

## **THE PARALEGAL SCHEME OF THE CIVIL RESOURCE DEVELOPMENT AND DOCUMENTATION CENTRE (CIRDDOC)**

**INTRODUCTION:** CIRDDOC NIGERIA has been involved in the training and deployment of paralegals since 1999 under our Henrich Boll Foundation and Ford Foundation projects. Since then we have trained over 150 paralegals who are either working in the CIRDDOC Community Information Centres (CICs), the various traditional rulers' palaces or in their communities.

Our activities under the projects include training and refresher courses, provision of free legal services by the Paralegals, monitoring of the activities of paralegals, capacity building training for NGOs who want to do paralegal scheme etc.

**TRAINING OF PARALEGALS:** Our paralegal training programmes are organised for two weeks and the training is residential. This is organized yearly and this has been so, for the past 11 years. We also hold yearly refresher courses for the paralegals to keep them abreast of the developments in the field of law.

### **TRAINING OBJECTIVE:**

- To educate the paralegals on the principles of law. This is to enable them carry out their duties as paralegals (mediators) thereby reducing the number of cases that go to court and save high cost of litigation.
- To educate the people about the law.
- To contribute to the improvement of services offered to the public by the courts and lawyers.
- To provide legal assistance for the indigent who cannot otherwise afford the cost of legal services.

### **OUTCOMES/INDICATORS:**

- Numerous cases (over 250 cases) have been settled by the paralegals amicably.
- People from the rural and urban areas, mostly indigents, now troop to CIRDDOC's paralegal clinics to have their matters settled.
- To many people, the paralegal in the community is their only source of information on the law, human rights and duties as citizens of the state.

### **MONITORING OF PARALEGAL ACTIVITIES**

This is carried out quarterly - a programme officer travels to CIRDDOC's various Community Information Centres to monitor the activities of the paralegal. The paralegals, in turn, submit monthly reports to CIRDDOC headquarters where legal officers scrutinize the reports and approve them before the paralegal officers are paid their monthly stipends. The reports submitted monthly help us to know whether a paralegal officer is working diligently or not.

### **CAPACITY BUILDING & NETWORKING**

We network with other organizations doing paralegal work. We have trained colleagues who wish to start the scheme such as Centre for Women's Studies International and

WRAPA in Abuja. We have also served as resource persons in the training of their paralegals and have shared our training Manual with them also.

#### **CHALLENGES FACED:**

- **Insufficient training:** The two weeks yearly training organized for paralegals is insufficient to properly groom them for the work. The training should be made more intensive. This could be done by introducing a 6 months diploma programme to enable paralegals be grounded in important areas of law; this will also go a long way in improving their mediation and conflict resolution skills.
- **Forgery of Reports by Paralegals:** It is observed that some of the reports submitted by paralegals are forged in order to meet requirements for payment of stipends.
- **Inadequacy of funding:** There is lack of commitment on the part of the paralegal officers because they are paid stipends only. They want to be paid salaries but the funding is not available. We are not able to hold the refresher courses regularly because of lack of funding.
- **Age:** Some of the paralegal officers are retired and elderly people and are not able to carry out their duties diligently.
- **Literacy:** This is a serious challenge because the work of paralegal requires the services of literate persons. But these literate persons are not willing to take up the job of paralegals because they feel the job is not lucrative.

#### **THE NEED THAT GAVE RISE TO THE TRAINING OF PARALEGALS:**

- Exorbitant costs of legal services
- Inaccessibility of courts and legal services to those in the rural communities.
- To build their capacity of more people in the law.
- To carry out efficiently, the job of mediation and arbitration which is free
- Congestion in courts and delay in dispensation of justice. It is therefore to help decongest the courts.
- To enable them educate the people on their rights

#### **BRIEF SUMMARY ON THE ACTIVITIES OF OUR PARALEGALS:**

The project's pilot areas are ten Local Government Areas drawn from Enugu, Ebonyi and Anambra States. We have a legal aid clinic (housed in the CIRDDOC Community Information Centres (CIC) in each of the pilot LGAs that is run by a paralegal who is trained by CIRDDOC. The paralegal gives "first aid" legal assistance to indigent members of the community needing assistance and CIRDDOC plays a supervisory role. Each paralegal is expected to submit at least 10 reports each month to the CIRDDOC headquarters, Enugu. It is the duty of the legal officer in CIRDDOC to scrutinize the reports submitted and thereafter recommend the paralegal for payment of his/her monthly stipend.

The paralegal worker has regular hours during which he attends the clinic to see clients. To many people, the paralegal worker in the community is their only source of information about the law, their legal rights and duties. Therefore, they are readily available at the legal aid clinics to render legal advice to the clients. CIRDDOC paralegals are responsible and respectable members of the community. They are either a retired teacher, civil servant, or a serving LGA staff with minimum qualification of WASC and must be ordinarily resident in the community. They run the legal aid clinics

full time; those who are not close to a clinic offer their services in the communities they live and in their groups' monthly meetings. CIRDDOC continually monitors and supervise the project. Cases that require litigation are referred to CIRDDOC head office for follow up, free of charge by lawyers in the legal department.

