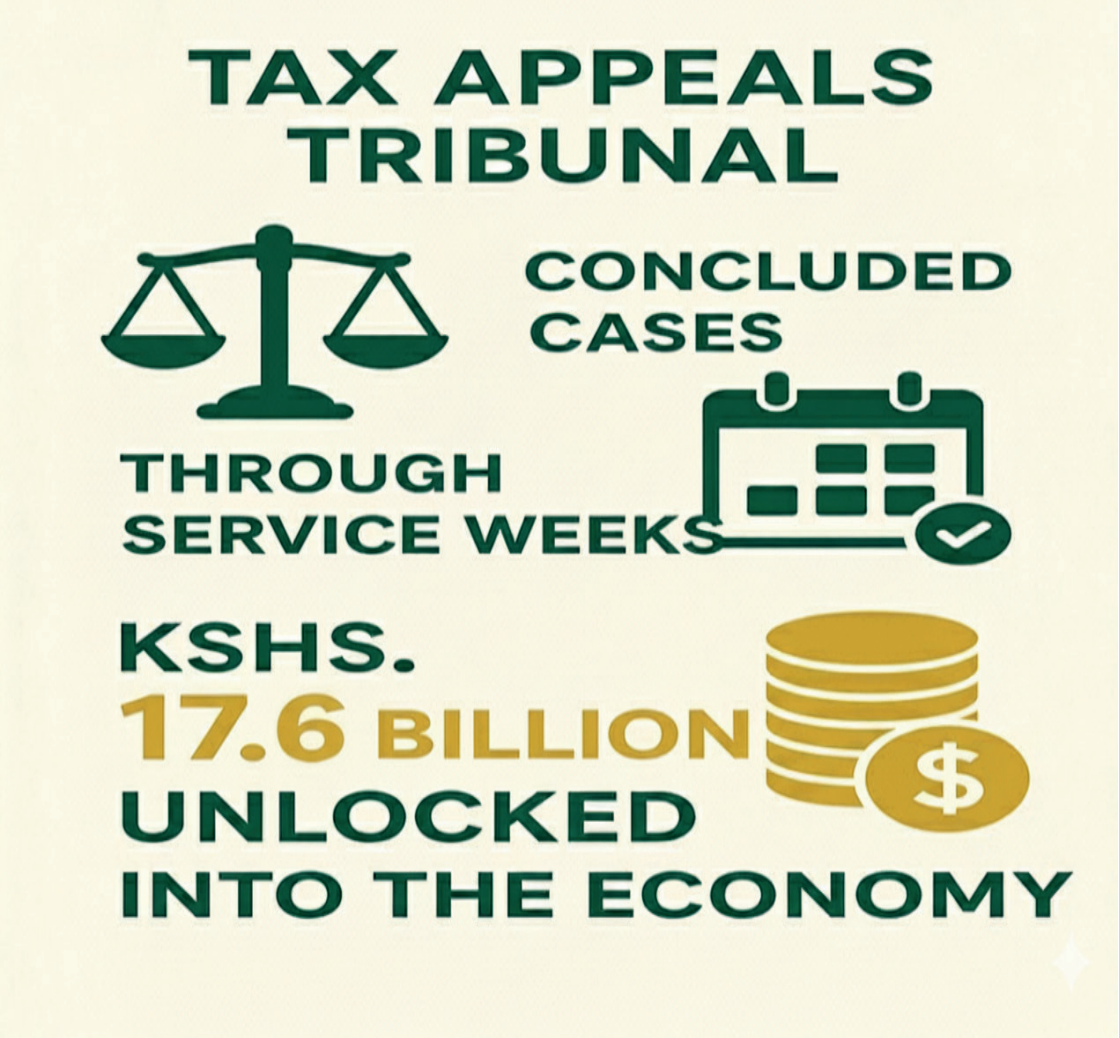
Table 2: Resolved cases through Circuits in FY 2024/25

COURT	NO. OF CIRCUITS	NO. OF CASES RESOLVED
Court of Appeal	19	162
High Court	94	1,987
ELRC	32	211
ELC	96	2,570
Tribunals	27	1,120
TOTAL	268	6,050

b. Service weeks

A total number of 2,507 cases and 1,723 cases were heard and determined at the High Court and Tribunals court levels, respectively through Service weeks.

The Tax Appeals Tribunal concluded 197 number of cases though service weeks, thus unlocking Kshs. 17.6 billion into the economy.



