

**AN INVESTIGATION ON EFFECTS OF CHANGE MANAGEMENT STRATEGIES
ON PERFORMANCE IN THE KENYAN JUDICIARY: A CASE OF NYAHURURU
LAW COURTS**

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**A Research Project Submitted to the Graduate School in Partial Fulfilment of the
Requirement for the Award of the Degree of Masters in Business Administration of
Laikipia University**

LAIKIPIA UNIVERSITY

SEPTEMBER, 2014

ABSTRACT

The Kenyan Judiciary's chief mission is to resolve disputes in a just manner with a view to protecting the rights and liberties of Kenyans. To effectuate the above mission, the Judiciary has in the recent past through commissions, task forces and strategic plans introduced several strategies of change management. However, the strategies in place as seen in the Ouko Commission's Report have not fully addressed the concerns of consumers of justice as the Judiciary's performance is still wanting. The study was designed to investigate the effects of change management strategies on performance in the Kenyan Judiciary. It aimed at establishing how employing business process re-engineering impacted on performance in Judiciary; to establish how allowing stakeholders control as a strategy of change management impacts on performance of the judiciary and finding out how making use of Alternative Dispute Resolution mechanism as a strategy of change has influenced performance in Kenyan Judiciary. The study was based on three theories: Contingency, Institutional and Agency theories. The study was a survey design and used questionnaires and key informant interview to gather primary data. Target population was 98 staff and Court User's Committee members of the Nyahururu Law Courts. Using Cochran's formula a stratified sample of 54 members was studied. Secondary data was collected from the court documents. A pilot test was carried out to establish the reliability and validity of the questionnaires. Data was analysed using both descriptive and inferential statistics with aid of statistical package for social sciences computer software tool. Quantitative data was presented using charts, graphs while qualitative data was presented using narratives. Multiple regression and correlation analysis methods were used to draw inferences. Correlation analysis showed that Business Process Engineering had the highest R value at 0.562, followed by stakeholders control with an R value of 0.406 and the most weak was Alternative Dispute Resolution (ADR) with a R value of 0.404. This showed Business Process Engineering had strongest relationship to the improved performance of judiciary, followed by stakeholders control and the last was ADR. The study recommends further research into Challenges facing Staffs' contribution to Reforms Process in the Judiciary, impediments to effective Judicial Reforms in the Magistrates courts and the effect of public vetting of judges on reforms in the country. The study would benefit the judiciary staff in that after introduction of BPR they could be empowered and collaboration among them improved resulting in performance.