TECHNOLOGICAL STRATEGIES AND PERFORMANCE OF THE JUDICIAL SECTOR IN KENYA: A CASE OF NAIROBI CITY COUNTY.

Angela Mulwa

A THESIS SUBMITTED TO THE DEPARTMENT OF ENTREPRENEURSHIP AND ECONOMICS IN THE SCHOOL OF BUSINESS AND ECONOMICS IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE AWARD OF THE DEGREE OF MASTERS IN BUSINESS ADMINISTRATION (STRATEGIC MANAGEMENT OPTION) AT THE COOPERATIVE UNIVERSITY OF KENYA.

November, 2023

DECLARATION

Declaration by the candidate

This research project is my original work and has not been presented for award of a degree in any other University or for any other award

…….. 28th November, 2023

Signature **Date**

Angela Mulwa

MBAC01/6514/2021

Declaration by the supervisors

We confirm that the work reported in this research project was carried out by the candidate under our supervision and has been submitted with our approval as university supervisors

…….. 28th November, 2023

Signature **Date**

Dr. Ngala Michael
Department of Entrepreneurship and Economics
School of Business and Economics
The Cooperative University of Kenya

…….. 28th November, 2023

Signature **Date**

Dr. Lucinda Mugaa
Department of Entrepreneurship and Economics
School of Business and Economics
The Cooperative University of Kenya

DEDICATION

This research project is dedicated to my family.

ACKNOWLEDGEMENT

First and foremost, I would like to thank the Almighty God for His unmerited favors. You are light, You are everything. Secondly, my appreciation goes to my supervisors Dr. Michael Ngala and Dr. Lucinda Mugaa, for their great insights, encouragement, tireless efforts, unreserved support and guidance throughout the research process. To my Mummy- Madam Governor - Rose Mulwa, words cannot express your sacrifices for me and words cannot express my love for you. To my family- Peter, Serah and Chris – Thank you. To Nagida, Gedalya and Gerald- Completion is you guys. Thank you. I also sincerely thank all my fellow colleagues and friends for their continuous support, advise, patience and understanding throughout the time I have worked for my project.

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

LIST OF APPENDICES

ABBREVIATIONS AND ACRONYMS

CAJ	**-**	Commission on Administrative Justice
CJS	**-**	Community Justice System
CoE	-	Committee of Experts
GOK	-	Government of Kenya
ICMS	**-**	Integrated Court Management System
ICT	-	Information and Communication Technologies
IJS	**-**	Informal Justice Systems
IPMAF	**-**	Integrated Performance Management and Accountability Framework
IPMAS	**-**	Integrated Performance Management and Accountability System
JATS	**-**	Judiciary Automated Transcription System
JFMIS	**-**	Judiciary Information Management Information System
JIPMAS	**-**	Judiciary Information Performance Management System
JPIP	**-**	Judicial Performance Improvement Project
JSC	**-**	Judicial Service Commission
JTF	**-**	Judiciary Transformation Framework
LRF	**-**	Legal Resources Foundation
LSK	-	Law Society of Kenya
UNCTAD	**-**	United Nations Conference on Trade and Development

DEFINITION OF KEY TERMS

Information and Communications Technology (ICT): technology that enable obtaining information via telephony. It has similarities to information technologies (IT), but it concentrates on technology for communication including the web, wireless networks, cell phones, and other channels of communication (Read, 2010).

Emerging Technologies: These are technologies currently in development or expected to evolve in the next five to ten years, significantly reshaping the business and social landscape. Technology for information, data transmission via wireless connection, man-machine interaction, upon request the printing process, technological advances, and sophisticated robotics are among examples (Mytelka, 2019).

Organizational Performance: This term refers to the tangible production or achievements as evaluated against its planned aims and objectives (Hansen, 2020).

Strategic Management Process: A strategy meeting specific criteria is highly likely to confer a competitive advantage. Hence, strategy implementation holds pivotal importance in the strategic management process, serving as its cornerstone (Tsai, 2022)

Technology: In the judiciary context, technology encompasses the tools and machines used to enhance judicial outcomes. The objective is to augment the interaction between technology and judiciary characteristics, strategic outcomes, and activities (Freeman, 2017).

Technological Capacity: technological capacity is the capacity of an organization to invent and create new merchandise and operations. In the setting of internet-based merchandise, the term extends to encompass a firm's skills, talent, and expertise in managing digital technologies for the development of new products (Khin and Ho, 2019).

Technological Culture Change: The cultural framework encompasses a set of implicit social norms that establish the boundaries for what behaviors are deemed appropriate or inappropriate within the organization (Schein, 2019).

Technological Posture: It encompasses a corporate's inclination to actively leverage technology as a strategic tool and a fundamental positioning element. The variables utilized for assessing this dimension pertain to a company's willingness to embrace technical risk and the degree to which the conscious pursuit of reputation building is prioritized (Rauch et al., 2019).

Technological Sourcing: In the decision-making process, technological sourcing refers to choosing between making or buying a technology for operations (Tsai, 2022).

Technology Strategy: is generally considered as a broad set of decisions and activities linked to financial dedication for the sourcing, expansion, and transmission of new technologies to attain targeted organizational goals (Rasbitschek, 2018). A technology strategy hence revolves around how an enterprise incorporates advances in technology into its business growth strategy (Mytelka, 2019).

ABSTRACT

The ongoing revolution in organizational processes is propelled by innovations and the swift adoption of information and communication technologies (ICT). Globalization further accelerates the use of ICT as the foundation for digital operations, reshaping the operational landscape of organizations. Research on the courts of different countries indicates that judicial efficiency has an impact on a nation's entrepreneurial activities, with a decrease in entrepreneurial activities corresponding to an increase in inefficiency levels. The Kenyan judiciary had long been characterized by inefficacy, fraud, and dogmatic unfairness. With the Kenyan courts facing substantial backlogs. Plaintiff often had to wait for years for court hearing schedules and conclusions with cumbersome procedures contributed to the prolonged process of reaching trial, and judicial officers, including judges and magistrates, along with lawyers, frequently adjourned hearings for questionable reasons. Moreover, shortage of fundings have exacerbated judiciary problems through time. Hence, the research aimed to assess the impact of technological strategies on the performance of Kenya's judicial sector. Specifically, the study sought to explore the extent to which: Technology Sourcing, Technological Capacity, Technology Posture and Technology Culture Change affects performance of the Judicial Sector. The study drew on several theoretical frameworks: Transactional Cost Theory, Knowledge-Based Theory, Stakeholder Theory, and Task-Technology Fit Theory. The study adopted both descriptive and correlations research designs, employing a statistical analysis, with a focus on all the five Nairobi City County Magistrate Courts, in which nine judicial officers per station were purposively targeted, resulting in a total sample size of 45 respondents. Structured questionnaires were employed for primary data collection, which underwent piloting to ensure reliability and validity of the data collection instruments. both Descriptive analysis of means and standard deviation; as well as inferential analyses of which correlations and regression analyses were conducted. The findings indicated a positive and significant nexus amongst all technological strategy factors and the performance Nairobi City County judicial sector. The study hence recommended that the judicial officers improve their operations through technology sourcing, technological capacity, technology posture and technology culture change which were found to have a positive statistical effect on performance.

CHAPTER ONE

INTRODUCTION

1.1 Background to the Study

The significance of information and technology in enhancing the performance of enterprises has become pervasive in organizational operations in this changing institutional environment (Chadee & Pang, 2018). Presently, they are actively incorporating innovations and creativity. Additionally, the extensive computerization is transforming the operational landscape of organizations. Technological advances have contributed to the advancement of entity partnerships, fostering several elements of knowledge relationships (Caro, Cegarra, & Ruiz, 2020)

Donat (2019) concluded that company using technology for gaining competitive edge, it must adhere to: executive on boarding, choosing projects standards, and proper processes and structures However, this paper is more concerned with how judiciary institutions resource their systems and structures to improve performance. Technology serves as a significant competition point and a key asset in strategy. Firms are striving to grow and diversify through technological innovation in a global economy that increasingly relies on technological advancements. However, not all technologies used by a corporation need to be developed in-house (Zhao, Tong, Wong, Zhu, 2017). The recognition of technology as a dominant element in company competitiveness dates back to the 1970s, with both macro and microeconomic approaches. This reality is the result of a series of changes in the firm's environment, transitioning from a generally stable atmosphere to an unpredictable and tumultuous advancing atmosphere (Solleiro & Castaon, 2018).

In accordance to a UNCTAD (2020) there has been a nearly fivefold increase in ICT exports, rising from 384 billion US dollar in the 1990s to over 1.7 trillion US dollar in 2019. In recent years, the expansion of the sector has switched from conventional IT production industries towards more specialized domains that concentrate on the supply of an array of solely ICT sector services, such as software creation and a wide range of IT supported services.

A nation's judiciary can be seen as independent entities producing a common output, namely justice (Rosales-López, 2018). The author contends that the judiciary's importance to a country's economic well-being lies in its role in delivering this 'good.' The theoretical connection is established through two propositions (Messick, 2019). Firstly, there is an indirect link arising from the function of judiciary in upholding the instruction and preventing administrative misuse. Secondly, it facilitates connections crucial for fiscal development by providing a mechanism for privately enforcing contracts negotiated by businesses. Theoretically, it is anticipated that a country would experience economic benefits with improvements in its judicial performance. Various empirical studies, as discussed in Dam (2019), support these arguments, revealing a positive association amongst performance of judicial and factors such as speculation activities, loan obtainability and enforceability of convention. Conversely, an examination of European courts nations found that efficiency of judicial influences a nation's creativity activities, decreasing as inefficacy levels increase (Ippoliti, Melcarne & Romello, 2018).

1.1.1 Global Perspective of Judicial Sector Performance

Over time, there has been a worldwide acceptance of the notion of enhanced strategies for technological advancement across all business sectors due to their perceived impact on organizational success (Alaba, 2020). Additionally, Somuyiwa (2020) highlighted that organizations globally are reshaping their operations to incorporate a significant portion of pertinent technological applications as they strive to discover more effective ways to maintain competitiveness amid growing competition. In this context, the international IT services market is valued at an estimated range of US$ 800 Billion (Gartner, 2015) to US$ 917 Billion (EITO, 2005), with the USA accounting for 38%, Europe for 33%, and Japan for 14%, according to EITO (2005). McKinsey (2020) suggests that there is a growing trend of outsourcing IT services to locations abroad, particularly in Asia’s less prosperous nations. By the year 2008, it is projected that around 4 million individuals will be employed overseas in the IT services sector. The use of electronic data interchange (EDI) coupled with a continuous business reengineering has revealed to an improvement of inventory of stockouts by 50% (Clark & Hammond, 2017), furthering collaboration

between firms and their clients, which in turn, improves performance in of these firms (Subramani, 2019).

A comparison of worldwide standard procedures reveals that numerous states embrace and are actively adopting diverse metrics to evaluate judicial success, tailored to the specific needs of their legal systems. As indicated in the Kenya Judiciary Report (2019), many countries worldwide have launched reform initiatives with the aim of enhancing judicial performance. The outcomes of judicial reforms are multifaceted. According to the report, several nations, including the Germany, United States of America, Belgium, Australia, Romania, Finland, Netherlands and Rwanda, and, have successfully implemented reform initiatives focused on improving judicial performance. The research discovered that these nations were employing different judicial success measures, each with varying degrees of achievements.

The judicial sector of the United States has experienced significant modifications aimed at improving its performance, particularly in response to the early-nineteenth-century difficulties of judicial backlog were highlighted in the beginning of the 19th century. According to the American Bar Association (2019) report, there is an overall belief that the courts are unproductive, as well as that the greatest causes of frustration have to do with primitive judicial structures and operations, which result in ambiguity, postponement, and costs, generating a fundamental desire to avoid court, whether it is correct or incorrect.

The efficacy of performance management and measurement system in the District of Columbia Courts relies on several key factors, including stakeholder involvement, promotional efforts, and staff building their capacities. The implementation of Information Communication and Education (IEC) tactics, coupled with a policy of openness that encourages scrutiny and input, is critical to the system's effectiveness. As outlined by the National Center for State Court (2017), the courts in the Columbia District employ various performance metrics, including case schedule assurance (ensuring scheduled trials proceed as planned), prompt resolution (the proportion of disputes accomplished within defined timelines), and expense per trial (financial spending per

finalized suit). In contrast, Belgium uses a three-year system for personal assessment of the prosecutors and judges. The performance criteria in Belgium are centered around measures such as legal expertise, job efficacy, interpersonal abilities, commitment to continuous learning, adaptability, and commitment energy (Choi, Mitu & Posner, 2019).

1.1.2 Regional View of Judicial Sector Performance

The examination of judicial technical efficiency is notably scarce in Africa, as noted by Elbialy and Garcia (2021). The author suggests that this lack of research may be attributed to data challenges prevalent in many developing countries, a phenomenon particularly pronounced in Africa. Elbialy and Garcia (2021) conducted a study focusing on the Egyptian Judiciary. Acknowledging the reforms implemented in the Egyptian first instance courts, the authors utilized Data Envelopment Analysis to assess the operational efficacy of the affected jurisdictions.

Several African countries, including South Africa, Tanzania, Cape Verde, Egypt, and Kenya, have undertaken judicial reforms to improve the efficacy and effectiveness of their respective judicial systems. For instance, the Rwandan judicial model assesses the performance of both the judiciary as a whole and individual judicial officers based on agreed-upon targets. The judiciary officers, like other public officials, are held liable for their actions. To carry out its tasks of dispensing justice, Rwanda's judiciary aims for independence in various levels of administration or the general public (National Center for State Courts, 2017).

In terms of production, Rwandan judicial officers at all levels, with the exception of the Supreme Court, are required to complete in month utmost fifteen lawsuits. Furthermore, as Albers (2020) explains, Rwandan law requires conclusions to be provided within 30 days of the conclusion of a hearing. Rwandan courts frequently provide to the Supreme Court monthly statistics describing the number of cases at the start of the month, those scheduled for hearings, finished cases with issued judgments, adjourned cases, and the reasons for adjournment. The implementation of an electronic records management system in Rwanda's judiciary is noteworthy, with courts expected to provide statistics via this method.

An investigation in Malaysia conducted by Haider (2018) revealed numerous legal challenges in the management of court records. These challenges encompass prolonged case delays, the dearth of document rulings by jurors, which often deprive the accused party of the opportunity to challenge a ruling and hinder the community availability of fairness. Additionally, Saman (2018) underscores that within the Malaysian Judiciary, encompassing both civil and sharia cases, the resolution of cases takes an extensive duration, causing significant concerns due to the backlog of cases. Resolving cases often spans several years, attributed to factors such as insufficient human resources, including judges and court officials, a high caseload, inadequate infrastructure, and insufficient financial resources. A primary factor contributing to case adjournment delays is the unavailability of comprehensive information pertaining to a specific case when needed.

Furthermore, an investigation conducted at the Botswana High Court (Mnjama, 2019) uncovered several challenges, including difficulties in retrieval, misplacement, and potential loss of records, along with problems related to inadequate storage. The efficient and accountable functioning of court systems is crucial for delivering justice to citizens in any country. Challenges such as delays in filing documentation, registering cases, and locating records having an immediate effect on citizens and their legal entitlements.

1.1.3 Local Context of Judicial Sector Performance

It is anticipated that the functioning of Kenyan courts to grow stronger as time passes with the implementation of more reforms. However, the critical question is whether these anticipated improvements have indeed materialized in practice. This is the foundation of the present research, which attempts to evaluate the technical efficiency of these institutions, especially in light of the widespread anecdotes suggesting improvements since the initiation of recent reforms. Additionally, Kong'a (2021) contends that for the judicial system is required for the legal system to successfully carry out its legal duty and obligation, satisfy elevated citizen expectations, and comply with requirements for better

results while commanding respect from the public. In addition, Republic of Kenya (2019) claims that the legal has expanded in technical, administrative, institutionalized, and staffing levels since reform. An examination of the implications of advances in technology on the technical effectiveness of the Kenyan justice system reveals an acute shortage of data. Aside from qualitative studies, such as that conducted by Machage (2016) on the influence of ICT adoption on the functioning of Mariakani Courts. No technical efficacy was discovered.

On October 15, 2008, the Kenyan Justice technological advances Committee was formed. Its primary goal is to oversee all ICT issues in the judiciary. The Committee has started several projects, including digitizing court records and developing a case management framework, establishing an ICT policy and plan of action, establishing a communications system, procuring gear and applications, and staging tele-presence courtroom events.

A portion of the steps mentioned in the initial plan have been embraced in some jurisdictions; nevertheless, according to past research, no follow-up studies have been done to indicate how they have enhanced judicial performance (Machage, 2019; Alter, 2017). According to Wanjiru (2022), the Kenyan judiciary faces various challenges, including case backlogs, difficulties in identifying documentation and submitting evidence, interruptions in registering cases, a lack of efficient documentation management legislation, insufficient personnel ability, and limited utilization of information and communication technology (ICT). Such challenges have culminated in judgments being issued when judges have insufficient knowledge regarding the cases. The dearth of robust documentation as well as oversight methods has aided collaboration and corruption among court officials and attorneys, ultimately leading to the perversion of the process of justice.

