



THE JUDICIARY

E-FILING USER GUIDE / MANUAL FOR THE ELECTION DISPUTES RESOLUTIONS

18th August 2022

E-FILING USER MANUAL V.1



Social Transformation
through Access to Justice



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1. INTRODUCTION TO E-FILING SYSTEM

E-Filing System provides a platform for Law firms, Lawyers and non-lawyers to initiate and complete the process of filing cases online from their offices /remotely. Thus they do not need to visit the court premises to file cases or banking halls to pay court fees.

2. PREREQUISITES

- a) Have an Existing E-Filing Account or Signup to E-Filing
- b) Ensure you have all Case Documents in Soft Copy and PDF format and properly named e.g. (Affidavit, Annexures, plaint etc.) with a Max size of 50 MB
- c) Ensure you have Sufficient Money to pay court fees and security of cost
- d) There is an internet connection to your Computer or Laptop

3. GETTING STARTED

The Judiciary E-filing System is a web-based application that sits on a server and can be accessed from any location where there is an internet connection.

The Judiciary E-filing System can be accessed via the Link: <https://efiling.court.go.ke/>

- a) Ensure you have an E-Filing account which can be accessed at the link below
https://efiling.court.go.ke/auth/register_account/
- b) Ensure you have your E-Filing account username and password. You can check in the link below if you have forgotten the access credentials https://efiling.court.go.ke/index.php/auth/forgotten_password

4. DEFINITION OF TERMINOLOGIES

- a) Filing A New Election Petition Case – this involves filing a fresh case with the result being allocation/generation of a case number. Filed by initiator case party types e.g. Petitioner, Applicant or Appellant.
- b) Subsequent Filing/Filing in an Existing Case – This involves the case initiator filing case documents to an existing case, within a selected bundle. No fee is charged for subsequent filing since the initial fee covers all the documents in the bundle.
- c) Filing an Application/Response/Defense – this involves filing a response to a case. Filed by the respondent.
- d) Court Fee Document Bundles – a grouping of relevant documents to be filed for a certain case type as outlined in the new gazette court fees schedule. The fee is attached to the entire bundle and not the individual documents.
- e) Court Fee General Documents Bundles – Comprises all the documents required to be filed, that is are not in the gazette document bundles.
- f) Security of Costs – is the security required of a party to litigation to assure payment of expenses. It is set as follows:
 - i) Presidential – to be paid alongside the filing fees for the petition – **Kshs. 1,000,000**
 - ii) **Parliamentary & County Election Petitions i.e Gubernatorial, Senatorial, Member of National Assembly & County Member of National Assembly (Woman Representative)** – to be paid within 10 days of the filing of the Elections Petition – **Kshs. 500,000**
 - iii) **Member of the County Assembly** – to be paid within 10 days of the filing of the Elections Petition – **Kshs. 100,000**

5. ELECTION PETITION CASES CATEGORIES

On the E-Filing system, Election Disputes cases are categorized into four (4) main categories:

- a) Election petition** – matters filed to challenge the results declared for a certain elective position in an election held.
- b) Election Appeal** – matters filed to challenge the judgement given on a certain election-related case.
- c) Party List** – matters to filed to challenge or express dissatisfaction in the implementation of the party list nominating members to the national assembly, the senate or county assemblies. Commonly referred to as the 'Nomination List.
- d) Miscellaneous Application** – any application related to an election matter