- **Mobile Courts**

The Judiciary facilitated 59 mobile courts in far-flung areas, in which 6,751 cases were resolved.

iii) Establishment of Courts and Registries

A Court of Appeal sub-registry was operationalised in Garissa.

Makadara High Court, Civil Appellate Division in Milimani Law Courts and a sub-registry at Wajir was established. The Isiolo High Court sub-registry was upgraded into a fully-fledged High Court station while the ELRC Voi sub-registry was operationalised. The ELC Appeals Division in Milimani Law Courts and two new ELC sub-registries in Bomet and Wajir were also established.

Six new magistrate courts were successfully operationalised in Kendu Bay, Kamwangi, Wamunyu, Dagoretti, Moiben, and Kombewa, increasing the total number of subordinate courts to 162.



Opening of Kombewa Law Courts by the Hon. Chief Justice

iv) Growth of Jurisprudence & Leadership Management

The Supreme Court @ 12 Jurisprudential Conference was held as a key knowledge-sharing and legal development event. This was opportunity of reflection on the 12 years of defending the constitution while introspecting and reflecting on Supreme Court Jurisprudence.



H. E. The President of the Republic of Kenya Dr William Samoei Ruto during the Supreme Court @12 Conference and Exhibition

Employment and Labour Relations Court Annual Symposium and Exhibition (ELRASE II) themed, 'The Role of the Employment and Labour Relations Court in Fostering the Right to a World of Work Free from Violence and Harassment, Including Gender-Based Violence and Harassment' was held in September 2024. This symposium provided an opportunity for reflections to assess whether domestic laws align with global standards. Focus was on jurisprudence developed by the Employment and Labour Relations Court and how it meets the high standards set by comparative jurisdictions.



Lauch of Employment and Labour Relations Procedure Rules 2024, The Conciliation Manual and The ELRC Registry Operations Manual by Hon. Chief Justice during the Employment and Labour Relations Court Annual Symposium and Exhibition (ELRASE II)



The Inaugural High Court Human Rights Summit was held where High Court and stakeholders had a chance to reflect, discuss, and share insights on addressing issues that relate to the contemporary human rights landscape in Kenya

The Environment and Land Court Climate Justice Conference held at the Moi University, School of Law in November 2024 brought together ELC judges, national government, county governments, law students, development partners and CBOs. The theme of the conference was ***'The Role of the Courts in Remedying Climate Change Chaos: A Call for Distributive and Procedural Justice.'***



A panel of participants during the Environment & Land Court Climate Justice Conference at Moi University School of Law, Eldoret in November 2024

The 2025 Annual Mediation Summit themed: "Land, Land Use, and Climate Change Disputes in Kenya" was held in April 2025 bringing together various stakeholders, providing a platform to share best practices, address challenges, and foster collaborative solutions.



Annual Mediation Summit 2025 on Land, Land Use, and Climate Change Disputes in Kenya held at Strathmore University

v) Registry and Court Practices Guidelines

The Guardianship and Foster Care Rules under the Children Act, 2022 which have been gazetted under Legal Notices 159 [(The Children (Foster Care)] and 160 [The Children (Guardianship)] Practices and Procedure Rules of 2024. The objective of these Rules is to facilitate the just, expeditious and proportionate determination of applications relating to guardianship.

The Supreme Court launched Self-representing Litigants E-guide and operationalised a self-service chatbot menu on various courts and registry services.

The Anti-Corruption Strategic Guiding Framework (ASGF) and the Guidelines for the Expeditious Trial of Corruption and Economic Crimes in Special Magistrates' Courts were developed through the National Council on the Administration of Justice (NCAJ).



Supreme Court launched Self-representing Litigants E-guide

vi) Provision of Legal Aid Services

The Judiciary continued to support Pro bono services in the year under review where 3,449 cases were handled and paid through the Judiciary Fund.

vii) Court Infrastructure

To enhance physical access to court premises, the following projects were undertaken:

Completed Constructions: Dagoreti and Marimanti Law Courts





Launch of Dagoretti Law Courts presided over by the Honourable Chief Justice





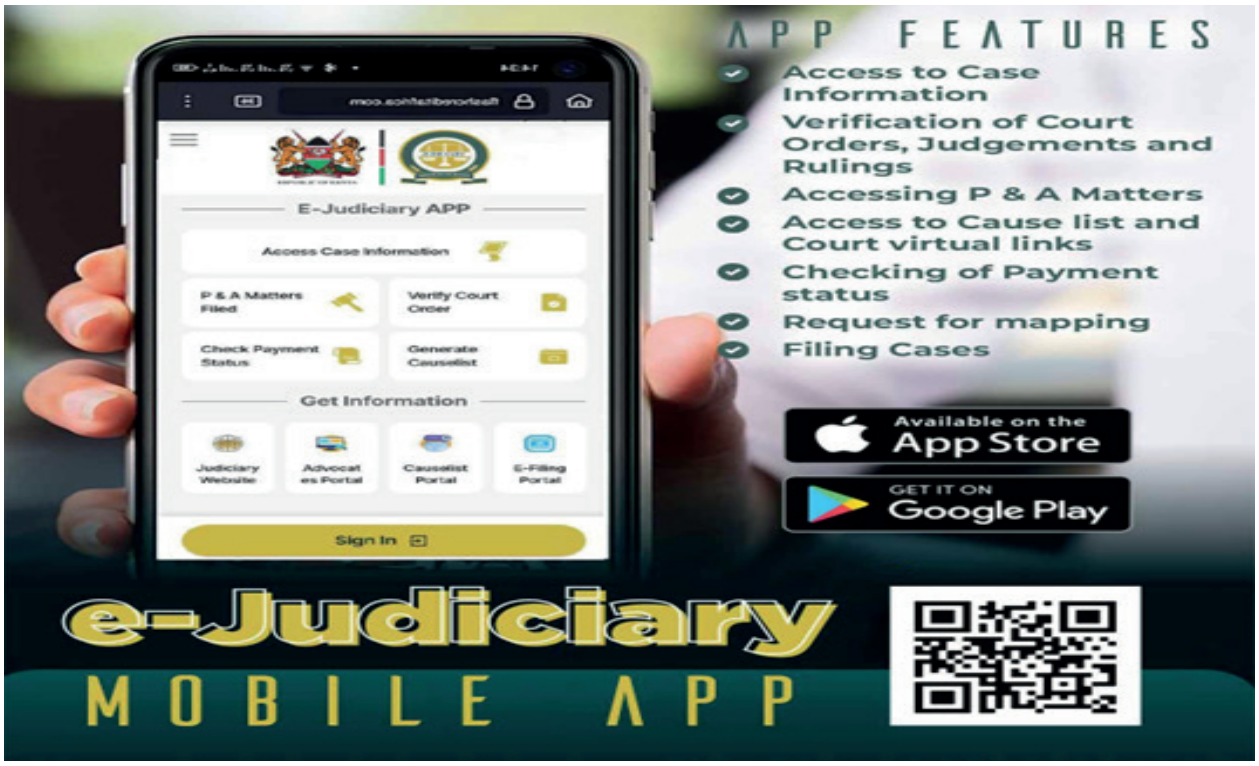
Newly constructed Marimanti Law Courts

viii) Automation of Processes

The Judiciary Enterprise Resource Planning (ERP) System- Jumuika

During the period under review, the Jumuika ERP system continued to be developed for the administrative functions, which has resulted in organizational efficiency by optimizing resource utilization and reduction in paper work.

Mobile App for e-Filing, the app extends the Judiciary's service delivery to mobile devices including smartphones, iPads, and tablets making it easier for the public to access judicial services anytime, anywhere. Integrated with the Case Tracking System (CTS) and E-Filing, the app provides users with key services and information without the need to log in.



Mahakama Digitization Programme (MADIP)

MADIP has laid the foundation for a smarter, paperless, and people-centred justice system. Digitization of court records involves the conversion of court files from Manual to digital format and thereafter upload to the Case Tracking System.

In FY 2024/25, a total of 322,295 out of the targeted 611,580 case files were digitized across 128 stations, representing 53%. This enabled real-time access to case files via CTS and e-Filing platforms, enhancing efficiency, accuracy, and registry operations. Further, 15,249 administrative records were digitized to streamline support functions.

Internet connectivity

The Judiciary, in partnership with the Communications Authority, successfully installed Local Area Network (LAN) infrastructure in 42 court stations. Additionally, under the ICT Authority project, 51 sites were activated to the National Optic Fibre Backbone Infrastructure (NOFBI) connectivity bringing the total number of courts with internet connectivity to 177.