Furthermore, Amos Wako, Kenya's previous Attorney General, has expressed unhappiness with the performance of institutions such as his department, the Bar Association of Kenya, the court system, law enforcement, and the land use register, describing their performance as dismal. The registry functions have been criticized for being outdated, marked by delayed responses to public inquiries, and, in some cases,

corruption. The court's record management system is viewed as wasteful and unproductive, with frequent reports of files gone missing within the court's records administration subsection (Mnjama, 2019). Political involvement impact, minimal ethical standards, extensive corruption, questionable legal studies, unstable finances, a privileged judiciary, and costly determination and implementation are all associated with the administration of justice in Kenya, all of which undermine the realization of just outcomes.

In response to these challenges, the Kenyan legal system, has expanded court facilities across the entire nation, especially in excluded areas, reduced case backlogs, applied information and communication technology (ICT) to improve services and combat corruption, expanded training programs, and mobilized resources to finance operations, among other initiatives (Kong'a, 2021). According to a Republic of Kenya (2019) review, Kenya's judicial structure of operation was highly concentrated, which resulted in poor horizontal as well as vertical compliance. The relations among the focal point and each station were described as disorganized and lacking in a matrix or network reporting structure, resulting in feeble upright and straight accountability.

Moreover, the former Chief Justice Willy Mutunga acknowledged that in 2015, the Kenyan courts faced substantial backlogs, with estimates reaching up to one million lawsuits, where Plaintiff often had to wait for years for court hearing schedules and conclusions. In addition, as per 2011, Kenya had a meager number of judicial officers with 383 jurists serving 41.4 million publics. The geographical distribution of the court rooms, imposing inherent costs that acted as barriers for economically disadvantaged populace (Judiciary of Kenya, 2020).

1.1.4 Technology Strategy Concept

In its broad sense, Adler (2019) says that even though the benefits of higher levels of technologies may not be easily measurable, support however, contends that the benefit of novice is revealed in creativity, business progressions and/ or in new products (Chadee &

Pang, 2018). As a result, as Read (2020) points out, technology adoption has evolved into the focal point of various initiatives, giving rise to the concept of technology strategy. According to Helfat & Rasbitschek (2018), technology strategy is generally broad set of decisions and activities linked to financial dedication for the sourcing, expansion, and transmission of new technologies to attain targeted organizational goals. A technology strategy hence revolves around how an enterprise incorporates advances in technology into its business growth strategy (Mytelka, 2019).

According to Sukria and Yusoff (2019), management experts have encouraged American and European administrators for many years that technological tactics ought to be accorded particular emphasis as their research of digital tactics has grown progressively more important. A report by Freeman (2017) argues that a firm's technology strategy involves among others: internal development or acquisition; adoption and diffusion of relevant technology; empowered work force capabilities. The current paper proposes hence to explore these cited areas, ascertain the extent to which they contribute to the functioning of the judiciary institutions in Kenya. As described by Campos, Atondo, and Quintero (2017), a technological tactic plays a crucial role in establishing policies, plans, and procedures for acquiring, managing, and leveraging technological expertise to attain its goal. This approach must define the sector the enterprise participates or plans to participate, considering the increasing instability of competitive environments. It should also adapt to the emergence innovations as well as modifications in other organizations' dominating and structural tactics. (Montiel et al., 2019).

As a strategy, even though institutions continuously improve to enhance their clients' experiences Tsai (2022) however, argue that this may lead to the system's late or collapse, and as such, might have a negative influence on the targeted service delivery. Therefore, it is opined that a seamless ICT facility is needed to help institutions successfully meet their set service targets, underscoring a paraphrase by Shin et al. (2020), that a coordinated service management system improves operating performance for both the e-service giver and its clients.

1.1.5 Kenya Judicial Sector Performance

Performance is a subject of considerable debate among researchers and theorists in management, particularly concerning the key components that constitute structural functioning. The extensive research on performance highlights a significant lack of agreement regarding the precise definition of the term "performance" (Zahra & Hayton, 2018). Furthermore, an extensive review of the literature conducted by Pelser (2019) identified an aggregate of seventy-one distinct performance metrics, although (Hansen, 2020) notes that the many studies have predominantly utilized monetary metrics. The likelihood of business success hinges on its procedures, emphasizing the need to employ effective tactics to accomplish its objectives (Randeree & Al-Youha, 2019). Furthermore, measuring results based on the effectiveness and efficacy of any business is dependent on elements such as the accessibility of technology in the workplace as well as staff expertise (Alaba, 2020). In this study, performance was analyzed by considering both employees' productivity and organizational effectiveness.

Judicial system performance encompasses multiple dimensions, including, but not limited to, the independence and fairness of adjudication (OECD, 2018). The primary emphasis is placed on trial length and the examination of the characteristics of judicial systems that could account for the observed variations across different countries. Other auxiliary assessments frequently evaluate additional performance factors such as easy access, efficacy, and certainty. Numerous contributors, nonetheless have highlighted common performance criteria within the court system, such as efficacy, access, and client fulfillment, which are the focus of the present investigation. Initiatives to institutionalize oversight of performance in the judiciary focus mainly on controlling expenses, improving efficiency, and the sustainability of advances made through legislative changes. This requires creating a public service that is equipped with the necessary expertise, and an optimistic outlook to provide superior amenities for publics (Kenya Judiciary, 2019).

1.2 Statement of the Problem

Sector survey report indicates that 62% of organizations are inclined to augment their budgetary allocations for advances of technology, meanwhile, 52.4% of the surveyed

institution revealed plan to boost investment of the e-platforms (Shin et al., 2020). According to Gainer (2018), the judiciary in Kenya had long been characterized by inefficacy, fraud, and dogmatic unfairness. Former Chief Justice Willy Mutunga acknowledged that when he assumed office in 2015, the Kenyan courts faced substantial backlogs, with estimates reaching up to one million lawsuits. Plaintiff often had to wait for years for court hearing schedules and conclusions. Cumbersome procedures contributed to the prolonged process of reaching trial, and judicial officers, including judges and magistrates, along with lawyers, frequently adjourned hearings for questionable reasons.

Shortage of fundings have exacerbated judiciary problems through time, with the majority of past studies on the performance of the judicial sector focused in the developed world, with Africa receiving little attention (Albers, 2020). As per 2011, Kenya had a meager number of judicial officers with 383 jurists serving 41.4 million publics. The geographical distribution of the court rooms, imposing inherent costs that acted as barriers for economically disadvantaged populace (Judiciary of Kenya, 2020). A survey by Gallup (2008) in Kenya revealed that 36% of the population had faith in the courts. This optimism further declined in 2019 to 27%. This necessitates the injection of efficacy into the justice system at the most affordable cost. Besides, the current study proposes that for this to happen seamlessly, the judicial institutions can anchor their operations on technological operations, as a strategy to improve service provision.

The judicial system in Kenya generates a total of shillings 3.9 billion to GDP, this amounts to 0.5 percent of the fiscal budget. This figure falls short of the international benchmark of 2.5%. To improve success, the judiciary executed a number of structures foundations describing important outcome fields, such as the establishment of client service work stations for queries, the streamlining of legal processes, the creation of a case management procedure, and greater usage of telephony (Gainer, 2018). Nevertheless, in accordance to the Kenyan Condition of the Judiciary and the Ministry of Justice yearly report (KSICJ, 2018), developing utilization of ICT in the judiciary poses barriers. Due to inadequate facilities and differing techniques among locations creating a countrywide

case distribution and monitoring system was unattainable. Attempts to bring about a system of managing cases as well as technological advances.

1.3 Objectives of the Study

1.3.1 General Objective

The objective of the research was to examine the effect of technological strategies on the performance of Kenya's judicial sector:

1.3.2 Specific Objectives

1. To determine the effect of technological sourcing on the performance of the judicial sector in Kenya
2. To examine the effect of technology posture on the performance of the judicial sector in Kenya
3. To establish the effect of technological culture change on the performance of the judicial sector in Kenya
4. To determine the effect of technological capacity on the performance of the judicial sector in Kenya

1.4 Research Questions

1. What is the influence of technological sourcing on the performance of the judicial sector in Kenya?
2. What is the influence of technology posture on the performance of the judicial sector in Kenya?
3. What is the influence of technological culture change on the performance of the judicial sector in Kenya?
4. What is the influence of technological capacity on the performance of the judicial sector in Kenya?

1.5 Significance of the Study

For anyone desiring to be a head of station in the court, the research findings could offer more insight into the effectiveness of the organizational reforms implemented thus far in the court. It may also assist the researcher in identifying opportunities where strategic management expertise can be implemented.

1.5.1 Policy Makers

The research was further justified due to the significance of the outcomes in directing policy of Kenya's judicial, notably the Magistrate's Courts. As from 2011, the nation started pursuing a slew of legal reforms, notably those involving the legal system. These changes were intended to enhance the institutions' overall efficacy, specifically case-handling capacity. This report sought to provide useful statistics on the institution's performance, notably at its biggest court within the system amid the reforming phase. The outcomes are expected to guide subsequent reform endeavors and conclusions.

1.5.2 The Judiciary Management

The information presented sheds light on ways in which the Judiciary can ensure its growth, sustainability, and the development of a competitive advantage in a changing environment. Notably, there is a lack of prior research on the challenges facing the Judiciary in the implementation of its strategic plans, as discussed above. Despite the Judiciary's significant impact on every aspect of society, it has remained relatively isolated. This study aims to break new ground by providing valuable insights that can benefit the entire Judiciary and other scholars seeking to understand its internal workings.

The study's findings are expected to contribute to ongoing Constitutional and/or judicial reforms in Kenya. The information gathered can be valuable for policymakers, offering insights into a previously overlooked area. Policymakers can use the study as a foundation for decision-making and further strategy planning, ultimately fostering positive changes in the Judiciary. The research findings contribute to the existing body of knowledge, and future researchers in the justice sector may use these results as a guide for more investigations.

1.5.3 Researchers

Finally, the study is important to the Kenyan scholars and researchers for further pedagogical studies on technological strategies and organizational performance of not only the Kenyan Magistrate Courts in Nairobi, but to the entire judicial sector both in Kenya as well as around the globe. The academic institutions and researchers benefit

from the information from this research report and enables modify the current body of knowledge on the research topical issues around the judiciary and management.

1.6 Scope of the Study

The research is limited to the cited technological strategies as independent variables, while the performance measurement items are as stated. The study will be conducted within Nairobi city where the target population lies, which includes 45 respondents to fill the questionnaires. Because Nairobi City County has five magistrate's law courts (Judiciary of Kenya, 2023), the census method will be used. Data will be collected within the period of a month, from September to November, 2023, using structured questionnaires by trained research assistants.

1.7 Limitation of the Study

The researcher anticipates challenges in securing precious time from court officials due to their busy schedules. To address this, structured questionnaires will be used to ensure brevity. The researcher aims to eliminate biased responses by emphasizing the study's value in enhancing service delivery at the Judiciary when explaining it to the target population. Care and patience will be exercised during the delivery of the research instrument to ensure sufficient data collection.

Human nature, characterized by suspicion and a loss of trust, may lead respondents to withhold some information, especially when the study involves personal details. Despite cooperation, some respondents might hesitate to return questionnaires, possibly due to concerns about confidentiality. To address this, pseudonyms will be used to enhance confidentiality.

The breadth of the Kenyan court system, with various types of courts located across the country, poses a limitation. Generalizing information from a single court to others may not be entirely accurate. Additionally, ICT adoption in one court may differ from that in other courts, both above and below its rank. To mitigate this limitation, extensive data will be collected to minimize generalizations.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

To attain the intended study objectives, in-depth literature has been carried out on the stated study variables. To aid flow of the reviewed literature, this chapter has been organized under the following subheadings: theoretical foundation; conceptual structure; empirical research evaluation, as well as an overview of the examined materials.

2.2 Theoretical Framework

Several theories were proposed in an attempt to figure out and clarify the intricacies of the relationship between technological techniques and judicial sector performance in Kenya. This research will be informed by the theories that include transactional cost theory, knowledge-based and stakeholder theory, culture theory, as well as task-technology fit (TTF) theory.

2.2.1 Transactional Cost

The transaction cost theory posits that firms opt for either internal or arms' length mechanisms of exchange to take advantage of their assets at the lowest possible cost. (Zhao et al., 2017). The core attributes of a transaction, including particularity of assets, ambiguity, and snowboarding risk, are widely recognized as the principal determinants of cost efficiency in governance choices. Hamel (2019), employing the transaction cost theory framework, suggests that numerous studies have historically focused on analyzing the selection of technology sourcing types. For example, research on technology sourcing often concentrates on examining the connection between corporate traits and technological procurement. In this context, Chiesa and Manzini (2018) propose a classification based on the extent of interdependence, which denotes the extent to which procuring operations and assets have been internalized or embedded within the company's operations and capabilities. Factors such as company effect, time frame, oversight, resource/cost, and adaptability are taken into account to figure out this level of integrating. On this premise therefore, transactional cost theory was used to anchor technological sourcing, in order to assess the interconnection between sourcing strategies and performance, based on the financial expenditure of the magistrate courts.

A recent study, grounded in transaction cost theory and examining the factors influencing the selection between internal as well as external ways of information technology procuring, found that companies with lower dedication to items category-specific assets, the ability to gauge innovation performance, increased technological ambiguity, more successful experience in technology advances collaborations, and operations in poor-advancement product areas were inclined to favor technology alliances as a method for acquiring technology rather than relying on internal research and development (R&D).

2.2.2 Knowledge Based Theory

The knowledge-based theory of the firm, originating from Grant in 1996, posits that a firm's utilization of knowledge creates value through the transformation of inputs to outputs. This perspective considers firms as entities optimizing transaction costs, with each theorist offering a slightly nuanced interpretation of the underlying mechanism. Kaplan (2018) suggests that corporations thrive since they are superior than marketplaces at discovering relevant information and negotiating contracts through price mechanisms. This efficiency is related corporations' capability to direct resources and exercise control more efficiently. Williamson (2019) further argues that firms surpass markets in effectiveness due to their control over opportunism related to asset specificity and lower costs resulting from negotiation in contract formation.

The resource-based view, as conceptualized by Kaplan (2018), perceives the sees the firm as a unit equipped alongside an assortment of assets converted into utilities that confer a tactic advantage. Barney (1991) includes education as a distinct asset, asserting that a firm's strength of competition is contingent on its ability to obtain and defend resources. Resources and capabilities, as outlined by Barney, possess features that make them difficult to imitate, including historical determination, social embedding within the organization, and tacit nature.

From a strategic management perspective, Williamson (2019) emphasizes the critical importance of establishing a connection between knowledge and performance in any knowledge-based theory of the firm. However, this area remains a point of inquiry within current scholarship. While knowledge and resources are deemed crucial for firm survival,

capabilities represent the firm's capacity to act. The Internal Knowledge-Based View (IKBV) places capabilities exclusively within the firm, with Loasby (2019) noting that firm behavior, a consequence of exercising capabilities, is observable externally and internally. Kaplan (2018) contends that since literacy is not directly measurable, it can only be inferred via institution activities. Varying activities correspond to various abilities, and constellation of activities signifies a distinct set of abilities and the requisite literacy within the firm. Kogut and Zander (2019) argue that developing observable metrics for these capabilities is essential for operationalizing the view of firm knowledge-based. They further assert that research studies should demonstrate that variations in input metrics affect several functioning metrics, aligning with the proposal of the current study. Therefore, the KBV theory anchored technological posture and enable the researcher assess the court's willingness to embrace technical risk and the degree to which the conscious pursuit of reputation building is prioritized.

2.2.3 Culture Theory

The organizational culture functions as an invisible yet potent Deoxyribonucleic acid (DNA) that molds the dynamics within an organization. Described as the personality of the organization (Ibidunni & Agboola, 2018), the association between organizational culture and performance can be traced back to Weber in 1930 (Denison & Mishra, 2017). Researchers have extensively demonstrated a direct and significant relationship between organizational culture and performance. Utilizing survey-based culture measures, it has been established that perceived involvement and participation of organizational members predict both current and future financial performance, emphasizing the correlation between management practices fostering participation, autonomy, and creativity with objective indicators of organizational performance. The current study aims to scrutinize how organizational culture dynamically shapes structures and frameworks for an organization's operations.

This study contends that comprehending the environmental setting is pivotal to separating societal ethics for implementation. Recruiting workforce with opinions and ideals congruent with the organization's ethos is crucial throughout the organization's idea.

Vandenberghe (2019) suggests that organizations must inspire socialization and incorporation of individual employees' goals with the organization's goals and objectives to sustain its culture. Management should implement the development of an interconnected culture through unambiguous statements of single-mindedness, core values, and cultural standards. Cultural theory seeks to explore the underlying values, beliefs, and codes reflecting the meanings and understandings attributed by employees to their workplace circumstances.

Perceptions and beliefs within an organization's culture are shaped and refined through communications and interactions among individuals inside and outside the organization (Yeung et al., 2017). These perceptions and beliefs can affect and be affected by people's behaviors, influencing ways to propose solutions, carry out a job, and communicate. This, in turn, impacts individual job performance and satisfaction, ultimately affecting organizational performance. The theoretical role of culture in performance has yielded varying results, with Ibidunni and Agboola (2018) claiming that a strong culture does not necessarily lead to higher organizational performance; only a modestly positive relationship between culture strength and performance exists.

Changing corporate culture is not a task accomplished through policy changes or edicts; it requires consistency in messaging, goals, direction, and leadership. The current paper asserts that for judicial firms to change their operational culture, it must involve employees in a step-wise process. An organization's culture is best understood and embedded in the minds of employees, and thus, stable workforces play a crucial role in communicating and reinforcing dominant beliefs and values. An organization's culture can fade over time with high labor turnover and unnecessary downsizing, as the organization's memory and history leave with departing employees (Koteswara et al., 2015).