6. FILING ELECTION PETITION CASE

6.1. Step 1: Click the Election Disputes button



Figure 6.1: Filing Election Dispute Start Page

6.2. Step 2: Select the Petition Category

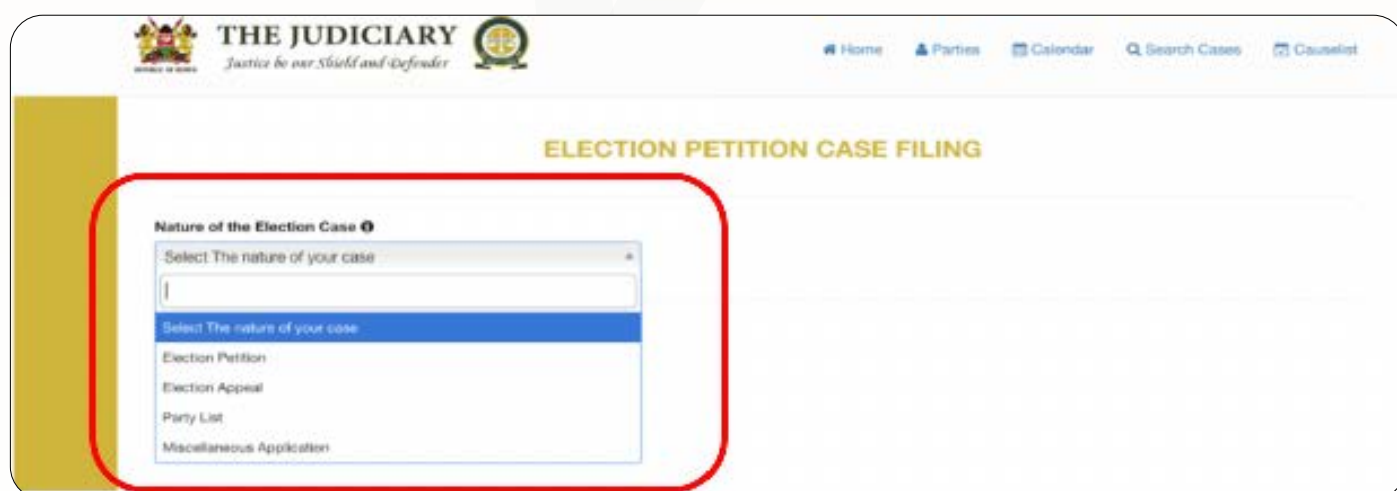


Figure 6.2: Election Dispute Category

6.3.Step 3: Select Elective Position

ELECTION PETITION CASE FILING

Nature of the Election Case ⓘ
 Election Petition

Which Elective Position Are You Challenging? ⓘ
 Select The Elective position

- President
- Governor
- Women Representative
- Member of County Assembly (MCA)
- Senator
- Member of National Assembly (MNA)

Proceed

Figure 6.3: Election Dispute Position

6.4.Step 4: Select the Electoral Area

The system will automatically guide you to the court station where the case will be filed and the fee to be paid.

Step 1
Leading Questions: Leading Questions

Step 2
Case Parties: Litigants and interested parties

Step 3
Additional : Additional Information About the Case

Step 4
Case Summary: Brief Summary of your filing

In which COUNTY was the election held? * ⓘ

MOMBASA

Select Documents Bundle you want to file? * ⓘ

Constitution and Human Rights Election Petition (High Court)

Files required to upload. Please tick the files you have and ensure all mandatory files are provided. * ⓘ

Files to upload (Election petition) * ⓘ

☒ Petition
☒ Affidavits or statements
☐ Annexures
☐ List of Witnesses
☐ Submissions
☐ Affidavit of Service

Do you have any other Application? * ⓘ

None

Filing Bundle: Election petition Fee Amount: 30100
Case Type: High Court Constitution and Human Rights Election Petition/Constitution and Human Rights Election Petition
Total Fee Payable : 30100

Your case will be registered in: Mombasa High Court (CHR and JRS) Located: Mombasa

** You can proceed to the next step **

Previous
Next
Cancel

Figure 6.4: Election Dispute Electoral Area

6.5. Step 5: Add Case parties and upload files

The system will guide you to add the case parties and upload files

Step 1: Leading Questions: Leading Questions

Step 2: Case Parties: Litigants and interested parties

Step 3: Additional : Additional Information About the Case

Step 4: Case Summary: Brief Summary of your filing

+Add Case Party

Its only the 1st Case Party who is an INITIATOR that can file a document, e.g. 1st Plaintiff, 1st Applicant, 1st Petitioner..