Hon. Chief Justice and CS Ministry of ICT and Digital Economy during the Launch of the LAN Project at Msambweni Law Courts

ix) Greening the Judiciary

To ensure that Judiciary is moving to green power, solar systems installations were completed in Etago, Kiambu, Kilgoris, Kyuso, Mwingi, Naivasha, Sirisia, and Tawa bringing the total number of solar-powered stations to 42.

x) Dialogue Day

On January 31, 2025, the Judiciary convened Dialogue Day across all court stations, reaffirming its commitment to transparency, accountability, and citizen-centred justice. This nationwide initiative provided a structured platform for engagement between judicial officers, stakeholders, and the public, with a focus on service delivery, judicial processes, and collaborative reform. The forum provided feedback and self-evaluation mechanisms to ensure responsiveness to evolving needs and adoption of new technologies.











Dialogue Day for Mombasa, Eldoret, Githunguri and Milimani Law Courts

xi) Public participation in Judiciary Financial Matters

Judiciary held budget public participation forums in 5 regions namely Narok, Isiolo, Kitui, Kisii and Nairobi to engage and obtain feedback from the public pursuant to Article 201(a) of the Constitution and Section 37(5)(a) of the Public Finance Management (PFM) Act, 2012.





Public hearing sessions in Isiolo (left) and Narok(right)

4.0 Priority Areas of Funding in FY 2026/27

4.1. Access to Justice

i) Case Clearance and Reduction of Backlog
   - Circuits to serve populations in courts where there are no Judicial Officers
   - Mobile courts in far flung areas / regions
   - Establishment of registries
   - Establishment and operationalization of new court stations
   - Deploy assistive technologies like braille and interpreters for PWDs in courts

ii) Expansion of Access to Justice Pathways
   - Continuous small claims courts established
   - Expanded Mediation registries, training and accreditation of mediators
   - Establishment of AJS suites
   - Pro bono facilitation
   - Mahakama Popote initiative

iii) Human Resources Management and Development Enhancing staffing levels through recruitment of Judges, Judicial Officers, Legal Researchers and Judicial Staff.

iv) Leveraging Automation for Delivery of Justice
   - Equipping courts to support virtual courts and E-filing through establishment of e-filing Kiosks
   - Installation of digital court recording and transcription solution
   - Digitization of court files and records

v) Improvement of Court Infrastructure
   - Completion of ongoing court constructions
   - Refurbishment and renovations of court facilities
   - Installation of alternative power (solar)
   - Purchase and installation of Security equipment and systems

4.2. General Administration, Planning and Support Services

i) Continuous provision of Security services in court premises and Judiciary offices
ii) Continuous provision of Internet and communication services to allow public access for e-filing and Virtual court hearings.
iii) Facilitating a conducive work environment by
    - Providing for improved wellness of Judges, Judicial Officers and Staff through provision of social benefits including medical cover
    - Engaging cleaning services for the courts and Judiciary premises.
    - Provision of official transport by leasing and fueling of Motor Vehicles for State Officers and Court stations
iv) Ensuring accountability through enforcement of Performance Management and Measurements Understandings (PMMUs).
v) Preparation and publication of the State of the Judiciary and Administration of Justice Report (SOJAR) and the NCAJ Annual Administration of Justice Report

5.0 Proposed FY 2026/27 Budget

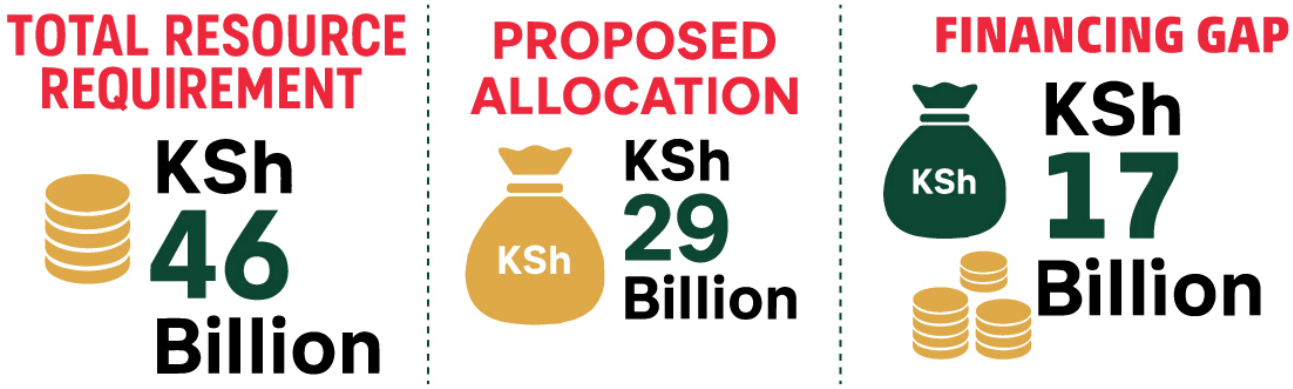
5.1 Analysis of Judiciary Resource Requirements for FY 2026/27