At the legal aid clinics, the office is open to the public daily, particularly the indigent who cannot afford the cost of legal service. People visit the legal aid clinics with their problems with high expectation to be assisted. The role of the paralegal worker is to give them legal advice and assist them to decide what action to take next. A file is opened for each client that visits the clinic and a record of the advice given must be made in the file. The files and records of all cases are kept at the legal aid clinic. Where paralegals are unable to resolve a case/dispute, it is referred to CIRDDOC head office where the lawyers in the legal department take over the management of the cases and go to court where need be.

Apart from resolving cases at the legal aid clinic, our paralegals also visit clients at home if they are unable to come to the clinic. All these are measures taken by our paralegals to ensure that cases reported to them are settled amicably. Cases they handle range from matrimonial, land dispute, family dispute, breach of contract, Marriage, Divorce and Succession, Landlord and Tenant, Domestic violence, Widowhood and Inheritance issues, Bail processes, Legal drafting of simple documents, Child abuse, Criminal cases – assault, malicious damage, rape and sexual assault etc.

Paralegal services are very accessible. The presence of paralegals is felt on a daily basis in the 15 Community Information Centres spread across three states – Anambra, Enugu and Ebonyi states. Many work in their communities and some run Paralegal clinics in their communities and within their CBOs. One of them, a nurse, run her clinic during her weekly anti-natal clinic days.

Paralegals have been one of the channels through which the CIRDDOC legal aid programme receives cases for litigation. At least fifty divorce cases have been successfully undertaken and the women awarded their due in the marriages. Over 25 widows have been restored to their matrimonial homes and the estate of their husbands taken from them, restored to them. Bail has been secured for people who have been unlawfully detained by police.

The presence of the paralegals in the communities has been a source of confidence to the members and has actually put the police on notice that it is no longer business as usual. Number of arrests in some communities such as Akpofu in Nkanu LGA of Enugu state dropped considerably. Many cases were resolved through mediation and negotiation and in some cases mere legal advice had solved the problem and stopped further abuse of rights. Marital problems have been resolved and agreements signed even where separation resulted.

Awareness creation on the services provided has been achieved through the CIRDDOC Civic Educators who facilitate monthly sessions at their village meetings. They inform community members of services available at the centres which include the Paralegal services. CIRDDOC holds rallies in communities where the centres exist and people get

to know of the existence of the Paralegals. Fliers are also distributed and announcements made at churches and village meetings.

The wider role of the paralegals is to provide free legal services that include legal advice, counseling, mediation, negotiation services, legal drafting of simple documents like affidavits, case referrals to Headquarters Legal department, legal educators, mobilisation.

The mere fact of training a paralegal is in itself a huge achievement in the sense that one human person has been equipped with skills, even if it's utilized within the person's small family unit or community. If the paralegal is an influential person e.g. a traditional ruler or a priest or priest's wife who run counseling programmes for their faithful, the skills will be put to work in these situations even without anyone thinking of paying salaries.

### **SUSTAINABILITY OF PROGRAMME:**

We recommend that the paralegal project is encouraged and supported to continue but in selecting participants, people who hold positions of authority and who can apply their skills in their individual work should be given preference. Other examples are secretaries, presidents or other officers of CBOs who are permanent members of the CBOs and whose services can be accessed by other members and their families and friends.

This is without prejudice to a number of them that should remain on the payroll of NGOs who can access funding for those programmes. In the case of the CIRDDOC/HBF project, where Community Information Centres have been set up, and the paralegals run their clinics within these centres, arrangements are underway to reach agreements with Town Unions and other organizations in the communities to play more involving roles in the centres and begin to plan towards taking over the management and sustenance of the centres. This is going to be a gradual process. In the meantime, funders should continue to support the programme.

Paralegal scheme can also be sustained by discussing with universities and Tertiary institutions to integrate paralegal studies in their curricula as certificate courses. The position in the UK and the USA could be explored and best practices adopted. In the US, it is a course in the higher institutions and the Paralegals work in law firms as legal assistants as well as with NGOs to provide free legal services after graduation.

Networking by NGOs doing work in the area is important to avoid duplication of efforts. A lot of work needs to be done in that area and more NGOs are encouraged to get involved in the area. In the rural areas, rarely do lawyers set up practices and the presence of paralegals is a big relief to such communities. Their programmes merely complement activities of lawyers. The more paralegals trained in our communities, the more beneficial it is to the rural communities. Apart from networking with the police, I don't recall any other form networking with government. This is because government views NGOs with suspicion.

### **RECOMMENDATIONS**

It will be useful to discuss with the Legal Aid Council for possible cooperation with those running paralegal schemes. The Council is understaffed, yet there is so much work to be done in providing legal services and representation for the indigent particularly those awaiting trial in prisons. If an arrangement can be worked out whereby paralegals offer

their services on contract to the Council, it will go a long way in alleviating the suffering of the rural dweller.

Discussions may be opened with the Nigeria Bar Association to introduce the idea of using paralegals as legal secretaries in the firms who can prepare initial documents for the cases for them as is done in the USA. There is need to create wide awareness of the benefits of paralegals to communities. Paralegal scheme should be professionalized and institutionalized.

Traditional rulers are known to run mini-courts in their palaces and their decisions are final in most cases. They can be targeted through their State Councils or organizations to impress on them the need to acquire the knowledge and skills to appreciate the implications of the legal actions they take. If it is made a policy at that level, the impact will be broader. Our experience has shown that training traditional rulers or their secretaries has made a big impact on their communities.

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April 18<sup>th</sup> 2007.