



# **COUNTY GOVERNMENT OF NAKURU**

## **PUBLIC ADMINISTRATION, NATIONAL INTERNATIONAL RELATIONS SECTOR**

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### **OFFICE OF THE COUNTY ATTORNEY SUB SECTOR REPORT**

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**MTEF 2022/2023 – 2024/2025**

**NOVEMBER 2021**

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## **LIST OF ABBREVIATIONS & ACRONYMS**

CBA	Collective Bargaining Agreement
CEC	County Executive Committee
CO	Chief Officer
CPSB	County Public Service Board
FY	Financial Year
HRM	Human Resource Management
IPPD	Integrated Personnel Payroll Data
NITA	National Industrial Training Authority
O.C.A	Office of the County Attorney
SRC	Salaries and Remuneration Commission

## EXECUTIVE SUMMARY

Office of the County Attorney Department (OCA) is a sub-sector in the Public Administration and National and International Relations Sector. At the close of FY2020/21, The department is Anchored by the Office of the County Attorney Act 2020 assented to by the President in June 2020. The department executes its mandate in three Directorates, namely; Administration, Litigation and land & Conveyancing services.

The mandate of the department is based on fulfilment of its functions as found in the Kenya Constitution 2010, the County Governments act and the Office of the County Act 2020 section 4 on establishment of the office of the County Attorney which defines the department's mandate including;

- (a) is the principal legal adviser to the County Government;
- (b) shall attend the meetings of the County Executive Committee as an ex-officio Member of the Executive Committee;
- (c) shall, on the instructions of the County Government, represent the County Executive in court or in any other legal proceedings to which the County Executive is a party, other than criminal proceedings;
- (d) shall advise Departments in the County Executive on legislative and other legal matters;
- (e) shall negotiate, draft, vet and interpret documents and agreements for and on behalf of the County Executive and its agencies;
- (f) shall be responsible for the revision of County laws;
- (g) may liaise with the Office of the Attorney General when need arises; and
- (h) shall perform any other function as may be necessary for the effective discharge of the duties and the exercise of the powers of the County Attorney

For the Financial year 2021-2022 the Office of the County Attorney was a Unit under the Department of Public Service Training and Devolution (PSTD). This report

highlights the implementation of programs in the past periods, key issues facing the sub-sector and the county at large, programs realized in the past and those proposed in the coming period as well as financial implications. The report also addresses cross cutting issues, challenges and recommendations.

Overall budgetary allocation for the department is highlighted in chapter one. F/Y 2021/22 budget ceilings stand at Kshs 20,000,000. The resources will still be far below requirement hence it is necessary to raise the ceiling to cater for increasing service delivery constraints.

Chapter one further highlights departmental issues. Notably the need for expedited recruitment of officers, lack of office space for officers and vehicles to enhance efficient service delivery.

Analysis of programs in the past periods is in Chapter two. In Chapter three, programs for the coming period are highlighted; priority development projects remain in the provision of offices and purchase of vehicles for officers. The department has prioritized recruitment and promotion of staff, Office space of her officers and the Purchase of an Office vehicle

In chapter 4 we focus on emerging issues. These include budgetary provision for the Directorates, Internet Connectivity and Budgetary Provision for a Records management system.

Chapters 5, 6, and 7 address challenges and recommendations, such as but not limited to inadequate human resource to provided efficient services and Inadequate office space remains a challenge with Officers having to share desks and other basic working tools, we recommend that to address this challenges; The County Government should fast-track payment of county legal pending bills Training, promotion and recruitment budget to the Office of the County Attorney should be enhanced and Timely release of operation funds to Department to enhance efficiency.

## CHAPTER ONE

### 1.0 INTRODUCTION

#### 1.1 Background Information

The Office of the County is the is the Principal Legal Advisor of the County Government with three (3) Directorates. The Departmental establishment stands at 11 members of staff.

The Directorates are Lands and Conveyancing Services, Litigation Services and Administration Services. Litigation Directorate is in-charge of all Court related matters. The Directorate of Lands and conveyancing is mandated to facilitate and supervise all legal transactions related to land. Directorate of Administration is mandated with coordination, supervision, planning, directing and controlling to ensure efficient and effective service delivery. The Department has staff shortage in key sections including Directors, Legal Counsels, human resource officers, record management officers, office assistants, clerical officers, drivers and support staff. Recruitment proposal is therefore factored in this report aimed at addressing the shortage.

