

THE CATHOLIC UNIVERSITY OF EASTERN AFRICA



DEPARTMENT OF CONTINUING PROFESSIONAL DEVELOPMENT, PROJECTS AND RESEARCH

ONE DAY SEMINAR ON THE ADVOCATES REMUNERATION ORDER

Kshs 8,120/=

7th Dec 2017

(LRC) CATHOLIC UNIVERSITY OF EASTERN AFRICA, LANGATA SOUTH ROAD KAREN

About this seminar

That the Advocates Remuneration Order has been the subject of much formal and informal discourse is not in doubt. But critical ethical and policy issues on advocates' remuneration refuse to go away, and constantly appear to defy resolution, if a review of the jurisprudence from the courts and an analysis of the legislative history of the Advocates Remuneration Order is anything to go by.

Whether it is actual or perceived undercutting arising from service level agreements, the legality of the Remuneration Order itself in the light of competition law, the limits of the advocates lien and its recognized potential to damage a client's cause, the fairness of remuneration, the procedure on recovery of fees or the powers and discretion of the taxing officer, the jury is still out on many aspects of the Advocates Remuneration Order. The courts have not made life any easier with their consistently inconsistent pronouncements on many aspects of the remuneration order.

This two day seminar provides a much needed opportunity for further discourse on the Remuneration Order. A panel of acknowledged academics and practitioners lead their professional peers in a robust exploration and analysis of emerging trends patterns and themes on advocates' remuneration with a view to settling or at least clarifying the debate on some or all of those issues. Representative of two key regulatory institutions shed much needed light on public procurement of legal services and the implications of competition law.

Seminar Objectives

**1 | Page CUEA CPD, Faculty of Law, Catholic University of Eastern Africa,
Bogani East Road, Karen P.O Box 62157 – 00200, Nairobi Tel: +254 20 252811-5
Fax +254 208891251 Email cueacpd@cuea.edu Website: www.cuea.edu**

At the end of the seminar, it is expected that the participants will be able recalibrate and enhance their capacity to

- Identify, recognize and resolve ethical issues on advocates remuneration
- Evaluate claims on advocate's fees using the remuneration order
- Determine the circumstances under which advocates may be entitled to fees above or below the scale fees
- Prosecute and defend proceedings on advocate's remuneration
- Advise clients on disputes arising from advocate's remuneration

Who should attend?

- Advocates in private practice
- In-House Counsel
- Academics

The discussion is pitched for advocates who have practiced for five years and above but self-assured advocates of fewer years standing need not be discouraged from attending as it presents an excellent opportunity to test recent learning and learn from the experiences of seniors. This seminar can be tailored to suit the unique circumstances of an institutional in-house legal team. When tailored to meet specific needs, the discussion can be pitched to accommodate the needs of both legal and non-legal professionals such as finance managers, procurement personnel and other middle to senior level managers who regularly have to deal with issues of advocates' remuneration.

Lead Faculty

Charles B G Ouma

The Course has been conceptualized designed and developed by Mr. Charles B.G Ouma. Charles is an advocate of the High Court of Kenya of 25 years standing. He is the immediate former Assistant Director Continuing Professional Development Projects and Research at the Kenya School of Law. As a legal practitioner Charles has been involved in numerous taxation proceedings at trial and appellate level over the last 25 years. Charles presently specializes in undertaking legal compliance audits and has been directly involved as a consultant in 34 legal compliance audits for state corporations since 2009. A constant question in compliance audits is the fairness of advocates remuneration and the propriety of fee agreements. Charles has in the course of compliance audits gained useful insights into the challenges facing organizations in determining appropriate remuneration levels for external legal advisors. Charles also taught professional ethics at the Advocates Training Programme, Kenya School of law between 2010 and 2015 A key topic in the professional ethics course is the ethical issues arising from advocates' remuneration. Charles has in the process researched extensively on trends on the

jurisprudence from the courts on advocates' remuneration and is more than happy to share his findings on the same.

Charles is the lead trainer and will be assisted by seven speakers with diverse professional and practice backgrounds

7. Guest presentations from;

1. Corporate Law practitioner
2. A sitting or former judicial officer
3. The Advocates Complaints Commission
4. The Competition Authority of Kenya
5. The Public Procurement Regulatory Authority
6. A procurement law expert
7. An in-house Counsel

CUEA Alumni

CUEA alumni are entitled to a 10% discount on tuition fees

Application Procedure

Application: Application forms may be obtained from the **Catholic University of Eastern Africa Langata Campus (Registry)** or downloaded from the www.cuea.edu.

Duly completed application forms or confirmation of attendance should be submitted two weeks before the course begins to facilitate adequate pre-course interaction between the course organizers and the participants.

For course enquiries please contact Charles B G Ouma (HOD, CUEA CPD (+254 (0) 713 937 282) email charles.ouma@cuea.edu ,Dr Maurice Ajwang Owuor (Dean Faculty of Law)(1541) or Agnes Ext 1541 and Jacinta Ext 1545 on the numbers given below. You may also email us at cueacpd@cuea.edu or visit our website: www.cuea.edu



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