Additionally, organizations maintain strong cultures through the process of organizational socialization. Organizational socialization refers to the process by which individuals learn the values, expected behaviors, and social knowledge necessary to assume their roles in the organization (McShane, 2015). Socialization involves absorbing corporate ethos and

assisting fresh staff interact with colleagues. The existing culture provides an organizational framework that guides how work is done, how people think, and sets standards for interaction and communication, ultimately impacting the organization's performance (Koteswara et al., 2015). The technological Culture theory was used to anchor technological culture change and to explain how the changes designed by judicial officers impact the behavior and development of the technology within the judicial sector.

2.2.4 Task-Technology Fit (TTF) Theory

The Task-Technology Fit (TTF) theory posits that Information Technology (IT) can positively influence individual performance when the capabilities of the IT align with the user's task (Alaba, 2020). Consistent with the technological capacity, the TTF theoretically explain the role of the relationship between IT capacity and its influence in the performance of an organization (Swierczek & Shrestha, 2018). Nonetheless, other researchers have questioned the adoption of new technologies and its perceived effect on the results in the business world (Fuller and Collier, 2018). However, Rodríguez (2017) argues that whereas in the industrial sector, technological capacity and capabilities have a significant link with IT due to its contribution to the modernization of business processes and performance, less is often empirically said of a service industry. Hence, the aim of this document is to examine the connections between the Information Technology (IT) capacity and how it is perceived to impact the performance of the judicial sector.

Based on the capacity of the magistrates' courts to source for, use and adopt to the sector requirements, the TTF theory was used to anchor the technological capacity in order to assess the extent to which the courts can align themselves to the changing environment, as well as be able to adopt to the changing environment. This is to show how the changing environmental requirements facilitate client's satisfaction due to improved performance

2.3 Conceptual Framework

It represents the expected relationships amongst study variables. The development of the conceptual framework is hence supported by based on a literature review of existing studies about the study (Hamel (2019). The independent variable, technological strategies, is described in this study by its operational components: technological

sourcing, technological posture, technological capability, and technological culture change. The response variable, which represents judicial firm performance, is can be expressed through efficacy, customer happiness, and the effectiveness of these firms, as demonstrated in Figure 2.1. It is founded on the notion that there is a direct nexus amongst the technology tactics adopted and the performance outcomes of Kenyan judicial enterprises.

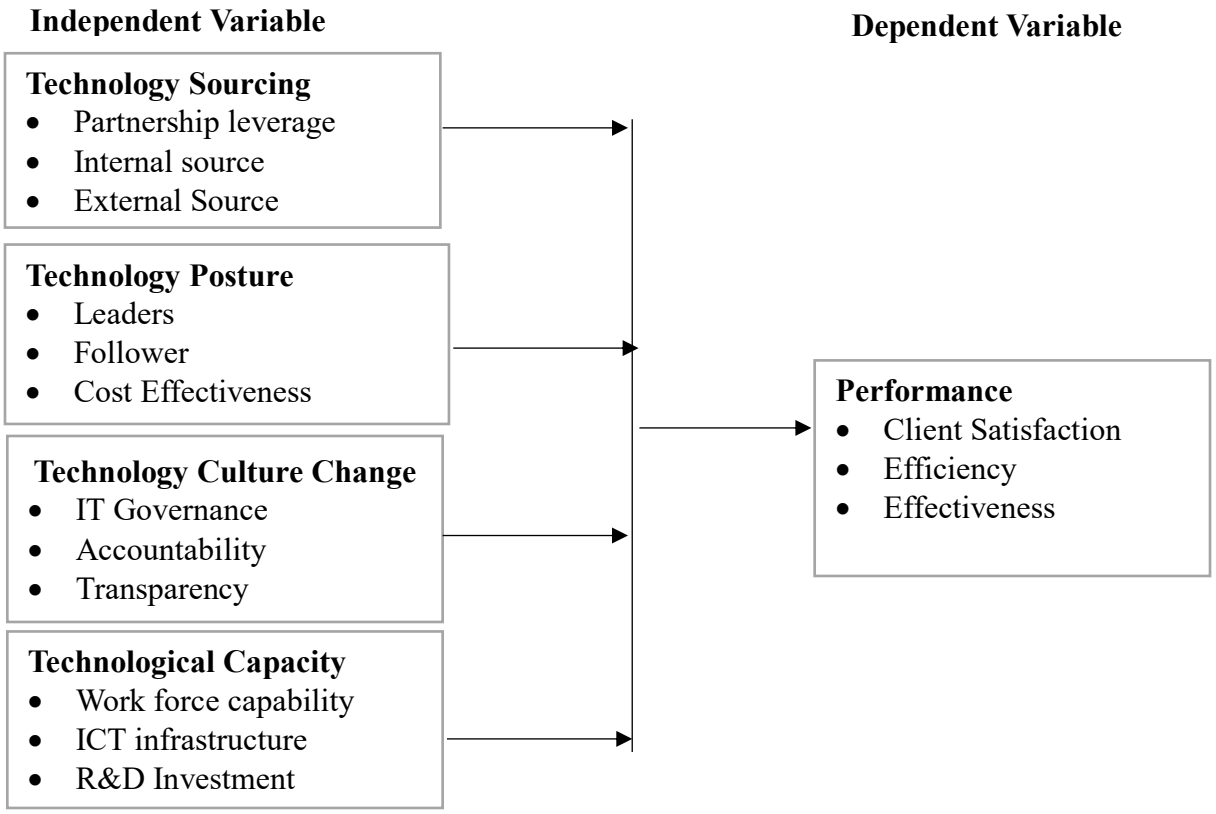

Figure 2.1: Conceptual framework depicting study variable relationships

2.4 Empirical Review

The study sought to show the effect of various study variables and their perceived effect on the performance of the judicial sector in Nairobi City County in Kenya. In this respect, past studies were reviewed to show this perceived relationship. The following sections

hence outlines various past study on the study variables and their relationships with the performance of the judicial sector.

2.4.1 Technological Sourcing and Performance of Judicial Sector

Tsai (2022) suggests that in the decision-making process of choosing between making or buying, a firm should evaluate among other elements: the current ability to perform the required set of tasks, accumulation of knowledge in developing task-specific capabilities, and the value created by the capabilities in virgin markets. Accordingly, a firm needs to evaluate its process for either internally develop or outsource, even though Leiblein et al. (2017) avers that buying enables a firm to leverage a vendor's expertise, giving the firm a greater flexibility by avoiding coordination inefficiencies, there by shirking risks related to technology developments (Kogut & Zander, 2019).

In a global economy that is progressively reliant on technological advancements, firms are striving to expand and diversify through innovation. However, not all innovations adopted by a firm necessitate internal development through in-house Research and Development (R&D). According to Zhao et al. (2017), there are two primary reasons for this. Firstly, the high costs associated with technological development compel companies to seek technology externally, as relying solely on in-house R&D may be financially burdensome. Secondly, the rapid pace of technological advancement makes existing technology quickly lose its proprietary nature and become obsolete. Coombs (2019) argues that, given the rising complexity and interdisciplinary state of today's technology, it is challenging for organizations to independently develop the required technology. Consequently, internal R&D is no longer the primary option for acquiring technology, and firms must explore various channels for technology sourcing to maintain a competitive edge.

Within the transaction cost notion foundation, Hamel (2019) notes that previous research has primarily focused on analyzing the selection of technology sourcing types. For example, studies on technology sourcing have examined the relationship between firm features and technology procuring. Chiesa and Manzini (2018) propose classifying different modes based on the level of integration, which measures the degree to which

sourcing activities and resources are internalized or integrated within the firm's activities and resources. This level of integration can be assessed through factors such as company impact, time horizon, control, time/cost, and flexibility.

Grandstrand, Bohlin, Oskarsson, and Sjoberg (2022) emphasize the variation in organizational integration among different external technological sourcing methods, ranging from the least integrated technological scanning to internal R&D. Zhao et al. (2017) dichotomize technology sourcing strategies as either internally oriented or externally oriented, with the choice influenced by a comparison of the risks and costs involved in these two modes.

While the literature on technology sourcing is somewhat limited, Zhao et al. (2017) present three strategic types of technology acquisition: internal developer, joint developer, and cooperative financed. These classifications have been expanded upon by other researchers, creating opportunities for further exploration. Grandstrand et al. (2022) argue that existing studies often focus on a single mode or the dichotomized choice between internal and external sources. However, a review of the literature reveals that most institutions and companies do not rely on a single mode; instead, they often use a combination of modes simultaneously. Furthermore, Zhao et al. (2017) suggest that rather than exhibiting substitutability, certain technology sources may be complementary in nature.

When viewed as a technology search practice and a strategic choice for organizations, the decision to rely solely on internal technology sources or to supplement internal technology with external sourcing is a critical component of a firm's technology strategy (Zahra, Sisodia, & Das, 2019). Aside from cost and control factors, absorptive capability and the competitive environment are valid indicators of technology sourcing. Cohen and Levinthal (2020) describe absorptive capability as a firm's ability to detect, assimilate, and exploit knowledge and information. Firms possessing absorptive capability are better equipped to evaluate external knowledge, comprehend its nuances, and modify and integrate it into organizational procedures.

In accordance to research on technology acquisition via foreign acquisition, potential targets with high R&D intensity, suggesting a strong absorbent capacity, are enticing to acquirers with greater R&D intensity (Ruckman, 2017). Technology acquisition entails an information searching, and a firm's process will most likely differ depending on its absorbent potential. According to Martin and Salomon (2019), the ability to recognize and analyze the value of technology, as well as the ability to ingest and internalize the received technology, drives sourcing in two ways. These qualities are essential for efficient technology sourcing. Furthermore, technology procuring encompasses various risks. Firms with absorbent competence have scanning and evaluating abilities, which make them more self-confident and enthusiastic to deal with the risks and dangers connected with technology procuring. As a result, they have a likelihood of pursuing antagonistic exterior procuring techniques.

Considering that technology provides firms with the capability to thrive in the competitive market, D'Aveni (2019) suggests that technology sourcing, when directly aligned with and enhances a firm's existing technological capabilities, should positively impact its innovative capabilities. The prevailing literature extensively discusses the tendency of technology sourcing to focus on financial and market performance. However, the current study is of the opinion that financial performance is a narrow measure of a service-based institutions, perhaps that's why a number of studies showed inconsistent findings on the impacts of technology strategy on financial performance. The current study therefore, seeks to explore the technology sourcing from a non-financial point, to affirm its influence in performance.

Zhao et al. (2017) evaluated several methods of technology procuring and their impact on Singaporean manufacturing enterprises' innovative potential. The research, used a structured postal questionnaire survey to target manufacturing firms. The sample consisted of 758 enterprises chosen at random from the Economic Development Board's (EDB) Directories of Manufacturing enterprises in Singapore. Despite the high sample size, the study obtained 109 complete and valid replies, for a 17% response rate. The poll focused on technology sourcing modes, with respondents rating the importance of 14

technology acquisition techniques on a 5-point Likert scale in improving the company's product and process technological capacity. Principal Component Analysis (PCA) factor analysis indicated that technology sourcing patterns explained 62.45% of the variance in business performance. Furthermore, the study findings revealed a substantial association between the types of technology sourcing and company success in a competitive context.

Zhu (2016) investigated the combined impact of the Information Systems and Technological (IST) procurement approaches on the efficiency of online stores supply chains based on sourcing choices using panel data set targeting 307 retail outlets for a period of four years. he results indicated that firms opting for transformative ICT investments tended to incrementally source smaller portions of their value chain activities compared to firms pursuing automate or informate ICT investment strategies. Interestingly, the study findings showed no direct link between IST sourcing decisions and financial performance. Curiously, the study found weak alignment between ICT sourcing decisions and performance effects ($\beta = 0.1263$, p-value < 0.05).

Research on the implications of technology-procuring collaborations of the purchasing firm was performed by Steensma and Corley (2020). The research constructed a likelihood model that proposes how technology's mimicry, distinctiveness. and ambiguity interacts with partner dependencies to shape procurement results. The examination encompassed 95 unique procurement setups, such as permitting, joint development, and mergers. To assess the concepts of interest, a two-phase survey with questionnaires was carried out. There was a 49% response rate. The outcome of the investigation demonstrated a reasonable match, showing a statistically noteworthy fit.

2.4.2 Technology Posture and Performance of Judicial Sector

Technology posture, as outlined by Zahra and Covin (2019), encompasses a corporate's inclination to actively leverage technology as a strategic tool and a fundamental positioning element. The variables utilized for assessing this dimension pertain to a company's willingness to embrace technical risk (Rauch et al., 2019) and the degree to which the conscious pursuit of reputation building is prioritized. Furthermore, Rauch et al. (2020) highlight the characteristics of technological posture, which include

considerations such as governance, expenses, and popularity. These are the components that the present research seeks to assess with the aim of determining how they affect in the operation of Kenya's judicial sector.

Moreover, Burgelman *et al*., (2019) view technological leadership in terms of the relative advantage in the command of technological competencies and capabilities, resulting from a commitment to a pioneering role in the development of a technology, as opposed to a more passive monitoring role. Examining technological posture, companies have a spectrum of innovation strategies available, ranging from aspiring to be pioneers in the technological market to adopting a follower or late-mover approach, as discussed by Ramos, Maria, Mario & Fátima (2018). A proactive strategy, such as aiming to be a pioneer, demands sustained and significant efforts to uphold a company's leadership position. Without such efforts, a company might only succeed in creating a market for its competition (Min et al., 2016). Therefore, a technological leadership posture offers substantial advantages but also comes with disadvantages. Companies pursuing a pioneering posture benefit from reduced competition in the industry but face costly errors due to a lack of information and knowledge. Conversely, according to Lieberman and Montgomery (2018), late movers can capitalize on the information and knowledge available after early movers' experiences. However, they also encounter high costs resulting from the anticipation of pioneers, such as limited choices in prime locations and talent, as well as challenges in establishing privileged agreements with crucial suppliers and breaking consolidated relationships between customers and producers.

Several authors, including Frondel et al. (2017), have identified the role of technology adoption in shaping the strategic capabilities of institutions. This, in turn, enables them to lead in innovation developments, particularly in cleaner service technologies. Building on this perspective, the current study posits that the demands of various stakeholders within the judicial sector prompt proactive innovation in judicial activities, leading to green innovations and a leadership position in service technologies. Consequently, the integration of technology into the innovation strategy is viewed as a dynamic process. In this process, a high commitment to social responsibility facilitates the detection,

assessment, and analysis of changes in stakeholders' needs and expectations, as suggested by González-Ramos et al. (2021).

From this standpoint, the researcher contends that leveraging knowledge obtained through interactions with stakeholders in the judicial sector can be applied in innovative endeavors, such as green innovation, when these institutions exhibit proactive behavior and embrace a technological leadership posture. Consequently, the quest for technological leadership is presumed to significantly enhance connections with stakeholders, facilitating the acquisition of valuable knowledge for seizing opportunities through innovation. Furthermore, institutions gain a favorable reputation in the sector, remaining at the forefront of changes and process development, thereby enhancing their overall performance (Ramos et al., 2018).

Research in this domain has transitioned from exploring what technology posture entails and why institutions opt for it to past research aiming to substantiate and elucidate the correlation between technological advances posture and an institution's performance as a whole (Tsoutsoura, 2017; Ramos et al., 2018; Hull and Rothenberg, 2018). Nonetheless, ongoing attempts to show a favorable association between technology posture and achievements, Ramos et al. (2018) contend that previous research is equivocal, typically due to measurement mistakes, insufficient data, or incorrectly designed models.

Ramos et al. (2018) carried out an empirical investigation to look into the causal connection amongst a company's technical posture and its assurance to giving back to the society as a predictor of performance for business. The study used a model of structural equations that was statistically tested using SmartPLS, drawing on based on knowledge and participatory theories. The sample comprised 76 Spanish companies from an overall population of 726 in the field of renewable energy. Secondary and primary data was collected leading to a response rate of 10.47 percent. The empirical outcomes showed that path coefficients exceeded the value of 0.3 for all hypotheses. Specifically, the findings supported the existence of a significant relationship between technological posture, CSR, corporate reputation, and financial performance. The study suggested that firms oriented towards technological leadership demonstrated greater commitment to CSR, leading to

improved relationships with stakeholders and enhanced financial performance compared to firms categorized as followers or innovation last-movers.

2.4.3 Technological Culture Change and Performance of Judicial Sector

Organizational culture is perceived as a configuration of fundamental assumptions and beliefs that have evolved within a specific social group over its history of internal cohesion and external adjustment. These assumptions and beliefs are deemed effective by the group, having proven successful in the past and are considered significant enough to be transmitted to new members as the accepted way of interpreting the organization's reality (Schein, 2019). This cultural framework encompasses a set of implicit social norms that establish the boundaries for what behaviors are deemed appropriate or inappropriate within the organization. It's important to note that organizational culture may not be uniform across all facets of the organization; certain norms may be pervasive throughout, while distinct groups within the organization may cultivate their own subcultures.