NO.	Category	Party Type	Party Name	Files
1	Individuals	1st Plaintiff	Ariana Grande	verifying_affidavit.pdf (238.0 KB) Delete statement_of_claim.pdf (400.5 KB) Delete plaint.pdf (400.5 KB) Delete
2	Individuals	1st Respondent	Juma Usher	Remove File

Previous Next Submit

Figure 6.5: Add Parties and Documents

6.6. Step 6: Enter Additional Election Dispute Details

The system will require you to add additional case details such as;

- a) Elective Post
- b) Electoral Area
- c) Date of Declaration of Results and
- d) Case Summary and Prayers

Citation * Juma Mgombaa VS Independent Electoral and Boundaries Commission

Election Petition Details

Provide the detail of the election petition

Elective Post * Governor

Electoral Area * MOMBASA

Date of Declaration of Results *

Date Filed * 2022-07-26

Case Summary *

Prayers *

Figure 6.6: Additional Case Details Required

6.7. Step 7: Confirm and Submit

Election Petition

Election Petition Case Details

Date of Declaration of Results	05 Jul 2022	Elective Post	Governor
Electoral Area	County: MOMBASA Constituency: N/A Ward: N/A		
Case Summary	case summary		
Prayers	prayers		

Case Parties

Juma Mgombea VS Independent Electoral And Boundaries Commission

Category	Party Type	Party Name	Nationality	Title
Individuals	1st Petitioner	Juma Mgombea	Kenyan	
State	1st Respondent	Independent Electoral and Boundaries Commission	N/A	N/A

Case Documents

No.	File Bundle	Date Uploaded	Amount Payable
1.	Election petition	2022-07-26 00:24:30	30,100.00
Total			30,100.00

Previous Next **CONFIRM AND SUBMIT** Cancel

Figure 6.7: Additional Case Details Required

6.8. Step 8: Court Fees Payment – Option 1 Pay Now

Once confirmed and submitted the system will require you to make payments immediately or later. The system will provide a payment advice/invoice (as shown in figure 6.8) with a Customer Ref Number. The payment options provided are as follows;

a) MPESA:

1. Go to Lipa Na Mpesa
2. Select Paybill and enter – 553388
3. Enter Account Number – PRN (e.g – EXEDREDS)
4. Enter the Amount and PIN and pay

b) KCB Bank:

1. Save Filing by Confirming and Submit
2. Visit the Bank with a copy of the Invoice
3. Deposit Amount with Customer Ref Number – PRN (e.g – EXEDREDS)

Customer Ref. No.# EXEDREDRS

Payment Details:
 KCB Bank A/C: 1144416752
 MPesa Paybill: 553388

Order Date:
 2021-09-28 15:21:19+00

Order summary

No.	Description	Totals
1	Election Petition	30,100.00
Subtotal KSh.		30,100.00
Amount Paid KSh.		0.00
Total KSh.		30,100.00

Figure 6.8: Court Fee Payment Advise/Invoice

6.9.Step 9: Court Fees Payment – Option 2 Pay Later

The new case is listed but without a case number, click on the `eye` icon to view the case and pay the court fees

Show 10 entries
Search:

#	Case No	Tracking No.	Age	Filing Date	Status	Citation	
1	HCCHREP/****/2022	Q9T22022	1 Second	26-Jul-2022 03:25:26	Active	Juma Mgomba VS Independent...	

Figure 6.9: Court Fee Payment

Locate the case details view (as shown in Fig 6.9), under the Case Fees tab, you can view the auto-assessed fee and pay. For EDR matters the system automatically adds a security fee as a deposit. Upon full payment is done, a case number will be issued. The payment process will be as follows;

a) MPESA:

1. Go to Lipa Na Mpesa
2. Pay bill and enter – 553388
3. Account Number – PRN (e.g - EXEDREDRS)
4. Enter Amount

b) KCB Bank:

1. Save Filing by Confirming and Submitting
2. Visit Bank with Invoice Copy
3. Deposit Amount with PRN (e.g - EXEDREDRS)

Case Summary Parties Case Activities Lodging Request Documents From Court **Case Fees** Receipts Documents

Case Fees


Show 10 entries Search:

No.	Payment Type	PRN	Date Generated	Amount	Paid	Balance	
1	Fees	EZH9NPH3	26-Jul-2022 03:28:24	500000.00	0.00	500000.00	Invoice \$ Pay Now
2	Deposits	EZH3CZG4	26-Jul-2022 03:28:22	1000000.00	0.00	1000000.00	Invoice \$ Pay Now

Figure 6.10: Additional Case Details Required


6.10.Step 10: Payment Confirmation and Case Number Issuance

Upon successful payment, a receipt will be generated as shown in fig 6.11 below. The payment details in the receipt will be as shown below.