i) The total resource requirement for FY 2026/27 stands at KShs. 46.45 billion where KShs. 40.4 billion is for recurrent vote and KShs. 6.04 billion for Development vote as shown in Table 3. The resources are required to support Judiciary's core mandate as espoused by the STAJ Blue print and implementation of the Bottom-up Economic Transformation Agenda (BETA)

Table 3: FY 2026/27 Resource Requirement versus Proposed Ceilings

ECONOMIC CLASSIFICATION	RESOURCE REQUIREMENT (KSHS. MILLION)	PROPOSED BUDGET CEILING (KSH. MILLION)	DEFICIT (KSHS MILLION)
	FY 2026/27	FY 2026/27	FY 2026/27
A: RECURRENT			
Gross	**40,416**	**26,384.5**	**(14,031.5)**
A-I-A	0	13.1	
Net	**40,416**	**26,371.4**	
B: DEVELOPMENT			
Gross	**6,037**	**2,629.9**	**(3,408)**
GOK	-	1,952.9	
Grant	0	24.1	
Local AIA		652.9	
TOTAL Vote 1261	**46,453**	**29,014.4**	**(17,438.6)**

5.2 Financing Gap



The overall funding deficit is 38% of the established Resource Requirements with the Development vote having the higher percentage at 56% while recurrent has a deficit of 35%. In effort to bridge this deficit, the Judiciary is engaging other Development partners to mobilize additional funding.

6.0 Challenges

i) Inadequate Funding

The Judiciary continues to receive inadequate funding that hampers the achievement of critical goals in areas such as staffing, court infrastructure (including buildings and ICT), and the operations of Small Claims Courts. It also limits public awareness programs that would increase uptake of Alternative Justice Systems (AJS) and Alternative Dispute Resolution (ADR).

ii) Limited Compatibility and Integration of Information Systems

Limited compatibility and integration of information systems across justice sector actors continue to impede coordinated case management and timely exchange of information, undermining the expeditious delivery of justice.

iii) Security Threats

The security of the Judiciary's infrastructure and personnel remains inadequate. There has been an increase in the frequency and severity of insecurity incidents, including intrusions into court premises and physical attacks on Judiciary staff.

7.0 Recommendations

i) Enhance Budgetary Allocation and Resource Mobilisation

Advocate for increased allocation of financial resources to the Judiciary and enhance engagement with development partners to bridge funding gaps.

ii) Strengthen ICT Integration and Inter-Agency Collaboration

Accelerate development of compatible ICT systems and frameworks across the justice sector. Engage key agencies, such as the ODPP, Prisons, and the National Police Service, to ensure full ICT integration and seamless information flow, as envisioned in the Justice Sector Digitisation Strategy.

iii) Improve Security of Judiciary Infrastructure and Personnel

Strengthen collaboration with national and county security agencies to ensure coordinated, proactive protection of Judiciary infrastructure and personnel. In addition, court infrastructure and surveillance systems need to be improved.

REFUND OF CASH BAIL

Step 1
Court Order

Case is finalized.

Court issues an Order for Refund of Cash Bail.

Step 2
Submit Required Documents

- Original Deposit Receipt
  (If lost – provide Police Abstract + Affidavit adopted in court.)
- Duly Filled Bank Details Form
  (Available at the Court Registry)
- Copy of National ID / Passport
- Affidavit Adopted in Court
  (If depositor's name differs from that on the receipt)
- Certificate of Incorporation
  (If refund is to a Company / SACCO)
- Current Practicing Certificate
  (For Law Firms)

Step 3
Payment

Refund processed within 14 days

Payment made directly to the depositor's bank account after submission of all required documents.



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