Organizations are undergoing rapid transitions, which are being fueled in large part by the acquisition and use of information and communication technologies (ICTs). The rapid advancement of ICTs necessitates quick and sometimes complex changes inside enterprises. As a result, organizational members must constantly learn and adapt to new working and social practices that are linked with these growing technologies (Cécile, 2016). To comprehend and manage organizational change, various approaches have been used, including a 'planned' approach that views technology development as a linear process. This viewpoint regards ICT as an external influence that shapes collective behavior within businesses. It assesses technological change based on the features of various technologies, treating ICT as the primary engine of change, with predictable effects. An 'emergent' perspective in academic literature, on the other hand, sees technological change as the outcome of dynamic interactions among people from different socioeconomic backgrounds (Markus & Robey, 2018).

When particular cultural practices or shared representations become insufficient for new circumstances, cultural transformation occurs. The impact of technology use inside

organizational contexts is difficult to forecast for designers or decision-makers since it is dependent on the delicate interplay between cultural patterns and the technical characteristics of ICTs (Orlikowski, 2019).The transformation of the judiciary sector in Kenya has been primarily driven by various factors, notably the existence of significant case backlogs, reaching as high as 1 million cases. Litigants often experienced prolonged waiting periods for hearing dates, and the entire process, from filing to trial, was marked by cumbersome procedures. Judicial officers, including judges and magistrates, along with lawyers, were frequently responsible for adjourning hearings for reasons that were sometimes questionable (Gainer, 2015). Additionally, the recent global impact of the COVID-19 pandemic has compelled institutions and organizations to adopt advanced technologies, even if such adoptions were not initially part of their planned strategies.

Cabrera and Barajas (2016) highlight that approximately eighty percent of technological projects do not achieve their achivements goals, attributing this failure, in part, to organizations not adequately addressing non-technical aspects, specifically human and organizational factors. They emphasize that the effectiveness of new systems is contingent on a holistic approach to organizational change, where both people and technical factors are recognized as intricately connected and interdependent. Cabrera and Barajas (2016) argue that while technology and people are crucial, they are just two of several subsystems operating within an organization, collectively shaping its performance.

Ozigbo (2018) asserts that understanding the relationship between organizational culture, information technology, and firm performance is a crucial yet complex aspect. Initially, researchers leaned towards a direct positive correlation, suggesting that specific cultures lead to improved financial performance. However, this connection lacks consistent and compelling support, with some studies showing inconclusive relationships. To address these inconsistencies, Ozigbo (2018) proposes that the interactions between culture, technology, and firm performance are contingent on environmental conditions. It is argued that while strong cultures may offer advantages in stable environments, they may hinder performance in dynamic settings due to factors promoting conformity. Considering

the dynamic nature of organizational environments, this perspective suggests that strong cultures might impede a firm's performance. Despite the enduring interest in the relationship between technology and organizational culture, the actual consequences for organizations remain inadequately explained.

While highlighting the very specific nature of ICT with regards to other technologies, a qualitative article by Cécile (2016) examines the many-sided relations between cultural values and ICTs use for grasping the cultural aspect of the technological change process in organizations. From the structuration's approach, the study explored the cultural dimension of the information revolution is occurred within the military organizations in the United States of America. The article underlines both the strong influence of situated culture on ICTs uses and the plurality of use ways. According to the study's findings, culture has the capacity to shape erroneous applications of technology, either supporting or obstructing change attempts. In some cases, military technical communities have been observed adopting a technology and its projected application while critically analyzing its new cultural pattern. However, the study stressed the uniqueness of each situation, which is dependent on the organization's background and cultural pattern.

A study by Caro et al., (2020) sought to empirically explore the influence of open organizational culture on performance of enterprises can be affected by open cultures in America. The study investigated 161 respondents from various cultural backgrounds. The study data was collected via a survey and evaluated and the results shows that open mindedness is statistically and positively associated with performances.

Ozigbo (2018) conducted a study examining the relationship between organizational culture and information technology effectiveness in the context of firm performance. The research incorporated. Employing a quantitative approach, the study collected data from 200 respondents through in-depth interviews and questionnaire surveys. The findings highlighted that ethos demonstrated the rising achievement constructs, accounting for 66 percent of the performance disparity ($R2 = 0.66$). The overall implication is that organizational culture serves as a significant factor influencing a firm's performance.

Tedla (2018) conducted a qualitative investigation in Ethiopia to evaluate the association between successful organizational culture and productivity. The Denison organizational culture model was used in the investigation. The study randomly selected 20 senior managers from an Ethiopian company group and collected data using semi-structured face-to-face interviews. Following transcription, the interview material was classified and coded before member verification and triangulation were used to improve the reliability of interpretations. An electronic file system was used to arrange the data. Thematic analysis was used to assess and categorize the study's findings. The findings demonstrated how top managers use an effective organizational culture to improve performance, with transformative culture accounting for 62% of the variation in performance.

2.4.4 Technological Capacity and Performance of Judicial Sector

According to Khin and Ho (2019), technological capacity is the capacity of an organization to invent and create new merchandise and operations. In the setting of internet-based merchandise, the term extends to encompass a firm's skills, talent, and expertise in managing digital technologies for the development of new products. Additionally, Carcary (2016) suggests that successful digital transformation requires organizations to develop various capabilities across different areas. The specific capabilities needed may vary based on the sector and the unique needs of the organization. Despite this, Levallet and Chan (2018) emphasize two key digital capabilities—well-developed information management and a flexible IT infrastructure—without explicitly linking them to innovation.

Given the dynamic and turbulent nature of the current institutional environment, there is a heightened need for more efficient business capabilities that integrate technology and accounting information systems (AIS) to provide timely and reliable information. To achieve this, AIS processes need to be standardized, and IT must be managed comprehensively, encompassing both its usage and infrastructure. This comprehensive management is essential for contributing to decision-making and fostering an IT culture that creates favorable conditions for information systems to fulfill their objectives (Wang, 2020). Consequently, this investigation delves into an examination of technological

competence, representing an organization's proficiency in leveraging IT-specific capacity, to assess its impact on organizational performance. Additionally, Fuller and Collier (2018) contend that the synergy between IT capacity and AIS information management contributes significantly to long-term organizational performance.

Organizations and institutions adopt, design, and implement new technologies to support performance activities (Alavi & Leidner, 2021). This endeavor must be backed by the competencies of the employees and a well-structured organizational, operational, and technological plan, ultimately providing the company with a competitive advantage. Information Systems (IS) based on technologies such as the Internet, intranet, databases, and program applications serve as tools that enhance performance management (Markus, 2021). Illustrating the connection between IT capacity and institutional performance, Rodríguez (2017) contends that this interaction helps organizations optimize sales, develop innovative products, and become more competitive in their operations. The IT capacity, in this context, creates a valuable differentiation in product design and service provision, leading to greater economic benefits for the organization. Moreover, Hitt and Brynjolfsson (2016) posit that the use of web technology within IT capacity can enhance business performance, resulting in increased revenues and cost reduction, thereby enhancing competitiveness.

Technological competence are crucial assets for the process of innovation. Even with effective deployment of technology within an organization, its usage and services must still be managed efficiently (Freel, 2019). IT plays a critical function in developing durable contact networks and boosting connection to external knowledge. Robust knowledge structures can be built through both inter- and intra-organizational knowledge sharing, according to Srivardhana and Pawlowski (2017), and advanced IT platforms contribute to organizations' inventive capacity. These capabilities include knowledge infrastructure capabilities like technological framework and technology culture, as well as knowledge processing capabilities like acquisition, transformation, application, and knowledge security, which serve as the foundation for corporate knowledge. Such competencies improve a company's ability to recognize, acquire, and use new knowledge

(Gold, 2021). IT broadens the scope of organizational operations, and the expansion of IT infrastructure is expected to enable an organization to meet its performance goals.

Rodrguez (2017) investigated the nexus amongst technological expertise attainment as a vital performance determinant in SMEs in Cali's industrial sector. The research, which was founded on resource-based theory, used structural equations with an emphasis on variation and conducted a field test with data from 124 Colombian SMEs in the industrial sector. According to the findings, technical ability, defined as the level of capabilities of the company's information technology, contributes considerably and directly to organizational success. Sabai and Ho (2019) investigated the impact of digital orientation and digital capacity on organizational performance in Malaysian medium-sized IT enterprises in a separate study. The survey, which included 105 small to medium-sized IT enterprises and used structural equation model (SEM) analysis, indicated that digital capacity could explain 46.5% of the variance in performance. This emphasizes the necessity of stressing digital orientation in order to embrace digital technologies, better fulfill emerging digital needs in both business and consumer contexts, and provide digital solutions that revolutionize business models and improve consumer experiences.

Heredia et al. (2022) developed a framework to investigate the impact of electronic competences on business efficiency in the setting of the "new normal" from a firm-level standpoint. The researchers put the hypothetical model to the test using secondary data from 999 businesses from 27 countries. According to the research, digital abilities have an advantageous effect on company results exclusively via advances in technology. Similarly, the research discovered that in nations with low human development index nations, technological expertise had a bigger indirect effect on corporate success than in high HDI countries. The findings suggest possibilities for further study and implications for management and legislators.

Ma, Khan, and Yun (2021) conducted research involving enterprises in various parts in China to analyze the impact of information technology (IT) on a firm's aptitude to learn vital knowledge for achieving outstanding performance. The study used an online administration to collect data from 241 participants, using a structural questionnaire based

on earlier research. The researchers used confirmatory approaches to evaluate the parameters and structural model, using Analysis of Moment Structure (AMOS) 24.0 for validation of the research data and verify the predicted associations. The statistical technique utilized in the study was the use of structural equation modeling (SEM), and the results of the Sobel test showed a favorable and statistically significant connection among the use of information and communication technology (ICT) and business success (=0.592, p.01).

2.5 Critique of existing Literature Reviewed

From the literature reviewed, several studies have showed that technological strategies are key drivers to performance of organizations (Adler, 2019; Chadee & Pang, 2018; Read, 2010). However, other studies have produced mixed results (Helfat & Rasbitschek, 2018; Mytelka, 2019). Of importance to the current study is that some of these studies had different approaches to explore the effect of technological strategies on performance. Moreover, different authors equally approached performance of a firm differently.

Specifically, a study by Zhao et al. (2017) evaluated several methods of technology procuring and their impact on Singaporean manufacturing enterprises' innovative potential. The research, used a structured postal questionnaire survey to target manufacturing firms in Singapore. However, the study has a bearing in technological strategy, the current study however focused on the judicial sector. Moreover, a study by Zhu (2016) assessed a combined impact of the Information Systems and Technological (IST) procurement approaches on the efficiency of online stores supply chains based on sourcing choices. The study however used panel data of four years, unlike the current study that used primary data. In addition, the study by Zhu adopted financial performance as a dependent variable, unlike the current study that took an integrated approach combining financial and none financial indicators for performance.

A study by Steensma and Corley (2010) proposes how technology's mimicry, distinctiveness. and ambiguity interacts with partner dependencies to shape procurement results through a constructed a likelihood model. To assess the concepts of interest, a two-phase survey with questionnaires was carried out. Even though the outcome of the

investigation demonstrated a reasonable match, showing a statistically noteworthy fit, the current study however adopted a regression models, collecting data through structured questionnaire. A study by Ramos et al. (2018) carried out an empirical investigation to look into the causal connection amongst a company's technical posture and its assurance to giving back to the society as a predictor of performance for business. The study used a model of structural equations that was statistically tested using SmartPLS, drawing on based on knowledge and participatory theories. The study used secondary and primary data was collected. In retrospect, the current study adopted a descriptive research design and analyzed data quantitatively. Moreover, the current study only used primary data unlike the study by Ramos et al. (2018).

A study by Tedla (2018) was a qualitative investigation in Ethiopia to evaluate the association between successful organizational culture and productivity. The study adopted a Denison organizational culture model in the investigation. The study randomly selected 20 senior managers from an Ethiopian company group and collected data using semi-structured face-to-face interviews. Following transcription, the interview material was classified and coded before member verification and triangulation were used to improve the reliability of interpretations. An electronic file system was used to arrange the data. Thematic analysis was used to assess and categorize the study's findings. The findings demonstrated how top managers use an effective organizational culture to improve performance, with transformative culture accounting for 62% of the variation in performance. However, the current study adopted a quantitative approach and was anchored on culture theory. The current study however collected primary data by used of structured questionnaires that were self-administered.

Lastly, a study by Ma, Khan, and Yun (2021) analyzed the impact of information technology (IT) on a firm's aptitude to learn vital knowledge for achieving outstanding performance in China. Moreover, the study used an online administration to collect data using structural questionnaire. The study further used confirmatory approaches to evaluate the parameters and structural model, using Analysis of Moment Structure (AMOS) 24.0 for validation of the research data and verify the predicted associations.

The statistical technique utilized in the study was the use of structural equation modeling (SEM). However, the current study used a self- administered questionnaires that were dropped and later picked upon completion by respondents. Moreover, the current study used SPSS to analyze field data, and adopted regression model to present data.

2.6 Summary of Reviewed Literature

Technological strategies are hypothesized to have a noteworthy and important influence on performance. Technological procuring, technology posture, technological culture changes and technological capacity have been shown from the literature to have an influence on organizational performance. However, the reviewed literature seems to point to a more advanced nations and economies where the researches have been carried out, with developing nations lagging behind. Moreover, a review of literature showed scarcity of information to the extent of ICT implementation a s a strategy in improving performance in the judicial sector.

CHAPTER THREE

RESEARCH METHODOLOGY

3.1 Introduction

This section attempted to clarify the research philosophy, design, the population being targeted, sampling frame, sample, sampling strategies, and the number of samples, collecting data instruments, data collection processes, pilot study, data processing, analysis, and presentation.

3.2 Research Philosophy

This study adopted a positivist research philosophy to establish the effect of technological strategies on the performance of Kenya's judicial sector. The positivist research philosophy was considered appropriate in the current study based on the fact that it facilities analysis and presentation of data quantitatively, it also provides an opportunity to discover new knowledge thus prediction and control of the research problem based on the laws of cause and effect (Mertler & Vannatta, 2010).

Positivism maintains objectivity of the study independent of the researchers' knowledge in discovering and verifying information through direct observations or measurements of phenomena using facts (Novikov & Novikov, 2013). According to the principles of positivism, it depends on quantifiable observations that lead themselves to statistical analysis. It has been noted that positivism is in accordance with the empiricist view that knowledge stems from human experience.

3.3 Research Design

The blueprint, method, or structure used to develop solutions to the research challenge is referred to as research design. It essentially serves as the investigation's plan and organization. The current research adopted a descriptive research design. Both descriptive approach and correlation research designs were used because they enable the researcher to collect accurate data and provides a clear picture of the phenomenon under study (Rahi, 2017). Furthermore, the descriptive study method allows the researcher to collect data that is qualitative as well as quantitative. Because of this methodology, the study was able

to incorporate both qualitative and quantitative methodologies. In terms of data collection, the descriptive design entails the distribution of questionnaires, which are largely focused on obtaining respondents' opinions and impressions about the study variable's stated measurement items. Moreover, the correlations research design enabled the researcher to assess the relationships between the study variables.

3.4 Target Population

The investigation's population of interest is an overall group of individuals possessing identifiable characteristics as mentioned by the research's selection criteria (Ngechu, 2018). As stated by Saunders, Lewis, and Thornhill (2019), it involves an in-depth examination of all specified institutes within a particular area that are significant to the researchers. The study gathered data from court of magistrates in the county of Nairobi. According to the Judiciary of Kenya (2022), Nairobi City County has five magistrate courts:

Tale 3.1: Sample Frame

S/N	Magistrate courts in Nairobi City County
1	Mlimani Law Court
2	Jomo Kenyatta International Airport (JKIA) Law Court
3	Kibera Law Court
4	City Law Court
5	Makadara Law Court

3.5 Sampling Strategy

To choose respondents for the current study, a purposive sampling strategy was used. As a result, nine departments per station were studied, consisting of the magistrate, court clerk, court accountant, court secretaries, court archivist, human resources and administration officer, ICT official, acquisition officer, and library aide, yielding a total sample size of forty – five (45) respondents. As a result of this approach, the number of participants for the study comprised forty-five participants. The sample size is a representation enough following a recommendation by Zikmund, Babin, Carr and Griffin (2016) that a minimum sample size of 30 and above is representation enough for a

normally distributed sample. The purposive sampling strategy adopted so as to enable the researcher collect crucial information from study units (units of observation) with relevant, leading to more insightful and precise research results. This approach aimed to obtain relevant results within the research context by gathering information from the most suitable participants (Kothari, 2019).

3.6 Data Collection Instruments

The current study seeks to gather primary data using a structured questionnaire. A questionnaire is a research instrument that consists of a set of questions or other types of prompts that aims to collect information from a respondent (Kothari, 2009). Moreover, Kothari (2009) argues that research questionnaire is typically a mix of either close-ended and / or open-ended questions. The structured questionnaire for this study is organized in three parts. Part A collected demographic information of the magistrate law court; Part B focused on the independent variables and Part C will focus on dependent variables. Structured questions adapted a 5-part slanting Likert scale organized as: Strongly Agree (SA), Agree (A), Neutral (N), Disagree (D) and Strongly Disagree (SD). The questionnaire was administered through the "drop and pick' method targeting the stated units of observations, with the help of research assistants (See Appendix II).

3.7 Data Collection Procedure

According to Sekaran (2016), data collection is the means by which information is obtained from the selected subject of investigation. Before data collection, the researcher sought permissions from the office of Chief Registrar of these magistrate's courts through an official introduction letter from the University (Appendix II). The researcher also presented a letter to potential respondents seeking their voluntary participation in the study (Appendix I). In addition, the researcher sought permission from NACOSTI (Appendix V) to collect data. The researcher hence presented an introductory letter from the university (Appendix IV) to respective magistrate's courts After getting the clearance, the researcher distributed the questionnaires with the help of trained research assistants. This means respondents answered the questionnaires at their own convenience. This heightened efficiency in the study (Mugenda & Mugenda, 2013).