REPUBLIC OF KENYA
THE JUDICIARY
Receipt

2020



Issued On: 2020-07-26 00:00:00

Received from _____ **In Case No:** _____ **as**
below

Document Type	Units	Amount Assessed
1 Annexure	1	10.00
		Total : Ksh.10.00

Payment Mode	Transaction No.	Transaction Date	Amount Paid
1 - MPESA	OFH3129HRR	2020-06-23 14:56:32+03	10.00

Figure 6.11: Receipt Details

7. FILING INTO AN EXISTING CASE

7.1. Step 1: Open Dashboard and Search for the Case

Once you have logged in you will be presented with your dashboard and your case will be listed. Navigate to the case and click on the view button

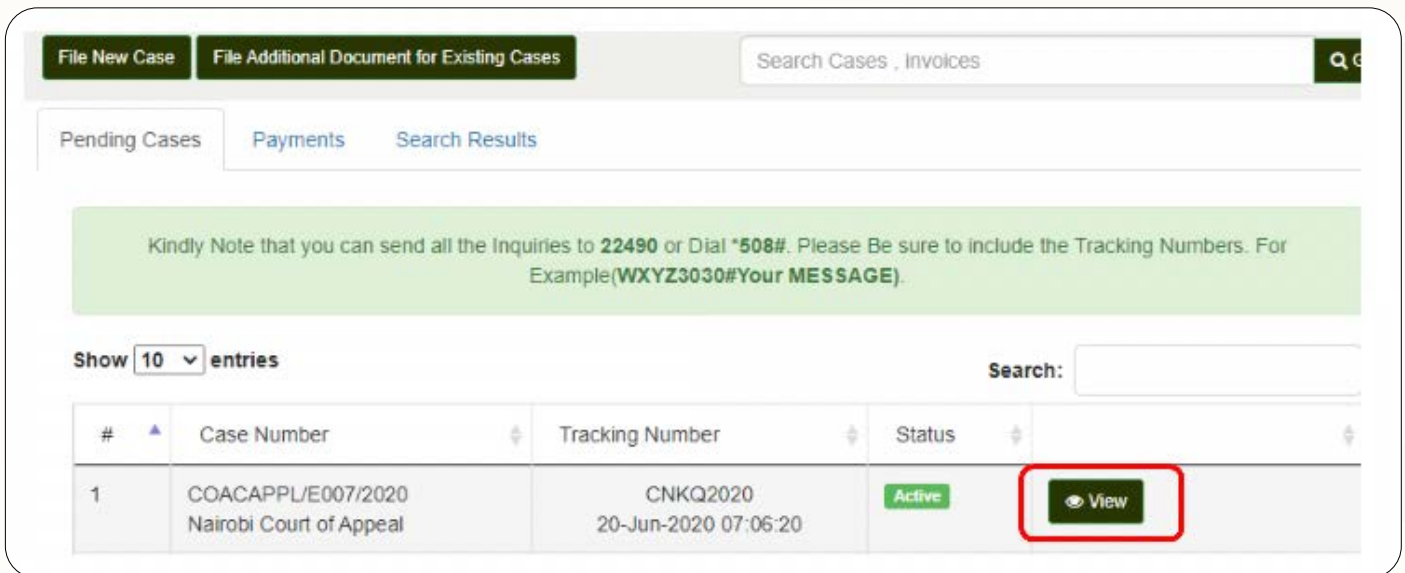


Figure 7.1: Access an Existing Case

7.2. Step 2: Lodging Request Tab

Click on the Lodging Request Tab and then navigate to the 'File Additional Documents' button.

Click on the Lodging Request Tab and then navigate to the 'File Additional Documents' button.