The Mandate of the Department;

- (a) is the Principal Legal Adviser to the County Government;
- (b) shall attend the meetings of the County Executive Committee as an ex-officio member of the Executive Committee;
- (c) shall, on the instructions of the County Government, represent the County Executive in court or in any other legal proceedings to which the County Executive is a party, other than criminal proceedings;
- (d) shall advise Departments in the County Executive on legislative and other legal matters;
- (e) shall negotiate, draft, vet and interpret documents and agreements for and on behalf of the County Executive and its agencies;
- (f) shall be responsible for the revision of County laws;

Of note and a major cost factor for the Department remains in litigation. By end of 2019/20 FY the County Government had a total of 845 pending court cases, 471 closed cases and 52 dormant cases. Of the total, 630 cases are under external advocates while 215 are under County Law office. The Department recommends enhancement of resources for the unit to the tune of Ksh 500 million to facilitate litigation and fast track conclusion of cases, of note also is the introduction of alternative dispute resolution mechanism which was initiated in the 2019/20 FY to reduce influx of more litigations to Courts given cost implications.

## **1.2 Vision and Mission Statement**

### **Vision**

Facilitating the realization of good governance and respect for the rule of law and promotion of County laws and the upholding of ethics and integrity

### **Mission**

Providing legal services and promoting a just democratic and corruption free County

## **1.3 Strategic Goals/Objectives of the Sector**

The following is a brief outline of the main strategic objectives in the Office of the County Attorney

- Provision of County Legal Services
- Coordination in the implementation and formulation of laws
- Continuous Legal Education to other County Departments

## **1.4 Sub Sector and their Mandates**

The Office of the County Attorney has the core mandate of provision of legal services to the County Government of Nakuru. The office is established under the Office of the County Attorney Act No. 14 of 2020 and clearly spells out the mandate of the Office as;



- (a) is the principal legal adviser to the County Government;
- (b) shall attend the meetings of the County Executive Committee as an ex-officio member of the Executive Committee;
- (c) shall, on the instructions of the County Government, represent the County Executive in Court or in any other legal proceedings to which the County Executive is a party, other than criminal proceedings;
- (d) shall advise Departments in the County Executive on legislative and other legal matters;
- (e) shall negotiate, draft, vet and interpret documents and agreements for and on behalf of the County Executive and its agencies;
- (f) shall be responsible for the revision of County laws;

### 1.5 Role of Sector Stakeholders

The Office of the County Attorney being a support service Department has a wide range of stakeholders mainly comprising of County Departments and governmental institutions.

STAKEHOLDER	STAKEHOLDER's EXPECTATION OF OCA
County Departments	Provision legal advisory opinions Drafting & Review of MOUs, contracts and bills Representation in Court
The County Assembly	Review of bills and regulations before transition of the same to the assembly
County Public Service Board	Provision of legal services.
Development Partners	Implement projects funded
Kenya School of Government	Staff training recommendation
	Consultancy
Council of Governors	Liaise, implement and refer.

STAKEHOLDER	STAKEHOLDER's EXPECTATION OF OCA
Non-Governmental organizations	Information sharing
	Engagement in matters policy formulation, implementation, monitoring and feedback
	Advocate for Transparency and accountability
Local Community	Efficient, effective and timely service delivery
	Transparency and accountability. Provide a conducive environment for policy implementation.
County Treasury	Ensure adherence to PFM Act. Provide timely financial reports Efficiency and effectiveness in utilization of funds.
County Employees	Professional legal services
EACC	Promotion of Ethics and Integrity in County Public Service
Commission on Administrative Justice	Resolution of public complaints

## **CHAPTER TWO**

### **2.0 PROGRAMME PERFORMANCE REVIEW FOR THE PERIOD 2017/18 – 2019/20**

Since inception of the County Government, 471 court cases have been concluded. Some of the rulings go against the County Government. Arising from two of the cases one of which was in the courts for 27 years, eighteen former Naivasha Municipal Council employees were paid Ksh 27 million being first instalment of KSH 103 million awarded by the court in FY 2017/18 and six were reinstated to employment in line with the ruling. The balance will be paid in the present and coming periods through debt resolution.

By end of FY 2019/20 the County Government had a total of 374 active court cases. Of the total, 166 cases were under external advocates and 208 under County Law office. The Department recommends enhancement of resources for the unit to the tune of Ksh 200 million to facilitate litigation and fast track conclusion of cases. Alternative dispute resolution mechanism will be initiated in the FY 2019/20 to fore stall influx of litigation to courts given cost implications.