3.8 Pilot Test

A pilot test was conducted to detect weaknesses in design and instrumentation and to provide proxy data for selection of a probability sample. Pilot test assists in determining if there are flaws, limitations, or other weaknesses within the interview design (Bridget & Lewan, 2014). A pilot test was conducted to test the reliability and validity of the data collection instruments developed. A pilot test was done on 10% of the study sample size which is equivalent to five (5) respondents. This is in line with a recommendation by Mugenda and Mugenda (2013) who suggests that a sample size between 1% and 10% was suitable for pilot test. The pilot results are as presented in chapter four.

3.8.1 Reliability of Research Instrument

According to Heale and Twycross (2015), reliability measures the degree to which a research tool yields consistent results on repeated trials. Therefore, instrument reliability is a way of ensuring that any instrument used for measuring experimental variables gives the same results every time. The study used Cronbach Alpha value to establish the internal consistency of the research instrument. The minimum reliability threshold was adopted will be 0.7 (Bridget & Lewan, 2015).

3.8.2 Validity of the Research Instrument

According to Mugenda and Mugenda (2013) validity is defined as the degree to which results obtained from analysis of the data actually represent the phenomena under study. This study will adopt both content and construct validities. Content validity involves assessing whether a test is representative of all aspects of the construct. (Straub & Boudreau, 2014). To produce valid results, the content of a test, survey or measurement method must cover all relevant parts of the subject it aims to measure. To obtain content validity, the questionnaire measurement items were constructed following the constructs picked from the conceptual framework items as contained in the conceptual framework. (See Figure 2.1).

Construct validity which is about ensuring that the method of measurement matches the construct you want to measure (Straub *et al.*, 2014). Construct validity was achieved by

using component analysis method by use of factor loadings. The minimum factor loading expected was set at 0.4. Construct validity was interpreted by comparing the test to other tests that measure similar qualities to see how highly correlated the two measures are (Straub et al., 2014). Those measurement items that failed the minimum expected were refined to meet the expected threshold.

3.9 Data Analysis and Presentation

Burns and Groove (2018) define Data analysis as a mechanism for reducing and organizing data to produce findings. The structured questionnaire was used to collect quantitative data. The collected data was coded, edited, and cleaned to ensure consistency and error minimization of the study. Statistical Package for Social Science (SPSS) computer software version 26 and MS Excel 2010 was used to support data cleaning, analysis and statistical calculations. Data was analyzed both descriptively and inferentially. Descriptive data was used to determine measures of central tendency (mean) and measures of dispersion (standard deviation). Inferentially, correlation coefficients as well as regression analyses were used to measure the strength and direction of relationship between the variables. Data was then presented in tables and charts as appropriate.

The correlation statistics generated through SPSS were employed to elucidate the extent of the nexus between technological strategies and the performance of the judicial sector in Kenya, utilizing Pearson's correlation coefficient (r). Pearson's correlation analysis is instrumental in helping organizations identify variables warranting further investigation, enabling swift hypothesis testing. The formula for Pearson's correlation (r) is utilized to gauge the strength of the linear relationship between two variables. A positive correlation signifies that the two variables move in the same direction, with a +1.0-correlation denoting perfect tandem movement. The scale for positive correlation ranges from 0.1 to 1.0. A weak positive correlation falls within the 0.1 to 0.3 range, a moderate positive correlation spans from 0.3 to 0.5, and a strong positive correlation extends from 0.5 to 1.0. Conversely, a negative correlation coefficient indicates that the variables move in opposite directions.

In contrast, multiple regression analysis was employed to illustrate the magnitude of the nexus between the dependent and independent variables. The coefficient of determination, R-squared (R2), serves as a measure of goodness-of-fit for linear regression models. R2 gauges the robustness of the relationship between the study model and the dependent variable, representing it on a scale of 0 to 100%. Generally, a larger R^2 indicates a better fit of the regression model to the observed data. The generic form of the regression model in the current study is expressed as follows:

$$Y = \beta 0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \beta_4 X_4 + \varepsilon$$

Y= Dependent Variable (performance of the judicial sector

β0= Constant (value of Dependent Variable when all independent variables are zero)

β1- 4= Regression Coefficient for each independent variable

X_1= Technological Sourcing

X_2= Technology Posture

X_3= Technological Culture Change

X_4= Technological Capacity

ε = error term

CHAPTER FOUR

DATA ANALYSIS, FINDINGS AND INTERPRETATIONS

4.1 Introduction

The chapter describes all information produced by the research procedures and statistical analyses of the findings. The chapter presents data analysis, research outcomes, and discussions of the findings based on past studies. These are presented based on study objectives. The chapter additionally outlines both descriptive and inferential statistics. Study results are presented in tables, and figures combined with a brief narrative. These are presented based on study objectives. The chapter additionally outlines both descriptive and inferential statistics.

4.2 Response Rate

The study sought to collect data from all the five (5) magistrate's courts in Nairobi City County, targeting 45 study respondents. The researcher issued 45 questionnaires to the targeted nine (9) respondents per station, comprising (magistrate, court clerk, court accountant, court secretaries, court Archivist, HR & Admin officer, ICT officer, Procurement officer, and Library assistant). However, out of the targeted 45 questionnaires issued, only thirty-two (32) questionnaires were completed and successfully returned for analysis, yielding a response rate of 71.1% as depicted in figure 4.1. The response rate was considered sufficient for analysis. This confirms assertion by Mugenda and Mugenda (2012) that any response rate below 50% for a descriptive research design is impractical, while a response rate exceeding 70% is commendable for analysis. The notably high response rate realized was attributed to the "drop and pick" method adopted during data collection.

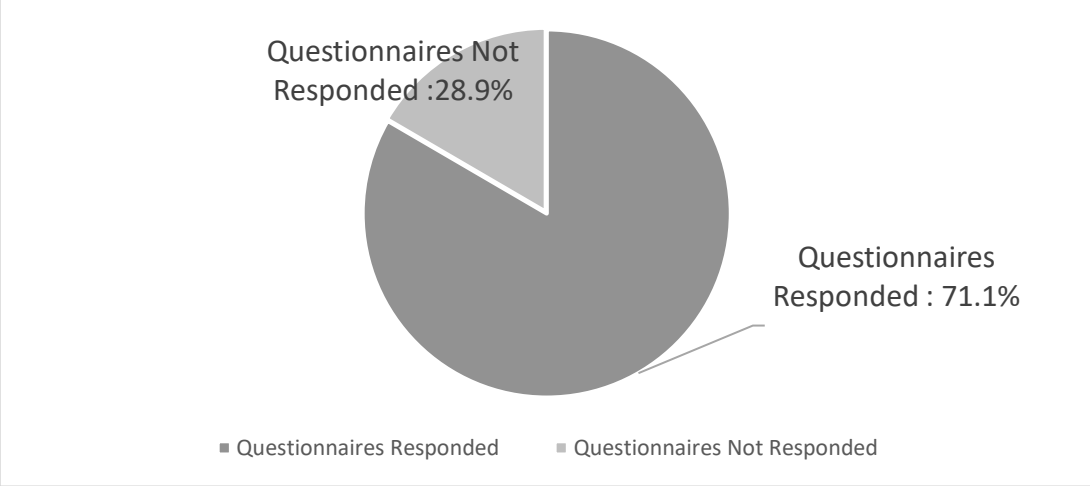

Figure 4.1: Response Rate

4.3 Demographic Information

The demographic attributes of the respondents were assessed through of respondents comprising experience working in the court station as well as the highest level of education attained so far. Cooper and Schindler (2011) notes that researchers applied demographic characteristics in describing study's population, however, it does not bear any significant effect on the variables of the study, even though the study adopts them to help assess the ability of the respondents to accurately offer insights to the study variables sought. The results are as presented in the following sub- sections.

4.3.1 Respondents' Level of Experience

The study sought to establish the length of time the respondents had worked in the respective court station. The results presented in figure 4.2 shows that those with less than 5 years were 34.9%, those with between five and ten years were 46.3% while those with above 10 years accounted for 18.8%. The results imply that the majority (65.1%) of respondents had worked in their respective stations for more than five years. This shows that the respondents were knowledgeable enough so as to offer more and accurate information regarding the study variables in their stations. Therefore, the information was considered credible and representative enough about the study variables.

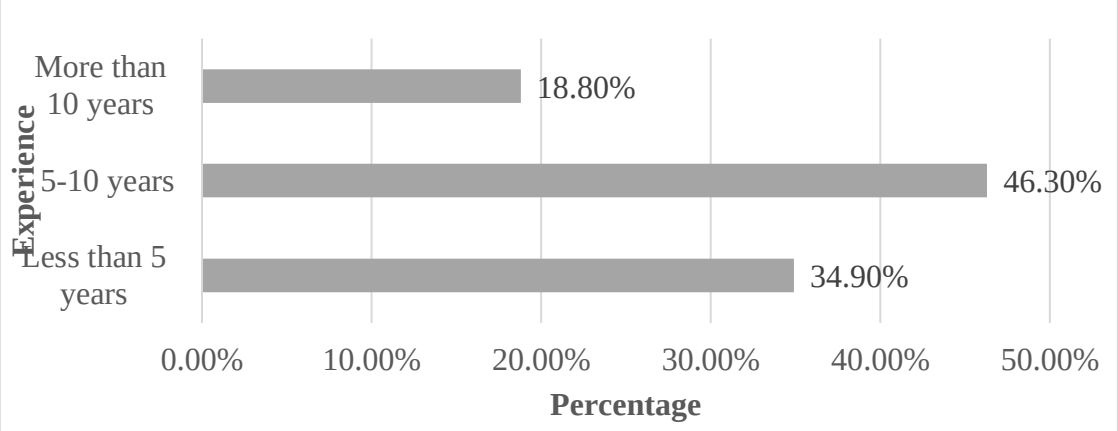

Figure 4.2: Respondents Experience

4.3.2 Education level

The study aimed to determine the respondents' highest level of education. As depicted in figure 4.3, 11.9% of respondents were from colleges, 66.2% were graduates, while 21.9% were postgraduates. The results shows that all the respondents were educated, with the majority of the respondents (88.1%) having attained graduate qualifications. Therefore, they were deemed knowledgeable and were literate enough to understand and interpret the contents of the questionnaires.

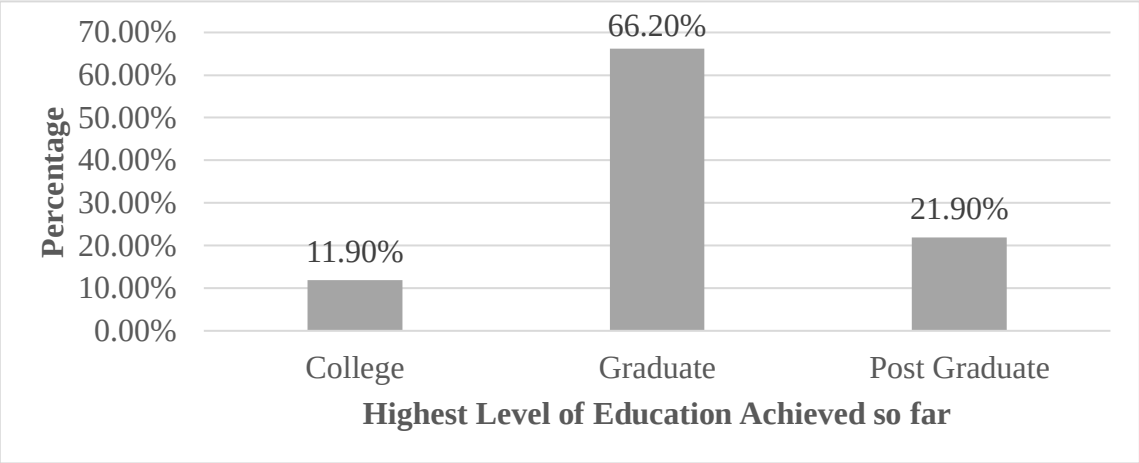

Figure 4.3: Respondent's Education Level

4.4 Descriptive Results

The purpose of using descriptive statistics was to provide the researcher the ability to explain patterns and distributions of measurements of the study variables. The study adopted both means and standard deviation. The questionnaire adopted a five-point Likert scale of 1–5, then the respondents were given measurement items relating to each of the independent variables, and were required to rate the statements on a scale of 1 to 5, where 1 =Strongly Disagree, 2 Disagree, =Neutral, 4 =Agree, and 5 =Strongly Agree. The following subsections contains the descriptive results as per the study variables:

4.4.1 Technology Sourcing

The first objective of the study was to assess the effect of technological sourcing on the performance of the Kenya's judicial sector. Respondents were asked to express their level of agreement with statements on Technology Sourcing. The results outlined in table 4.1 shows that respondents were in agreement with the statements that the ICT specifications are internally determined (mean=4.13, standard deviation 0.578). moreover, the respondents strongly agreed that the court has strategic partnership with other ICT service providers on sourcing the technology (mean=4.21, standard deviation = 0.489), the technology in use is more costly that the benefit being enjoyed (mean=4.09, standard deviation = 0.516). however, the majority of the respondents were neutral that there is little new investment in equipment would be required of our firm to independently develop this technology (mean=3.76, standard deviation = 0.913). the respondents strongly concurred that both the court and partners mutually share their ICT expertise (mean=4.25, standard deviation = 0.308). moreover, the respondents concurred that Sourcing of the ICT infrastructure is competitively done, with an average of 3.91, std dev. of 0.733.

Table 4.1: Descriptive Statistics on Technology Sourcing Measurement Items

Product Innovation Practices	Mean	Std. Dev.
The ICT specifications are internally determined	4.13	0.578
The court has strategic partnership with other ICT service providers on sourcing the technology	4.21	0.489

The technology in use is more costly that the benefit being enjoyed	4.09	0.516
Little new investment in equipment would be required of our firm to independently develop this technology.	3.76	0.913
Both the court and partners mutually share their ICT expertise	4.25	0.308
Sourcing of the ICT infrastructure is competitively done	3.91	0.733
Average	**4.06**	**0.59**

4.4.2 Technology Posture

The research equally sought to examine the effect of technology posture on performance of the Kenya's judicial sector. Respondents were asked to indicate their level of agreement with statements on Technology Posture using a 5-point Likert scale. The results, as presented in table 4.2, indicate that a majority of respondents strongly agreed that the technology in use has fewer costly errors resulting from a lack of information, with an average score of 4.38 and a standard deviation of 0.401. Equally, the study showed s strongly agreement that procurement of the technology allows the firm to independently develop associated products or procedures (mean = 4.45, standard deviation = 0.856), that the court introduces radical operation models that disrupt the sector practices (mean = 4.35, standard deviation = 0.827). However, the majority of respondents remained neutral indication that the court makes a continuous effort to maintain the technology's leadership position with a mean of 3.36, and standard deviation of 0.837. However, the respondents strongly agreed that the court is the pioneer in the technological market in the use of the ICT to manage operations (mean = 4.22, standard deviation = 0.625). In addition, the majority of respondents strongly agreed that the technological leadership is assumed to significantly increase the relationships with stakeholders, with a mean of 3.97 and standard deviation of 0.861.

Table 4.2: Descriptive Statistics on Technology Posture		
Technology Posture Measurement Items	**Mean**	**Std. Dev.**
The technology in use has less costly errors resulting from lack of information	4.38	0.401
The procurement of this technology allows our firm to independently develop related products or processes.	4.45	0.856
The court introduces radical operation models that disrupt the sector practices	4.35	0.827
The court makes a continuous effort to maintain the technology's leadership position	3.36	0.837
The court is the pioneer in the technological market in the use of the ICT to manage operations.	4.22	0.625
Technological leadership is assumed to significantly increase the relationships with stakeholders	3.97	0.861
Average	**4.12**	**0.735**

4.4.3 Technological Culture Change

The third specific study objective was to evaluate the influence of technological culture change on the performance of the judicial sector in Kenya. Indicated in table 4.3, the majority of respondents strongly agreed that the use of ICT is homogeneous across all areas of the court, with a mean of 4.37 and a standard deviation of 0.198. Moreover, most of respondents strongly concurred that the courts have a norm of a continuous improvement using ICT (mean = 4.82, std deviation = 0.982). However, the most of the respondents marginally concurred that the court's staff continuously learn to adopt to new technology, with a mean of 3.98 and standard deviation of 0.855. On technological changes, the majority of respondents strongly agreed that the technological changes occur in a planned process (mean = 4.21, standard deviation = 0.737). The respondents marginally agreed that technological developments have enabled management teams integrate innovation into their operations, with a mean of 3.86 and a standard deviation of 1.073. Moreover, the majority of respondents strongly agreed that the courts have privacy policy around client's data collected during their routine business (mean = 4.32 and standard deviation of 0.681). On average, the study results indicated that the respondents strongly agreed that technological culture change have an influence on performance with an aggregate mean of 4.26 and standard deviation of 0.754.