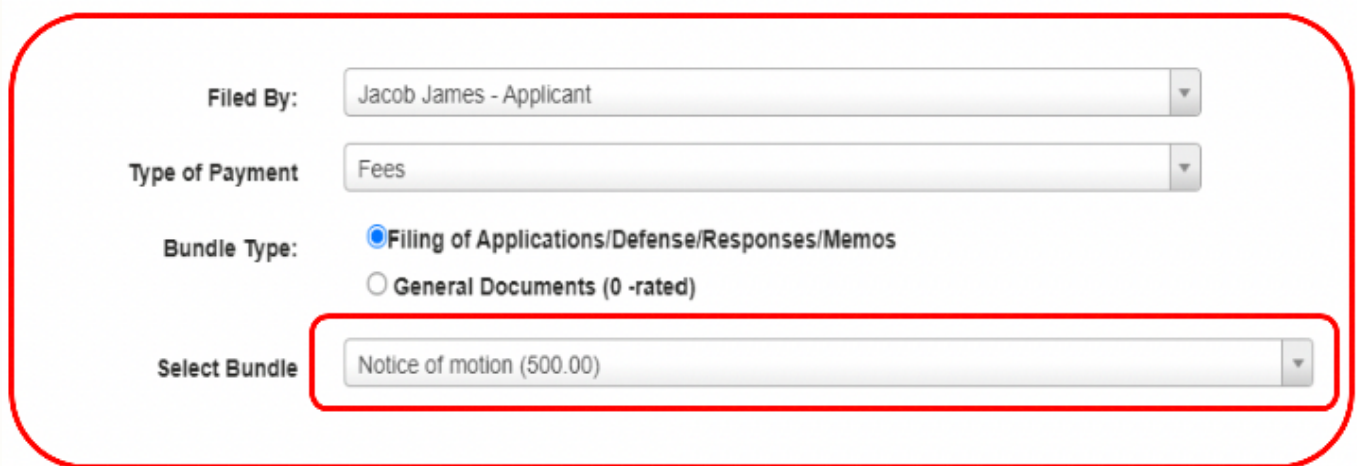


Figure 7.2: Add the Additional Documents 7.3. Step 3: Select the Case Party and Documents

7.3. Step 3: Select the Case Party and Documents

Select the following steps to upload documents;

- Select the case party filing the documents
- Choose the type of payment
- Select bundle type of documents
- Upload the documents and upload the file.



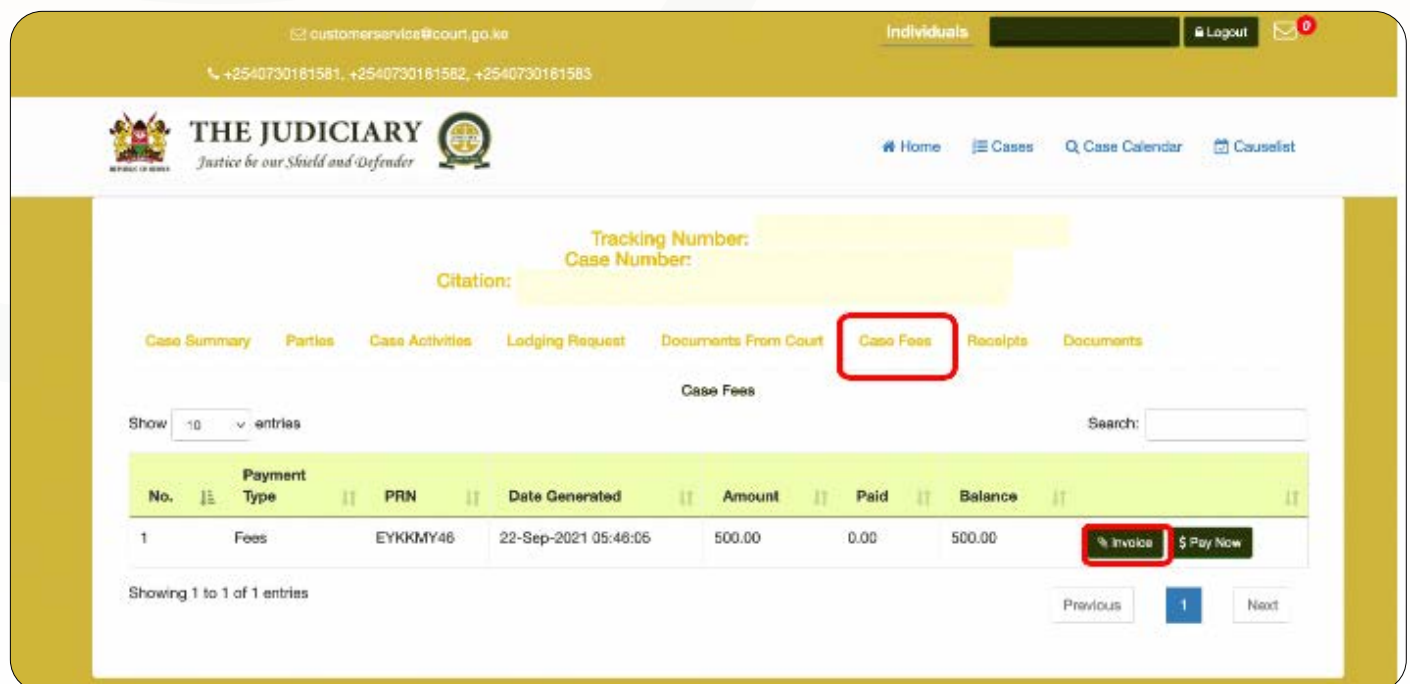
The screenshot shows a form for uploading documents. It includes the following fields:

- Filed By:** A dropdown menu with "Jacob James - Applicant" selected.
- Type of Payment:** A dropdown menu with "Fees" selected.
- Bundle Type:** Two radio buttons. The first is "Filing of Applications/Defense/Responses/Memos" (selected). The second is "General Documents (0 -rated)".
- Select Bundle:** A dropdown menu with "Notice of motion (500.00)" selected.

Figure 7.3: Upload the Documents

7.4. Step 4: Generate Invoice and Pay

Navigate to the Case Fees tab and click on the invoice button to generate the invoice that will provide you with PRN and payment steps as shown below;



The screenshot shows the "Case Fees" page. The "Case Fees" tab is highlighted with a red box. Below the tabs, there is a table with the following columns: No., Payment Type, PRN, Date Generated, Amount, Paid, Balance, and Action. The table contains one entry:

No.	Payment Type	PRN	Date Generated	Amount	Paid	Balance	Action
1	Fees	EYKKMY46	22-Sep-2021 05:46:05	500.00	0.00	500.00	% Invoice \$ Pay Now

Below the table, there is a "Showing 1 to 1 of 1 entries" message and a pagination bar with "Previous", "1", and "Next" buttons.

Figure 7.4: Click on Invoice Tab or Pay Now

Customer Ref. No.# EXEDREDRS

Payment Details:

KCB Bank A/C: 1144416752
MPesa Paybill: 553388

Order Date:

2021-09-28 15:21:19+00

Order summary

No.	Description	Totals
1	Election Petition	30,100.00
Subtotal KSh.		30,100.00
Amount Paid KSh.		0.00
Total KSh.		30,100.00

Figure 7.5: Payment Advise/Invoice Details

7.5.Step 5: Payment Confirmation

Locate the case payment details as shown below. Upon full payment is done, a receipt will be generated as shown in fig 7.6 below. The payment process will be as follows;

a) MPESA:

1. Go to Lipa Na Mpesa
2. Pay bill and enter – 553388
3. Account Number – PRN (e.g – EXEDREDRS)
4. Enter Amount

b) KCB Bank:

1. Save Filing by Confirming and Submitting
2. Visit Bank with Invoice Copy
3. Deposit Amount with PRN (e.g – EXEDREDRS)



REPUBLIC OF KENYA
THE JUDICIARY
Receipt

2020



Issued On: 2020-07-26 00:00:00

Received from _____ in Case No: _____ as
below

	Document Type	Units	Amount Assessed
1	Annexure	1	10.00
			Total : Ksh.10.00

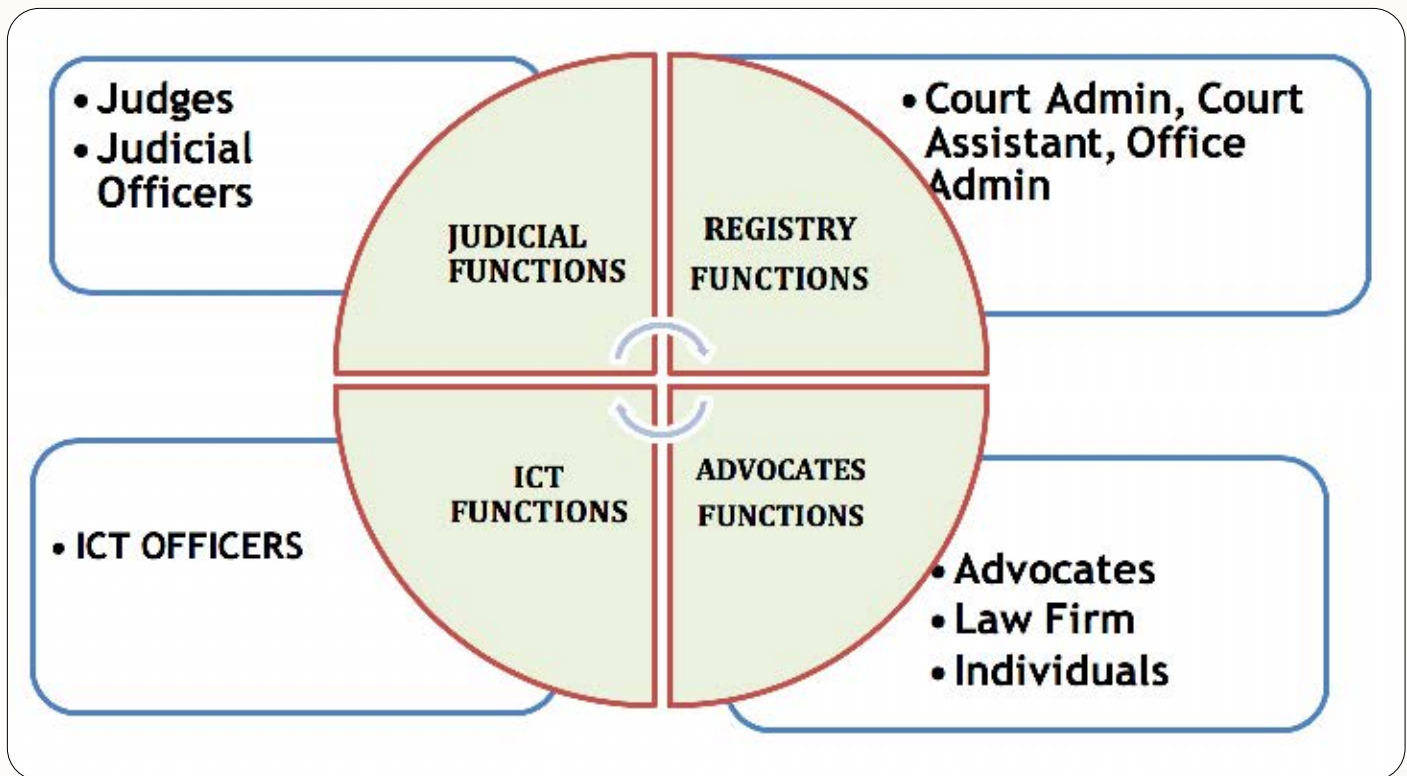
Payment Mode	Transaction No.	Transaction Date	Amount Paid
1 - MPESA	OFH3129HRR	2020-06-23 14:56:32+03	10.00

Figure 7.6: Receipt Details

8. ROLES FOR SYSTEM USERS

The e-Filing system roles are classified into the following four (4) categories;

- 1) Judicial Functions
- 2) Registry Functions
- 3) ICT Functions
- 4) Law Firm/Advocates Functions



8.1.Judicial Functions

- Drafting and publishing Rulings, Judgements and Orders in CTS
- Allocation of cases to Judges and Judicial Officers
- Allocation of hearing and Mention dates
- Approval of court deposits
- Acknowledgement and approval of summons to enter appearance

8.2.Registry Functions

- Cause listing/Date fixing
- Updating Case Outcomes
- DCRT Preparation and submission
- Initiating Refunds
- Extraction of Court Orders, warrants, decrees
- Approval of court deposits
- Acknowledgement of E-Filed Documents
- Mapping/linking of litigants and advocates to cases
- Invoice litigants on under-assessments

8.3.ICT Functions

- Training of Internal system users on CTS & E-Filing
- Training of External System on E-Filing
- Providing user support to internal users (Judges & Staff)
- Providing user support to external users (Litigants)

- e) Providing feedback to the Director on areas of system improvement
- f) Mapping CTS users
- g) Mapping of Judicial officers to the courtrooms
- h) Conducting system testing and quality assurance and submitting reports
- i) System champions /ambassadors at the court stations

8.4.Law Firm/Advocates Functions

- a) Filing of cases on E-Filing
- b) Download and upload Court documents
- c) Download and print case receipts
- d) Generate case activities
- e) Request for Court dates
- f) Request for Court proceedings, rulings, judgements, Court Orders, warrants, decrees and other executions



9. FAQs ON THE E-FILING SYSTEM

1. How do I get started?

- a) All clients need to register online with a user ID and password. A user ID and password. Visit the Judiciary website at www.judiciary.go.ke or directly visit E- Filing.court.go.ke. Once you visit the link sign up for an account and have it activated.

