

# DMS SP

## CASE FILE

Case Code \_\_\_\_\_

Date Reported \_\_\_\_\_

Party A \_\_\_\_\_

Party B: \_\_\_\_\_

Case Type: \_\_\_\_\_

### CASE STATUS:

- Active Case
- Abandoned Case
- Re-opened Case (*case was abandoned/hibernated/suspended but re-opened*)
- Case referred to \_\_\_\_\_

Tick if case closed





**CASE FOLLOW-UP ACTION** (Case Code: \_\_\_\_\_ Case Date: \_\_\_\_\_ Party A. \_\_\_\_\_ Party B. \_\_\_\_\_)

Date of Action: \_\_\_\_\_ Person Acting: \_\_\_\_\_

**Summary of Action** \_\_\_\_\_:

**Next Planned Action** \_\_\_\_\_:

Date: \_\_\_\_\_ Person Acting: \_\_\_\_\_

**Summary of Action** \_\_\_\_\_:

**Next Planned Action** \_\_\_\_\_:

**Summary of Action** \_\_\_\_\_:

**Next Planned Action** \_\_\_\_\_:

**Note: If more note is needed based on follow-up action, please use a plain A4 paper to record note**

## SECTION D – CONCLUSION AND CLOSURE

- i.  Case Resolved
- ii.  Case Referred (To \_\_\_\_\_)
- iii.  Case withdrawn by party's consent;
- iv.  Case abandoned by parties
- v.  Case was closed for other reasons (Please state the reason) \_\_\_\_\_

**Note on Conclusion** (Please explain in case there is a specific information on case closure. For instance, both parties were happy and thankful)

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Signed \_\_\_\_\_ Verified \_\_\_\_\_ Recorded \_\_\_\_\_  
Paralegal Chairperson, Land Adjudication Tribunal Chairman, Chiefdom Land Committee

## DEFINITION OF KEY WORDS

- CASE CODE** – Essential to help with proper filing and identification of cases based on special unique code, as specified above.
- CASE LOCATION** – Aimed to determine the geographical place where the matter occurred and the distance covered (in mileage) to reach the paralegal.
- CASE TYPE** - Aimed to determine the category of land, human rights and other natural resource rights issues that are often reported. We have used some specific human rights related terminologies that you should note:
  - ✓ **Discrimination** – Where a member of a family of a community is being treated unfairly based on his/her status or personal character. Eg. Certain families would not allow a PWD or a woman to own a land. We can have Gender, tribal, racial, religious, political, economic or cultural discrimination.
  - ✓ **Deprivation** – In this case, a member of a family or community who has right to benefit from a land has been unfairly denied that right based on a decision of an authority in the community (chief, political leader) or a member of the family (husband, male siblings). Economic benefit is key in the determination of whether a matter is deprivation or discrimination.
  - ✓ **Boundary Disagreement** – Here, two or more parties (individuals, families or communities) whose land share a common boundary have not reached an agreement. One or more parties feel that the other party has encroached on their land.
  - ✓ **Encroachment** – Here, there is boundary disagreement, but one party is already aggrieved because the other party has undertaken an activity on his/her land. This can also apply to private individuals who have forcefully entered into a State, Public, Community or Government Land.
  - ✓ **Tenure Security**- Here, an investor or lessor (someone who has leased a land) has a feeling that the land owners are not granting him/her the freedom and right to use the land freely within the valid tenure period. Or there is a disagreement on the terms of the tenure agreement.
- PARTIES** – The formal court would call them 'plaintiff' and 'defendant' but for an alternative grievance redress process, no one a plaintiff and no one is a defendant. The conflicting parties are categorized as 'Party A' and 'Party B'. This is to prevent prejudice and to build trust in the process.
- NATURE OF CASE** – We have to first determine whether the case is a civil case (that does not involve any crime being committed against the community or the State – e.g. Theft, wounding, rape etc.), before we mediate. Once it is determined that the case is a criminal matter, we should stop at once and refer to the Sierra Leone Police or the appropriate court or legal body.