Table 4.3: Descriptive Statistics on Technological Culture Change		
Technological Culture Change Measurement Items	**Mean**	**Std Dev.**
The use of ICT is homogeneous across all areas of the court	4.37	0.198
The court has a norm of a continuous improvement using ICT	4.82	0.982
The court's staff continuously learn to adopt to new technology	3.98	0.855
Technological changes occur in a planned process	4.21	0.737
Technology has enabled management teams integrate innovation into their operations.	3.86	1.073
The court has privacy policy around client's data collected during their routine business.	4.32	0.681
Average	**4.26**	**0.754**

4.4.4 Technological Capacity

The fourth specific study objective was to determine the influence of technological capacity on the performance of the Kenya's judicial sector. Table 4.4 illustrates study results. Accordingly, the respondents strongly agreed that the level of technology in use can be able to host all our clients with a mean of 4.19 and standard deviation of 0.823. Moreover, the respondents strongly agreed that institutions are capable of customizing the technology towards new applications (mean = 4.01, std dev. = 0.817. In addition, study respondents strongly agreed that the technology currently being used meets the court's technical expectations (mean = 4.75, standard deviation = 1.409). On the same breath, the respondents strongly agreed that the institutions require outside assistance to support the technology with a mean of 4.41 and standard deviation of 0.639. However, most of respondents generally remained neutral that the court has expertise to manage digital technologies being used with a mean of 3.49 and standard deviation of 1.064. However, the majority of respondents marginally concurred that the court has expertise to manage digital technologies being used (mean = 3.78, standard deviation = 0.782). On average, the study respondents strongly agreed that technological capacity on the performance of the judicial sector in Kenya.

Table 4.4: Technological Capacity Measurement Items	Mean	Std Dev.
The level of technology in use can be able to host all our clients	4.19	0.823
The institution is capable of customizing the technology towards new applications.	4.01	0.817
This technology meets the court's technical expectations	4.75	1.409
The institution requires outside assistance to support the technology	4.41	0.639
The court has expertise to manage digital technologies being used	3.49	1.064
The IT infrastructure allows adequate conditions for information systems to achieve their objectives	3.78	0.782
Average	**4.11**	**0.922**

4.4.5 Performance of Judicial Sector in Kenya

The study sought to assess the level of performance realized by the Judicial Sector in Kenya. The respondents were required to indicate their level of agreement with performance measurement statement on a five – pint Likert scale. The study results are a presented in table 4.5. The majority of respondents strongly agreed that the technological innovation for the courts assists in value addition and strategic objectives achievement, with a mean of 4.45 and standard deviation of 0.917. In addition, the respondents strongly agreed that the used of ICT has significantly reduced down-time on cases being concluded (mean = 4.16, standard deviation = 0.831). Moreover, the respondents strongly agreed that their clients are satisfied with the performance of the court due to adoption and use of the ICT with a mean of 4.33 and standard deviation of 1.086. Meanwhile, the respondents agreed that productivity of court's staff has significantly improved due to the use of the ICT with a mean of 3.98 and a standard deviation of 0.624. Even though the majority of respondents marginally agreed that technology is recognized as an important catalyst for greater effectiveness and efficiency (mean = 3.67, standard deviation = 0.713), they strongly agreed that the courts require ongoing technological innovation to remain competitive in dispensing justice quickly and facing new challenges (mean = 4.19, standard deviation = 0.847). On average, the study respondents strongly agreed that technological strategies improve performance, with a mean of 4.13, and standard deviation of 0.836.

Table 4.5: Descriptive Statistics on Performance		
Performance Measurement Items	**Mean**	**Std. Dev.**
Technological innovation for the courts helps in adding value and attaining strategic objectives	4.45	0.917
The used of ICT has significantly reduced down-time on cases being concluded.	4.16	0.831
As is, clients are satisfied with the performance of the court due to adoption and use of the ICT	4.33	1.086
Productivity of court's staff has significantly improved due to the use of the ICT.	3.98	0.624
Technology is recognized as a key enabler for increased efficiency and effectiveness.	3.67	0.713
Courts require recurring technological innovation for competitiveness in dispensing justice fast and be able to face new challenges.	4.19	0.847
Average	**4.13**	**0.836**

4.5 Inferential Analysis

The study proposed to perform inferential analyses to assess the level of influence of technological strategies in improving performance. The study hence adopted both correlation and regression analyses to measure the strength and direction of relationship between the variables. The results are therefore presented in the subsequent sub-sections.

4.5.1 Correlation Analysis

The correlation statistics obtained from SPSS was used to explain the degree of relationship between technological strategies and performance of performance of the Judicial sector in Kenya with the aid of Pearson's correlations (R), Correlation analysis helps firms determine which variables they want to investigate further to improve their performance. The study proposed that a weak positive correlation would be in the range of 0.1 to 0.3, moderate positive correlation from 0.3 to 0.5, and strong positive correlation from 0.5 to 1.0, with negative correlations take the same scale.

4.5.1.1 Correlation Analysis for Technological Sourcing and Performance

The study sought to establish the relationship between Technological Sourcing and Performance of the judicial sector in Nairobi City County, Kenya. A Pearson Correlation was performed and the result of the Pearson correlation test as presented in Table 4.6,

indicating a strong and statistically significant correlation relationship between the Technological Sourcing Strategy and Performance (R = 0.678; p<0.05). The implication of this results is that Technological Sourcing strategies is statistically and positively correlated with performance of these judicial institutions.

Table 4.6: Correlation Analysis for Technological Sourcing and Performance

		Performance
Performance of judicial institutions	R	1.000
	Sig. (2-tailed)	.
Technological Sourcing	R	.678
	Sig. (2-tailed)	.000
	N	32

4.5.1.2 Correlation Analysis for Technology Posture and Performance

In addition, the study sought to establish the relationship between Technology Posture and performance of the judicial sector in Nairobi City County, Kenya. A Pearson Correlation was equally performed and the results were as presented in Table 4.7. The study results showed a positive and statistically significant correlation between Technology Posture strategy and performance. The relationship was however, found to be a weak one (R = 0.376; p<0.05)

Table 4.7: Correlation Analysis for Technology Posture and Performance

		Performance
Performance	R	1.000
	Sig. (2-tailed)	.
Technology Posture Strategy	R	.376
	Sig. (2-tailed)	.000
	N	32

4.5.1.3 Correlation Analysis for Technological Culture Change and Performance

Further, the study sought to establish the relationship between Technological Culture Change and Performance of Judicial sector in Nairobi City County, Kenya. A Pearson Correlation was performed and the result of the Pearson correlation test revealed a statistically significant correlation ($R = 0.859$; $p<0.05$) between Technological Culture Change and Performance of the judicial sector in Nairobi City County, Kenya. Moreover, the study showed a strong correlation between Technological Culture Change and Performance, implying that when technology culture changes by one unit, the performance of judicial sector would change by approximately 85.9%, as presented in Table 4.8.

Table 4.8: Correlation Analysis for Technological Culture Change on Performance

		Performance of Judicial Sector
Performance	R	1.000
	Sig. (2-tailed)	.
Technological Culture Change	R	.859
	Sig. (2-tailed)	.000
	N	32

4.5.1.4 Correlation Analysis for Technological Capacity and Performance

Finally, the study sought to establish the relationship between Technological Capacity and Performance of the judicial sector in Nairobi City County, Kenya. A Pearson Correlation was equally performed. The Pearson correlation test results showed a strong and statistically significant correlations between technological capacity and performance ($R = 0.712$; $p<0.05$). The study results imply that when technical capacity is improved by a unit, then the performance of the judicial sector will improve by approximately 71.2%. the results presented in table 4.9 shows a strong positive relationship between technological capacity and performance.

Table 4.9: Correlation Analysis for Technological Capacity and Performance

		Performance of Judicial Sector
Performance	R	1.000
	Sig. (2-tailed)	.
Technological Capacity	R	.712
	Sig. (2-tailed)	.000
	N	32

4.5.2 Multiple Regression Analysis

To determine the strength of the relationship between study variables, a multiple regression analysis was adopted. The analysis was done at 95% level of confidence. Table 4.10 shows the study findings. From the results, it was revealed that technological strategies operationalized by technology sourcing, technology posture, technology culture change and technological capacity, jointly account for 44.1% variation in performance of the judicial sector ($R^2 = 0.441$).

Table 4.10 Model Summary

R	R Square	Adjusted R Square	Std. Error of the Estimate
.664[a]	0.441	0.396	1.0489662

a. Predictors: (Constant), technology sourcing, technology posture, technology culture change and technological capacity

To determine if the model used in the study was statistically significant in examining the relationship between the variables of the study, an analysis of variance (ANOVA) was undertaken. The study findings in table 4.11 shows that the model was statistically significant at 95% level of significance ($F = 5.8738$, $p<0.005$). The rest are caused by other variables that were not considered by the study. Since the F- statistic was found to be greater than one, the model hence was found to significant in estimating the model (Field, 2013).

Table 4.11 ANOVA (Model Significance)

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	169.918	4	42.4795	5.8738	0.02857[b]
	Residual	202.473	28	7.232		
	Total	372.391	31			

Table 4.12 shows the study model's coefficients. Accordingly, technology sourcing was found to have a positive and significant influence on performance of judicial sector in Kenya (Beta=0.398, $p<0.05$). The results implies that increasing technology sourcing by one-unit results to 0.398 units increase in the levels of performance. The results also shows that technology posture positively and significantly influences performance of judicial sector in Kenya (Beta=0.311, $p<0.05$). The results imply that increasing technology posture by one-unit results to 0.311 units increase in the levels of performance.

The results further revealed that technology culture change positively and significantly influences performance of judicial sector in Kenya (Beta = 0.443, $p<0.05$). The results implies that increasing technology culture change by one-unit results to 0.443 units increase in the levels of performance. Finally, the study results revealed that technological capacity positively and significantly influences organizational performance of judicial sector in Kenya (Beta=0.295, $p<0.05$). The results implies that increasing technological capacity by one unit results to 0.295 units increase in the levels of performance of judicial sector in Kenya.

Table 4.12 Model Coefficients

	Unstandardized Coefficients		Standardized Coefficients		
Predictors	**B**	**Std. Error**	**Beta**	**T**	**Sig.**
(Constant)	0.216	0.175		1.2343	0.041
Technology Sourcing	0.398	0.116	0.325	3.4310	0.002
Technology Posture	0.311	0.128	0.271	2.4297	0.009
Technology Culture Change	0.443	0.107	0.379	4.1402	0.016
Technological Capacity	0.295	0.198	0.245	1.4899	0.011

Based on the Unstandardized Coefficients, the regression equation of the study hence becomes:

Judicial Sector Performance = 0.216 + 0.443 (Technology Sourcing) + 0.398 (Technology Posture) + 0.311(technology Culture Change) + 0.295 (Technological Capacity).

The model results shows that technology culture change has the most significant influence on performance of judicial sector (β = 0.443), followed by technology sourcing (β = 0.398), then technology posture (β = 0.311) and finally technological capacity had the least influence (β = 0.298). All the variables however recorded a positive and statistically significant relationship with performance of the judicial sector in Kenya.

4.6 Chapter Summary

The chapter presents analyses and research data results per objective. The study hypothesized a direct and significance effect of technological strategies on performance. Technological sourcing, technology posture, technological culture changes as well as technological capacity were the specific objectives of the study. All the study variables were found to have a direct and statistical effect on performance of the judicial sector in Nairobi City County, Kenya. Moreover, the results revealed strong statistical relationships as determined by Technological sourcing, technological culture changes as well as technological capacity. However, technological posture was found to have a weak statistical effect on the performance of the Judicial sector in Nairobi City County in Kenya. The study results are consistent with other reviewed literature even though past studies have produced inconsistent results.

CHAPTER FIVE

DISCUSSONS, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

The study chapter discusses the relationship between the study variables and performance. It also provides discussions of the findings as compared to findings of prior studies. It also has conclusions, recommendations, and future research suggestions

5.2 Summary of Findings

The general objective of the current study was to examine the effect of technological strategies on the performance of Kenya's judicial sector in Nairobi City County in Kenya. To achieve this, the study sought to achieve four specific objectives which operationalized the technological strategies. The study specifically aimed at determining the effects of technology sourcing, technology posture, technology culture change, as well as technological capacity on the performance of the judicial sector in Kenya. The study results were hence discussed based on the past study results.

5.2.1 Technology Sourcing and Performance

In determining the effect of technology sourcing on the performance of the judicial sector in Nairobi County in Kenya, the findings of the correlation analysis demonstrated a significant and positive correlation between technology sourcing and performance of the judicial sector in Kenya. The descriptive results revealed that on average, surveyed respondents strongly concurred with the statements on technology sourcing yielding a mean of 4. 06 and a standard deviation of 0.59. Moreover, the inferential analysis showed a significant and positive relationship between technology sourcing and performance ($R = 0.678$; $p<0.05$). The relationship was found to be strong and statistically significant. The implication of this results is that Technological Sourcing strategies is statistically and positively correlated with performance of these judicial institutions.

The current study results confirm a study by Hamel (2019), Chiesa and Manzini (2018) that whose results revealed a significant relationship between technology sourcing types and the performance of firms in a competitive environment. Moreover, the current study

results confirm results of a study by Zhao, et al. (2017) that explored types of technology sourcing and innovative capability among Singapore manufacturing firms, and accordingly the study showed that technology sourcing modes accounted for 62.45% of the variance in the performance of these firms. Moreover, the study results revealed a significant relationship between technology sourcing types and the performance of firms in a competitive environment.

However, the current study results were inconsistent with study results by Zhu (2016) that found weak alignment between ICT sourcing decisions and performance effects (β = 0.1263, p-value < 0.05). Moreover, the current study results were inconsistent with study results by Steensma and Corley (2010) that examines the outcomes of technology-sourcing partnerships from the sourcing firm point of view. Accordingly, their results showed that the total return rate of 49% was realized for the study, even though the study results showed a satisfactory fit (χ_2 = 391.07, *df* = 282, p < .01), indicating a statically significant fit.

5.2.2 Technology Posture and Performance

The second objective was to explore the effect of technology posture on the performance of the judicial sector in Kenya. The descriptive results revealed that the majority of respondents strongly agreed that technology posture had a strong effect on the performance of the judicial sector with a mean of 4.12 and standard deviation of 0.735. Moreover, a Pearson correlation analysis showed a positive and statistically significant correlation between Technology Posture strategy and performance. The relationship was however, found to be a weak one (R = 0.376; p<0.05). These findings have the consequence that improving technology posture that enhances the performance of the magistrate courts in Nairobi City County, Kenya.

This study results confirm the study by Liao et al. (2018) as well as those of Ramos, et al., (2018) indicating that institutions should prioritize the technological take-ups on topics on which they want to focus in order to minimize [social] risks and optimize their future success. Moreover, the current study results is in tandem with study by Liao et al. (2018) that sought to clarify the short-term relationship between technology posture and

Corporate Financial Performance (CFP). The study findings indicate that institutions should prioritize the technological take-ups on issues which they intend to focus so as to minimize their [social] risks and maximize future performance. In the same vein, a study by Ramos, et al., (2018) statistically supported then current study results by showing an existence of a close relationship between technological posture, CSR, corporate reputation and financial performance, implying that the more a firm is oriented towards a technological leadership posture, the greater its CSR commitment is ($\beta = 0.480$, $p< 0.001$).

5.2.3 Technology Culture Change and Performance

The third Objective three sought to establish the relationship between technology culture change and performance. The descriptive results revealed that the majority of respondents strongly agreed that technological culture change has an influence on performance with an aggregate mean of 4.26 and standard deviation of 0.754. In addition, the correlations analysis between technological culture change and performance of Judicial sector in Nairobi City County, Kenya. A Pearson Correlation was performed and the result of the Pearson correlation test revealed a statistically significant correlation ($R = 0.859$; $p<0.05$) between Technological Culture Change and Performance of the judicial sector in Nairobi City County, Kenya. Moreover, the study showed a strong correlation between Technological Culture Change and Performance, implying that when technology culture changes by one unit, the performance of judicial sector would change by approximately 85.9%.

According to Hartnell, Ou, and Kinicki (2017), several past studies have concluded that the link between organizational culture and firm performance lacks consistent and compelling support. This confirms a submission by Cabrera and Barajas (2016), arguing that about 80% of IT projects fail to meet their performance goals due to the fact that organizations give inadequate attention to the non-technical aspects of the organization, i.e., human and organizational, factors which are critical determinants of the effectiveness of the new systems. The current study results confirm past study results by Caro et al., (2020) that revealed that open mindedness is statistically and positively correlated with

performances of organization ($\beta = 0.259$, $p<0.001$). Moreover, consistent to the current study results are those by Ozigbo (2018) that explored the relationship between organizational culture and information technology effectiveness with reference to firm performance. The study results revealed that culture exhibited the highest performance indicators with 66% variation on performance ($R^2 = 0.66$). The overall results imply the organization culture acts as a variable in influencing firm's performance.

However, a study by Cécile (2016) examines the many-sided relations between cultural values and ICTs use for grasping the cultural aspect of the technological change process in organizations. The study findings revealed that culture is able to induce distorted uses of technology that can enhance or may hinder the efforts of change. However, the study concluded that every situation is single, depending on the background and the cultural pattern of the organization concerned

5.2.4 Technology Technological Capacity and Performance

The fourth objective sought to determine the relationship between Technology Technological Capacity and the performance of the judicial sector in Nairobi City County, Kenya. The descriptive results indicated that on average, the study respondents strongly agreed that technological capacity on the performance of the judicial sector in Kenya with a mean of 4.11 and a standard deviation of 0.922. Moreover, a Pearson correlation was equally performed. The Pearson correlation test results showed a strong and statistically significant correlations between technological capacity and performance ($R = 0.712$; $p<0.05$). The study results imply that when technical capacity is improved by a unit, then the performance of the judicial sector will improve by approximately 71.2%. The results show a strong positive relationship between technological capacity and performance.