2. When do I register as an individual, organization or law firm?

- a) Individual Accounts: If you are a member of the public with no legal background and want to be a self-represented party you will register as an individual. Advocates who don't have law firms can also register as individuals
- b) Organization Accounts: If you own an organization and need to file a case as an organization with several advocates in your organization use this account. You can create multiple users in the account to manage the electronic filing
- c) C. Law Firms: If you own a Law Firm and need to file cases for your clients and have several advocates in your firm register as a Law Firm. You can create multiple users in the account to manage the electronic filing for the Law Firm

3. Who can file a case?

- a) Members of the public
- b) Members of the Law Society of Kenya
- c) Any organizations
- d) Government agencies e.g Office of the DPP, AG Office, EACC e.t.c

4. What format of documents is required for uploading into the system?

- a) The Portable Document Format (PDF)

5. What is the maximum upload size of a case file?

- a) The maximum upload size is 50MB

6. What happens if I surpass the maximum upload size of 50MB?

- a) The User will be required to split the documents into volumes of 50MB and label volumes appropriately and then proceed to upload separately the document volumes

7. Who will assess the court fees?

- a) The system will automatically assess the fees and may be reviewed by the court if under-assessment is noted

8. Which payment methods are available for the E-Filing process?

- a) The options available are MPESA, KCB Teller KCB Mtaani and RTGS more payment options are to be added in the near future.

9. How will I confirm payment has been successful?

- a) You will receive notification from the bank through an SMS and electronic receipt in your portal

10. Can I save my work and continue to file it later?

- a) Yes

11. What date is considered the filing date when a document is e-filed?

- a) The date the document is e-filed is the filing date. However, where it is e-filed on a weekend or a public holiday or past official working hours the next working day is the filing date.

12. Can I get access to file documents into an existing case?

- a) Yes, you will request to file to an existing case and await verification by the court to continue filing.

10. JUDICIARY VIRTUAL COURTS GUIDELINES FOR EDR

Introduction to Virtual Courts

Virtual Courts is the use of a video conferencing application to conduct court sessions without the need of parties being in a one location but are connected through a computer network. The Judiciary has been using the Microsoft Teams and Go To Meet Applications for conducting virtual court sessions.

Virtual Courts Prerequisites

1. A laptop/ Desktop Computer with a Camera and Microphone.
2. Reliable Internet Connectivity
3. Virtual Court link for the respective court session.

Virtual Courts Standard Operating Procedures

Before the start of the court session

1. Ensure that you join the virtual session 15min before the start of the session to confirm that your camera and microphone are working.
2. When joining the court session, ensure you enter your name and title correctly for ease of identification; i.e.
John Doe – 1st Plaintiff's Advocate

During the court session

1. Only turn on your microphone and camera if it is your turn to speak.
2. Parties should introduce themselves the first time they speak.

Virtual Court sessions for Election Petitions

- a) Election petition cases shall adopt a hybrid system that will involve both physical court sessions and virtual sessions for parties that will not be able to attend the physical session.

Note:

Advocates / Parties that are directly involved in the cases shall attend the physical court and the rest shall be given access to the court session via a link.

- a) The links to the election petition cases shall be posted on the Cause list.

Note: There shall be 1 link per case

- b) Election Petition court sessions shall be recorded and transcribed.
- c) Typed Proceedings shall be availed within 3 days after the court rises.
- d) Request for the recorded proceedings shall be made through the office of the Deputy Registrar in the Superior Court and Office of the Judicial Officer for Subordinate Courts.
- e) Access to the court proceedings shall be through the Judiciary e-filing system after payment of the requisite fees.
- f) Advocates and Parties are required to adhere to the Judiciary Standard Operating Procedures for Court Recording.

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 **Instagram:** judiciary_ke

 **Judiciary Website:** www.judiciary.go.ke