The correlation results of the technological capacity are consistent with several past studies. For instance, a study by Alavi and Leidner (2021) note that organizations and institutions adopt, design and put into operation new technologies to support performance activities which that must be supported by the competencies of the employees and by an

organizational, operational and technological plan, a practice that provide an organization with a competitive advantage, with likelihood of boosting performance management.

Moreover, the current study confirms study results by Rodríguez (2017) sought to establish the relationship between technological capacity and knowledge acquisition as key performance factors in SMEs of the industrial sector of Cali-Colombia. The study results revealed a direct and statistically significant association between technological capacity and performance ($\beta = 0.602$, $\alpha < 0.05$), concluding that technology capacity contributes to the performance of the organization. In the same vein, a study by Sabai and Ho (2019) examined the effect of digital orientation and digital capacity on organizational performance among medium-sized IT firms in Malaysia revealed that 46.5% ($R^2 = 0.465$) of the variance in performance can be explained by digital capacity. The study hence concluded that digital orientation ought to put more emphasis on embracing digital technologies to better suit new digital needs of both the business and consumers so that they can offer digital solutions that would change the business models and create new consumers' experience.

In addition, the current study results are consistent with study by Ma, Khan and Yun (2021) that assessed the effect of information technology (IT) infrastructure in explaining a firm's ability to achieve superior performance. The study results revealed positive and statistically significant relationship between ICT and firm performance ($\beta=0.592$, $p<.01$), results which are consistent with the current study findings.

To determine the strength of the relationship between technological strategies and performance of the judicial sector in Nairobi City County in Kenya, a multiple regression analysis was adopted. The analysis was done at 95% level of confidence. The study findings revealed that technological strategies operationalized by technology sourcing, technology posture, technology culture change and technological capacity, jointly account for 44.1% variation in performance of the judicial sector ($R^2 = 0.441$). The overall regression analysis results confirm study findings as described by Campos, Atondo, and

Quintero (2017) that technological tactic plays a crucial role in establishing policies, plans, and procedures for acquiring, managing, and leveraging technological expertise to attain its goal. This approach must define the sector the enterprise participates or plans to participate, considering the increasing instability of competitive environments. It should also adapt to the emergence innovations as well as modifications in other organizations' dominating and structural tactics.

Accordingly, technology sourcing was found to have a positive and significant influence on performance of judicial sector in Kenya (Beta=0.398, $p<0.05$). The results implies that increasing technology sourcing by one-unit results to 0.398 units increase in the levels of performance. The results also shows that technology posture positively and significantly influences performance of judicial sector in Kenya (Beta=0.311, $p<0.05$). The results imply that increasing technology posture by one-unit results to 0.311 units increase in the levels of performance.

The results further revealed that technology culture change positively and significantly influences performance of judicial sector in Kenya (Beta=0.443, $p<0.05$). The results implies that increasing technology culture change by one-unit results to 0.443 units increase in the levels of performance. Finally, the study results revealed that technological capacity positively and significantly influences organizational performance of judicial sector in Kenya (Beta=0.295, $p<0.05$). The results implies that increasing technological capacity by one unit results to 0.295 units increase in the levels of performance of judicial sector in Kenya.

5.3 Conclusions

The findings from both correlation and regression analysis led to conclusion that all the four study variables significantly affect the performance of the judicial sector in Nairobi City Kenya. The technological strategies were operationalized by use of technology sourcing, technology posture, technology culture change, as well as technological capacity. The study analysis showed that all the technological strategies have a significant

and positive effect on the performance of the judicial sector in Nairobi City County, Kenya.

5.3.1 Technological Sourcing and Performance

Specifically, the descriptive study results showed that the study respondents strongly agreed that technology sourcing affect the performance of the judicial sector. Moreover, a Pearson Correlation showed a strong and statistically significant correlation relationship between the Technological Sourcing Strategy and Performance. The implication of this results is that Technological Sourcing strategies is statistically and positively correlated with performance of these judicial institutions. The study hence concluded that for the magistrate courts to improve their performance, the judicial officers need to source their technologies in a manner that will facilitate cost cuttings while maintaining efficiency in the speed of dispensing off of court cases.

5.3.2 Technological Posture and Performance

In order to determine the effect of technological posture, the descriptive statistics revealed that the respondents generally agreed that technological posture has a great impact on the performance of the magistrate courts. Moreover, the correlation statistics showed a positive and statistical significance of the effect of technological posture on performance. The study hence concluded that technological posture positively affects the performance of these magistrate courts in Nairobi.

5.3.3 Technological Culture Change and Performance

The third objective was to determine the effect of technological culture change on performance of the judicial sector in Nairobi. The descriptive statistics revealed a general pattern of agreement among the study respondents. Besides, the correlation analyais equally showed a positive and statistically significant relationship between technological culture change and performance of the magistrate courts in Nairobi City County in Kenya. The study hence concluded that in order to improve their performance, the judicial officers need to institute a culture of change as they identify, uptake the technological

strategies in use. Following a recommendation from various past studies, the current study generally concluded that technological culture change becomes core in improving the performance since the judicial sectors are able to embrace the expected change.

1.5.4 Technology Capacity and Performance

The fourth objective of the study was to explore the effect of technology capacity on the performance of the judicial sector in Nairobi City County in Kenya. The descriptive statistics showed that respondents generally agreed that technology capacity is core and affect the performance. In addition, the correlation analysis revealed a positive and statistically significant effect of technology capacity on performance. The study hence conclude that technology capacity is core and significantly affect performance hence the management of these magistrate courts in Nairobi need to improve their capacities in order to achieve superior performance.

Generally, the regression analysis revealed a moderate joint effect of technological strategies on performance. However, individual analysis of the technological strategies revealed that technology culture change has the most significant influence on performance of judicial sector, followed by technology sourcing, then technology posture and finally technological capacity had the least influence. All the variables however recorded a positive and significant influence on organizational performance of the judicial sector in Kenya.

5.4 Recommendations for the Study

5.4.1 Policy Formulation

In order to enhance policy operations, the study recommends that policy formulation, policy execution as well as policy evaluation be integrated with technological strategies so as to improve efficiency, effectiveness and to improve customer satisfaction. The study results show that improved technological strategies have a direct bearing on better performance, the study hence recommends that the policy formulators consider technological strategies as they formulate their policies as this will improve performance

of the judiciary sector, through improving the efficiency of the courts in discharging their mandates.

5.4.2 Practitioners

The main objective of the judicial sector is to discharge justice effectively and efficiently. There is a need, hence, for the magistrate courts in Nairobi City County in Kenya to enhance their technological strategies since the strategies have been shown to bear a positive and statistically significant effect on performance of the judiciary sector in Nairobi City in Kenya. The magistrate courts can achieve this through adopting advance technological orientations, especially where sourcing and culture of operations are concerned.

There is a need for the magistrate courts in the County to adopt an inclusive approach when adopting a new technology, since culture change has been shown to have the greatest effect on performance. This should direct the management of these courts to include all judicial officers in matters of station operations. In addition, the study recommends that the technological capacity of the existing ICT infrastructure be expanded in order to accommodate the ever increasing and growing need for the judicial services in the Country. This therefore will enable the judicial client be more satisfied in the operations in achieving efficiency and effectiveness in the operations. Moreover, other sectors can equally benefit from the current research study results and recommendations in order to improve their performance, from the application of technological strategies.

5.4.3 Body of Knowledge

Literature is awash with the application of ICT to improve performance. However, most past studies tend to relate the application of ICT with performance more so as a business. A search of literature yielded little on the service sector, and even more less in the judicial sector. Past researches on the use of technological strategies are concentrated in the developed economies, with little to appreciate for developing economies like Kenya.

However, literature shows that few countries have since integrated technological strategies into the performance of the judiciary in Africa. The current study, therefore, implores the increased use of technological strategies from the sourcing, application, and infrastructural development in the judiciary.

The study revealed that turning to online platforms has led to increase filing of cases because practitioners file online instead of the old custom of filing physical documents at physical registries, there is enhanced accountability and transparency as practitioners can see what has been filed and when it was filed on the online portals, there is better time turnaround of cases there is better knowledge of cases available to the magistrates and judges, reduced case back log, and that the judicial officers and practitioners have become better versed with technology a must to be globally competitive. This will help the players in the judiciary accumulate and manage knowledge that will be very helpful in improving performance of both judicial officers as well as the sector in general.

The study results are consistent with the key tenents of knowledge-based theory, which, argues that firms exist because they are more effective in a sector in using relevant information and to negotiate contracts. This, hence leads to lower costs, confirming further the transactional theory because some authority can be more efficiently direct resources and control.

5.5 Areas for Further Research

The context of the current study was on the effect of technological strategies on performance of the judicial sector. The study was based on magistrate's courts in Nairobi City County. The study therefore, recommends that a similar study be carried out on other courts in Kenay. Additionally, the current study established those technological strategies operationalized through of technology sourcing, technology posture, technology culture change, as well as technological capacity – jointly accounted for 44.1% of variations in performance of the judicial sector in Nairobi City County in Kenya. The remaining percentage of 55.9% is hence accounted for by other factors not considered by the study.

Therefore, there is need to conduct another study on other related factors that the current study may have excluded.

REFERENCES

Alaba, O. V. (2020). Technological Advancement Strategy and Performance of Listed Construction Company in Nigeria. *International Journal of Trend in Scientific Research and Development (IJTSRD).* 4(5). 1080-1088. www.ijtsrd.com/papers/ijtsrd30868.pdf

Albers, P. (2020). Performance indicators and evaluation for judges and courts. *European Commission for the Efficiency of Justice.*

Alavi, M., & Leidner, D. E. (2021). Review: knowledge management and knowledge management systems: *conceptual foundations and research issues. MIS Quarterly,* 25(1), 107-136.

American Bars Association (2019). Overcoming Perverse Outcomes of Measurement: *Using a Paradigm of "Work to Role*".

Barney, J. (2019). Firm resources and sustained competitive advantage. *Journal of Management.* 17: 99-120.

Bungeman, P. (2019). Evolving Sustainably: A Longitudinal Study of Corporate Sustainable Development. *Strategic Management Journal*, 26, 197-218.

Angel Cabrera, A. & Barajas, S. (2018). The Key Role of Organizational Culture in a Multi-System View of Technology-Driven Change

Campos, H. M., Atondo, G. H. & Quintero, M. R. (2017). Towards a Theory for Strategic Posture in New Technology Based Firms. *Journal of Technology, Management*.

Cameron, K. S., & Freeman, S. J. (2019). Cultural congruence, strength, and type: *Relationship to effectiveness. Research in Organizational Change and Development*, 5, 23-58. Retrieved from http://webuser.bus.umich.edu/cameronk/PDFs/Organizational%20Culture /Cultural%20Congruence.pdf

Carcary, M., Doherty, E. and Conway, G. (2016). A dynamic capability approach to digital transformation: *a focus on key foundational themes.* Paper presented at the 20-28, available at: https://search.proquest.com/docview/1949080140?accountid=14645

Caro, E. M., Cegarra, J. G. & Ruiz, F. J. (2020). Digital technologies and firm performance: *The role of digital organizational culture. Technological Forecasting and Social Change Journal.* https://www.researchgate.net/publication/341082636.

Choi, S. J., Mitu, G. & Posner, E. A. (2019). Judicial Evaluations and Information Forcing: *Ranking State High Courts and their Judges, European Commission*.

Cécile, G. S. (2016). The Effect of Culture on Technological Change: *The Case of American Military Organizations.* International Journal of Knowledge, Culture and Change Management. http://www.Management-Journal.com

Chiesa, V., & Manzini, R. (2018). Managing technological collaborations: A managerial perspective. R&D Management, 28, 199–212.

Clark, T. H. & Hammond, J. H. (2017). Reengineering channel reordering processes to improve total supply-chain performance. *Production and Operations Management.* 6(3): 248-265.

Cohen, W. M., & Levinthal, D. A. (2020). Absorptive capacity: *A new perspective on learning in innovation*. Administrative Science Quarterly, 35, 128–152.

Coombs, R. (2019). A reflection on the major themes of the 1997 R&D management conference. R&D Management, 28, 213–215.

D'Aveni, R. (2019). Hypercompetition. New York7 Free Press

Donat, B. (2019). Impact of Technology on the Business Strategy Performance Relationship in Building Core Competence in Uganda Small Medium Enterprises (SME's). *Proceedings of the 7th International Conference on Innovation & Management.* Wuhan University of Technology, 39-43.

Doren D Chadee, D. D. and Pang, B. (2018). Technology Strategy and Performance*: A study of Information Technology Service Providers from Selected Asian Countries.* https://www.google.com/url?=2ahUKEwiizNuKsujAhVxhP0HHfKOB_0QfnoECAoQAQ&url=https%3A%2F%2.

Denison, D. R. & Mishra, A. K. (2017). Toward a Theory of Organizational Culture and Effectiveness. *Organization Science;* 6(2).

Elbialy, N. & García-Rubio, M. A. (2021). Assessing judicial efficiency of Egyptian first instance courts: A DEA analysis. *Joint Discussion Paper Series in Economics*, 19.

Freel, M.S. (2019). Patterns of innovation and skills in small firms. Technovation, 25(2), 123-134.

Frondel, C. and Larcker, D.F. (2017). Evaluating Structural Equation Models with Unobservable Variables and Measurement Error. *Journal of Marketing Research*, 18 (1), 39-50.

Fuller, S., & Collier, J. H. (2018). Philosophy, Rhetoric, and the end of knowledge: *A new beginning for science and technology studies*. Londres, UK: Routledge.

Gainer, M. (2018). Transforming the Courts: Judicial Sector Reforms in Kenya. Innovations for successful Societies. *Woodrow Wilson School of Public and International Affairs*. www.successfulsocieties.princeton.edu.

Gold, A. H., Malhotra, A., & Segars, A. H. (2021). Knowledge management: An organizational capabilities perspective. *Journal of Management Information Systems,* 18(1), 185–214.

González-Ramos, M. I.; Donate, M. J. and Guadamillas, F. (2021). Technological posture and Corporate Social Responsibility: *Effects on innovation performance, Environmental Engineering and Management Journal*, 13 (10), 2497-2505.

Grandstrand, O., Bohlin, E., Oskarsson, C., & Sjoberg, N. (2022). External technology acquisition in large multi-technology corporations. *R&D Management*, 22, 111 – 133.

Heale, R., & Twycross, A. (2015). Heale, R. & Twycross, A. (2015). Validity and reliability in quantitative studies. Evidence Based Nursing.

Hagedoorn, J. (2018). Understanding the Rationale of Strategic Technology Partnering: *Interorganizational Modes of Cooperation and Sectoral Differences*, Strategic management journal 14(5) (1993) 371 385.

Halder, D. M. (2018). Electronic Court and the Challenges in Managing Evidence: *A View from Inside the International Criminal Court. International Journal for Court Administration* 6(1).

Hamel, G., & Prahalad, C. K. (2019). Competing for the future. Harvard Business School Press.

Hansen, A. (2020). Nonfinancial performance measures, externalities and target setting: *A comparative case study of resolutions through planning. Management Accounting Research,* 21(1), 17-39

Heredia, J., et al. (2022). How do digital capabilities affect firm performance? The mediating role of technological capabilities in the new normal. *Journal of Innovation & Knowledge*, 7(2). https://doi.org/10.1016/j.jik.2022.100171.

Hartnell, C. A., Ou, A. Y., & Kinicki, A. (2017). Organizational culture and organizational effectiveness: A meta-analytic investigation of the competing values framework's theoretical supposition. *Journal of Applied Psychology*, 96(4), 677-694. doi: 10.1037/a0021987.

Hitt, L. M., & Brynjolfsson, E. (2016). Productivity, Business Profitability, and Consumer Surplus: *Three Different Measures of Information Technology Value*. MIS Quarterly, 20(2), 121- 142.

Hull, C. E. and Rothenberg, S. (2018). Firm performance: The Interactions of Corporate Social Performance with Innovation and Industry Differentiation. *Strategic Management Journal,* 29, 781-789.

Ibidunni, A. S., Kalowole, A. I., Olokundun, A. M., Ogbari, M. E. (2020). Knowledge transfer and innovation performance of small and medium enterprises (SMEs):

An informal economyanalysis. *ResearchGate*; 1-10. https://www.researchgate.net/publication/343687912

Ippoliti, R., Melcarne, A., & Ramello, G. B. (2018). Judicial efficiency and entrepreneurs expectations on the reliability of European legal systems. *European Journal of Law and Economics,* 40, 75-95. doi: 10.1007/s10657-014-9456-x.

Kaplan, A. P. (2018). Knowledge and Internal Organization. Journal of Economic Behavior and Organization. 21(1):17-30.

Kenya Section of the International Commission of Jurists, (2018). *Strengthening Judicial Reforms in Kenya*, Volume X: Administrative Reforms. 40.

Kogut, B. & Zander, U. (2019). Knowledge of the firm, combinative capabilities, and the replication of technology. Organization Science. 3(3), 383-397.

Kong'a, B. J. (2021). Effects Of Organizational Change on Performance of The Kenyan Judiciary: *A Case Study of Milimani Law Courts. Master of Business Administration* (Strategic Management) Thesis of Kabarak University. Unpublished.

Koteswara, P. K., Srinivasan, P. T. and George J.P. (2015). A study on Development of a Tool to Assess Organizational Culture in Indian Organizations, Vilalshan, XIMB Journal of Management, 2 (1), 111 – 123.

Kothari, C. R. (2019). Research Methodology Methods and Techniques New Age International (P) Limited, Publishers New Delhi.

Leiblein, M. J., Reuer, J. J., & Dalsace, F. (2017). Do make or buy decisions matter? The influence of organizational governance on technological performance. *Strategic Management Journal.* 23(9): 817-833.

Levallet, N. and Chan, Y. (2018). Role of digital capabilities in unleashing the power of managerial improvisation, MIS Quarterly Executive, 17()1.

Liao, P. C.; Shih, Y. N.; Wu, C. L.; Zhang, X. L. and Wang, Y. (2018). Does corporate social performance pay back quickly? *A longitudinal content analysis on international contractors. Journal of Cleaner Production*, 170, 1328-1337.

Loasby, J. (2019). The organization of capabilities. Economic Behavior and Organization. 35: 139-160.

Ma, F. C., Khan, F. & Yun, S. X. (2021). Investigating the Impact of Information Technology, Absorptive Capacity, and Dynamic Capabilities on Firm Performance: *An Empirical Study*. SAGE Open. https://doi.org/10.1177/215824402110613.

Machage, D. M. (2019). The role of ICT adoption in enhancing performance in the Judiciary: *A case study of the Mariakani law courts*. (Unpublished Masters Thesis). Jomo Kenyatta University of Agriculture and Technology, Kenya.

Markus, L. M. (2021). Toward a theory of knowledge reuse: types of knowledge reuse situations and factors in reuse success. Journal of Management Information Systems, 18(1), 57-93.

Markus, L. & Robey, D. (2018). Information Technology and Organizational Change: Causal Structure in Theory and Research, *Management Science*, 34(5): 583-598.

Martin, X., & Salomon, R. (2019). Tacitness, learning and international expansion: A study of foreign direct investment in a knowledge-intensive industry. Organization Science, 14(3).

McShane, S. L. and Von Glinow M. A. (2015) Organizational Behaviour, Boston, McGraw Hill/Irwin, (3rd Edition)

Messick, R. (2019). Judicial reform and economic development: A survey of the issues. The World Bank Research Observer, 14 (1), 117-136.

Min, S.; Kalwani, M.U. and Robinson, W.T. (2016). Market Pioneer and Early Follower Survival Risks: *A Contingency Analysis of Really New Versus Incrementally New Product-Markets. Journal of Marketing*, 70, 15-33.

Mnjama, N. (2019). The Management of High Court Records in Botswana. Records Management Journal 19(3): 173-189.

Montiel, C. H., Del Palacio, A. I., Solé, P. F. & Nuño, P. J. P. (2019). Technology strategy and New Technology Based Firms. *Journal of Technology Management and Innovation,* 4(4), 42-52. DOI: 10.4067/S0718-27242009000400004.

Mugenda, & Mugenda. (2013). 'Social Science Research: Theory and Practices. Nairobi; *Applied Research and Training services publication*.

National Center for State Courts (2017). Judicial Administration Standards and Measures Promoting the Fair and Efficient Administration of Justice, Annual Report to the California Legislature as Required by Government Code Section 77001.5.

Ngechu, J. M. (2018). Assessment of source rock maturity in the Lamu Basin based on well distribution, hydrocarbon shows, Total Organic Carbon (TOC) levels, Kerogen type and Vitrinite reflectance (Doctoral dissertation, University of Nairobi, Kenya).

Oberoi, M., Jagtap, P., Joshi, A., Finin, T. & Kagal, L. (2021). Information integration and analysis: A semantic approach to privacy, in Privacy, Security, Risk and Trust (PASSAT) and IEEE *Third International Conference on Social Computing* (Social Com) (2011) 959 965.

OECD (2018). Judicial Performance and Its Determinants: A cross – Country Perspective. Economic Policy Paper. 5.

Orlikowski, W. (2019). The Duality of Technology: *Rethinking the Concept of Technology in Organizations*, Organization Science, 3(3), 398-427.

Ozigbo, N. C. (2018). Impact of Organizational Culture and Technology on Firm Performance in the Service Sector. Communications of the IIMA: 13(6). DOI: https://doi.org/10.58729/1941-6687.1208

Pelser, T. (2019). The Influence of Technology Strategies and their Link to Company Performance. *Mediterranean Journal of Social Sciences*. MCSER Publishing; 5(9). Doi:10.5901/mjss. 2014.v5n9p238

Performance Management Directorate (2015). Judiciary Case Audit and Institutional Capacity Survey. Volume 1. Judiciary of Kenya, August 2014; accessed September 2, 38.

Ramos, G., Maria, I., Mario, J. D. Fátima, G. (2018). The Effect of Technological Posture and Corporate Social Responsibility on Financial Performance Through Corporate Reputation. International Journal of Innovation, 6(2) https://www.redalyc.org/articulo.oa?id=499168322006.

Randeree, K., & Al-Youha, H. (2019). Strategic management of performance: An examination of public sector organizations in the United Arab Emirates.

Rauch, C.; Gómez-Melero, E. and Cegarra- Navarro, J. G. (2019). The influence of corporate social responsibility practices on organizational performance: *Evidence from Eco-Responsible Spanish firms. Journal of Cleaner Production*, 112, 2870-2884.

Republic of Kenya (2019). State of the Judiciary Report 2013-2014

Rodríguez, O. J. S. (2017). Technological capacity and knowledge acquisition as key performance factors in SMEs of the industrial sector of Cali-Colombia. 33(59), 50-63. https://doi.org/10.25100/cdea.v33i59.4509.

Rosales-López, V. (2018). Economics of court performance: An empirical analysis. European of Law and Economics, 25, 231-251. doi: 10.1007/s10657-9047-9.

Ruckman, K. (2017). Technology sourcing through acquisitions: Evidence from the US drug industry. Journal of International Business Studies, 26, 89–103.

Sabai, K. S. and Ho, T. C. F. (2019). Digital technology, digital capability and organizational Performance: A mediating role of digital innovation. International Journal of Innovation Science; 11(2), 177-195. *Emerald Publishing Limited*. www.emeraldinsight.com/1757- 2223.htm

Saman, W. & Haider, A. (2018). Electronic Court Records Management: A Case Study. IBMA 11.

Saunders, M., Lewis, p., & Thornhill, A. (2019). *Research methods for business students* (8th ed.). Routledge publishers. London.

Schein, E. H. (2019). Three Cultures of Management: *The Key to Organizational Learning. Sloan Management Review*, 38(1), 9 - 20.

Shin, H., Collier, D. A. & Wilson, D. D. (2020). Supply management orientation and supplier/buyer performance. *Journal of Operations Management*. 18(3): 317-333.

Solleiro, J. L., Castañon, R. (2018). Competitiveness and innovation systems: *The challenges for Mexico´s insertion in the global context.* Technovation, 25(9), 1059-1070. DOI: 10.1016/j.technovation.2004.02.005.

Srivardhana, T., & Pawlowski, S. D. (2017). ERP systems as an enabler of sustained business process innovation: *A knowledge-based view.* The Journal of Strategic Information Systems, 16(1), 51–69.

Steensma and Corley (2020). On The Performance of Technology-Sourcing Partnerships: The Interaction Between Partner Interdependence and Technology Attributes. ResearchGate. https://www.researchgate.net/publication/228597501.

Straub, D., Boudreau, M. C., & Gefen, D. (2014). Validation guidelines for IS positivist research. *Communications of the Association for Information Systems*, 13, 380-427.

Subramani, M. (2019). How do suppliers benefit from information technology use in supply chain relationships? MIS Quarterly. 28(1): 45-73

Sukri, S. & Yusoff, R. Z. (2019). Technology Strategy: Literature Review and Issues. International Journal of Innovation, Creativity and Change. 8(6). www.ijicc.net

Swierczek, F. W., & Shrestha, P. K. (2018). Information technology and productivity: a comparison of Japanese and Asia-Pacific banks. *The Journal of High Technology Management* Research, 14(2), 269-288.

Tedla, T. B. (2016). The Impact of Organizational Culture on Corporate Performance. MBA Thesis of Walden University College of Management and Technology. Unpublished. https://scholarworks.waldenu.edu/dissertations

Toolpack (2021). Organizational Culture, Available: http://www.toolpack.com/culture.html.

Tsai, J. Y. S. (2022). Information Systems and Technology Sourcing Strategies and Performance of E-Retailers. A Dissertation Presented in Partial Fulfillment of the Requirements for the Degree Doctor of Philosophy of Arizona State University. Unpublished.

Tsoutsoura, M. (2017). Corporate Social Responsibility and Financial Performance. UC Berkeley: Center for Responsible Business. Available at: http://escholarship.org/uc/item/111799p2.

Vandenberghe, C. (2019). Organizational Culture, Person-Culture Fit, and Turnover: *A Replication in the Health Care Industry. Journal of Organizational Behavior*, 20(2), John Wiley & Sons Publications.

Wang, P. (2020). Chasing the hottest IT: effects of information technology fashion on organizations. MIS Quarterly, 34(1), 63-85.

Wanjiru, M. J. (2022). The Effectiveness of Records Management Practices at The Judiciary: *A Case of Eldoret High Court Registry, Uasin Gishu County, Kenya*. Kenyatta University, Unpublished Master of Science Thesis.

Williamson, O. E. (2019). Strategy research: Governance and competence perspectives. Strategic Management Journal, 20(12): 1087-1108.

Yeung, A. K., Brockbank, J.W., and Ulrich, D.O. (2019). Organizational culture and human resource practices: *An empirical assessment*. Research in Organizational Change and Development, 5, 59-81

Zahra, S.A. and Covin, J.G. (2019). Business Strategy, Technology Policy and Firm Performance. Strategic Management Journal, 16, 451-478.

Zhao, H., Tong, X., Wong, P. K., & Zhu, J. (2017). Types of technology sourcing and innovative capability: An exploratory study of Singapore manufacturing firms. *Journal of High Technology Management Research* 16; 209–224. doi:10.1016/j.hitech.2005.10.004

Zhu, K. (2016). The complementarity of information technology infrastructure and E-Commerce capability: *A resource-based assessment of their business value. Journal of Management Information Systems.* 21(1): 167-202.

APPENDICES

Appendix I: Introductory Letter to Study Respondents

Dear Respondent,

RE: REQUEST FOR VOLUNTARY PARTICIPATION IN THE STUDY

I am a graduate student at the Cooperative University of Kenya (CUK) pursuing a Master's degree in Business Administration (Strategic Management Option). I am carrying out research on the ***"Influence of Technological Strategies on Performance of the Judicial Sector in Kenya: A Case of Nairobi County".*** you have been identified as an informant for the study and need your views on the management in your station. Kindly note that the study report may be availed to you upon request.

For this purpose, I require your assistance in getting responses for the attached questionnaire. Please note that all the information provided will be treated with confidentiality and solely used for the aim of this academic research.

Please, contact the undersigned should you require any clarification.

Thank you for your co-operation.

Yours faithfully,

Angela Mulwa
Researcher

Appendix II: Letter of Permission to collect Data

Chief Registrar
Supreme Court of Kenya
City Hall Way
P.O Box 30041 – 00100
Nairobi – Kenya

Angela Mulwa
c/o The Cooperative University of Kenya,
DEE - Department
Tel.: 0720008235

13th September, 2023

Dear Sir/Madam,

RE: PERMISSION TO COLLECT DATA FROM MAGISTRATE COURTS IN NAIROBI CITY COUNTY

I am student of The Cooperative University of Kenya pursuing a Master's Degree in Business Administration, Strategic Management Option. I am currently on research work and seek your assistance to gather information on the **"Technological Strategies and Performance of the Judicial Sector in Kenya: A Case of Nairobi City County**" as partial fulfilment of the requirements of the Programme

The study purposively targets target nine (9) offices in your station, comprising (**a Magistrate, Court Clerk, Court Accountant, Court Secretaries, Court Archivist, HR & Admin Officer, ICT Officer, Procurement Officer, and Library Assistant)** or their equivalents, and targets the five (5) magistrate courts in Nairobi City County, namely: Milimani, Jomo Kenyatta International Airport (JKIA), Kibera, City, and Makadara law courts. All the information given will be highly confidential, not to be shared by any unauthorized persons or body, and shall only be used for the intended academic purposes. The study results will be beneficial to all stakeholders in the judicial sector and hence, the study will propose guidelines that policymakers, the management and workers of the judiciary could use to improve their service delivery. The study report may be availed to you upon request.

The bearer of this letter: **Mr. Clinton Otieno of ID No.: 36903855 and Tel. No. 0748783461** being the Research Assistant (RA), is tasked with the responsibility of data collection for the study. Kindly accord him the necessary assistance.

Yours Sincerely,

Angela Mulwa
Researcher

Appendix III: Survey Questionnaire

Part A: Demographic Information

1. **For how long have you worked in this organization?**

0-5 Years ☐ 6-10 Years ☐ 11-15 Years ☐ 16-20 Years ☐ Above21 Years ☐

2. **Education**

College ☐ Graduate ☐ Post Graduate ☐

Section One: Technology Sourcing

Please indicate your level of agreement by checking/ticking in the appropriate box using the following key.1 = Strongly Disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

	Questions on Technology Sourcing	**Response Mode**				
	Technology Sourcing Measurement items	1	2	3	4	5
1.	The ICT specifications are internally determined					
2	The court has strategic partnership with other ICT service providers on sourcing the technology					
3	The technology in use is more costly that the benefit being enjoyed					
4	Little new investment in equipment would be required of our firm to independently develop this technology.					
5	Both the court and partners mutually share their ICT expertise					
6	Sourcing of the ICT infrastructure is competitively done					

Section Two: Technology Posture

Please indicate your level of agreement by checking/ticking in the appropriate box using the following key.1 = Strongly Disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

	Questions on Technology Posture	**Response Mode**				
	Technology Posture Measurement items	1	2	3	4	5
1.	The technology in use has less costly errors resulting from lack of information					
2	The procurement of this technology allows our firm to independently develop related products or processes.					
3	The court introduces radical operation models that disrupt the sector practices					

4	The court makes a continuous effort to maintain the technology's leadership position					
5	The court is the pioneer in the technological market in the use of the ICT to manage operations.					
6	Technological leadership is assumed to significantly increase the relationships with stakeholders					

Section Three: Technology Culture Change

Please indicate your level of agreement by checking/ticking in the appropriate box using the following key.1 = Strongly Disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

	Questions on Technology Culture Change	**Response Mode**				
	Technology Culture Change Measurement items	1	2	3	4	5
1.	The use of ICT is homogeneous across all areas of the court					
2	The court has a norm of a continuous improvement using ICT					
3	The court's staff continuously learn to adopt to new technology					
4	Technological changes occur in a planned process					
5	Technology has enabled management teams integrate innovation into their operations					
6	The court has privacy policy around client's data collected during their routine business.					

Section Four: Technological Capacity

Please indicate your level of agreement by checking/ticking in the appropriate box using the following key.1 = Strongly Disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

	Questions on Technological Capacity	**Response Mode**				
	Technological Capacity Measurement items	1	2	3	4	5
1.	The level of technology in use can be able to host all our clients					
2	The institution is capable of customizing the technology towards new applications.					
3	This technology meets the court's technical expectations					
4	The institution requires outside assistance to support the technology					
5	The court has expertise to manage digital technologies being used					
6	The IT infrastructure allows adequate conditions for information systems to achieve their objectives					

Part B: Performance of Judicial Sector in Kenya

Please indicate your level of agreement by checking/ticking in the appropriate box using the following key.1 = Strongly Disagree, 2 = Disagree, 3 = Neutral, 4 = Agree, 5 = Strongly Agree

	Questions on Performance of Judicial Sector	**Response Mode**				
	Performance Measurement items	1	2	3	4	5
1.	Technological innovation for the courts helps in adding value and attaining strategic objectives					
2	The used of ICT has significantly reduced down-time on cases being concluded.					
3	As is, clients are satisfied with the performance of the court due to adoption and use of the ICT					
4	Productivity of court's staff has significantly improved due to the use of the ICT.					
5	Technology is recognized as a key enabler for increased efficiency and effectiveness.					
6	Courts require recurring technological innovation to continuously retain their competitiveness in dispensing justice fast and be able to face new challenges.					

Appendix IV: CUK Introductory Letter

Appendix V: Research Permit

REPUBLIC OF KENYA

NATIONAL COMMISSION FOR SCIENCE,TECHNOLOGY & INNOVATION

Ref No: **586302**

Date of Issue: **28/September/2023**

RESEARCH LICENSE

This is to Certify that Ms.. Angela Mulwa of The Cooperative University of Kenya, has been licensed to conduct research as per the provision of the Science, Technology and Innovation Act, 2013 (Rev.2014) in Nairobi on the topic: TECHNOLOGICAL STRATEGY AND PERFORMANCE OF THE JUDICIAL SECTOR IN KENYA - A CASE OF NAIROBI COUNTY for the period ending : 28/September/2024.

License No: **NACOSTI/P/23/30069**

586302

Applicant Identification Number

Director General
NATIONAL COMMISSION FOR SCIENCE,TECHNOLOGY & INNOVATION

Verification QR Code

NOTE: This is a computer generated License. To verify the authenticity of this document, Scan the QR Code using QR scanner application.

See overleaf for conditions