## 2.1 Review of Sector Programmes/Sub-Programmes/Projects – Delivery of Outputs

**Table 1: Sector Programme Performance Reviews**

Programme	Key Outputs	Key Performance Indicators	Targets			Achieved Targets			Remarks
			2018/19	2019/20	2020/21	2018/19	2019/20	2020/21	
<b>PROGRAMME: COORDINATION OF COUNTY POLICY FORMULATION</b>									
<b>Outcome: Legal Compliance In Service Delivery</b>									
SP 1 Legal Services	Reduce Number of Backlog Litigation	Number of cases closed	500	600	100	275	256	36	Lack of enough staff.
	Processing bills for enactment	Number of enacted laws	25	21	5	20	10	7	achieved
SP 2: Improving Legal Compliance	Co-ordination of County compliance & Enforcement Agents	Number of assorted instruments acquired.	70	70	180	50	41	0	No budgetary allocation.
		Number of uniforms acquired.	350	350	350	-	-	150	Not enough budgetary allocation.

## 2.2 Expenditure Analysis

In the period under review, the Sub Sector drew its funding from the Public Service, Training and Devolution Sub Sector. Expenditure analysis is as stipulated in the tables below.

### 2.2.1 Analysis of Programme Expenditure

**Table 2: Programme/Sub Programme expenditure analysis**

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	APPROVED BUDGET			ACTUAL EXPENDITURE		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
<b>PROGRAMME: COORDINATION OF COUNTY POLICY FORMULATION</b>						
SP 2.1. Legal Services and policies formulation	29,951,365	21,400,000	20,984,015	35,733,950	20,690,092	19,308,044
<b>Total Expenditure Programme</b>	<b>29,951,365</b>	<b>21,400,000</b>	<b>20,984,015</b>	<b>35,733,950</b>	<b>20,690,092</b>	<b>19,308,044</b>

### 2.2.2 Analysis of Programme Expenditures by Economic Classification

**Table 3: Programme Expenditure Analysis by Economic Classification**

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	APPROVED BUDGET			ACTUAL EXPENDITURE		
	2018/19	2019/20	2020/21	2018/19	2019/20	2020/21
<b>PROGRAMME: COORDINATION OF COUNTY POLICY FORMULATION</b>						
Current Expenditure						
Compensation to employees						
Use of goods and Services	37,841,238	28,900,000	25,734,015	35,733,950	20,690,092	21,885,774
Other Recurrent						
<b>Capital Expenditure</b>						
<b>TOTAL</b>	<b>37,841,238</b>	<b>28,900,000</b>	<b>25,734,015</b>	<b>35,733,950</b>	<b>20,690,092</b>	<b>21,885,774</b>

## **2.3 Review of Pending Bills**

### **2.3.1 Recurrent Pending Bills**

The sub sector has no recurrent bills

### **2.3.2 Development Pending Bills**

The department had no development pending bills

## CHAPTER THREE

### 3.0 MEDIUM TERM PRIORITIES AND FINANCIAL PLAN FOR THE MTEF PERIOD FY 2022/23-2024/25

The sub-sector programs aim at ensuring that all County Government Departments and other units render efficient services to the residents of the County and that all members of the public have access to basic services equitably. To this end, the subsector continues to provide expected legal services and enforcement by ensuring bills are drafted for approval by the County Assembly and by ensuring legal compliance both to county laws and applicable national laws that will enable the County Government execute its mandate smoothly.

In the Office of County Attorney some of the key deliverables include but not limited to; recruitment of county Solicitor, 4 legal counsels, creation of a county law library and sensitization of County staff on relevant county laws and other emerging legal issues. The office having been accredited by the Kenya School of Law as a pupillage center has commenced admission of students from the school of Law with an initial intake of 3 pupils. The office has digitized its case files and it's in the process of automating its records.

#### 3.1 Prioritization of Programmes and Sub-Programmes.

PROGRAMME	SUB PROGRAMME
Programme 1: Administration, Planning and Support Services	SP 1.1 Administration Services SP 1.2 Personnel Services SP 1.3 Financial Services
Programme 2: Provision of Advisory Services	SP 2.1 Advising on legal matters
Programme 3: Provision of Legal Service	SP 3.1 Litigation SP 3.2 Formulation and review of Bills SP 3.3 Conveyance and Commercial transactions

### 3.1.2 Programmes, Sub-Programmes, Expected Outcomes, Outputs and Key Performance Indicators

**Table 4 Programmes, Sub-Programmes, Expected Outcomes, Outputs and Key Performance Indicators for the Sector.**

Programme	Delivery Unit	Key Outputs	Key Performance Indicators	Target 2020/21	Actual Achievement 2020/21	Target 2022/23	Target 2023/24	Target 2024/25
<b>PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES</b>								
<b>Outcome:</b> Enhanced access of County Government services to residents								
<b>SP 1.1 Administration Services</b>	County Attorney	Office space	Adequate office space for all office staff			50%	100%	-
		Establishment of a legal library	Enhance research work			20%	50%	80%
		Enhanced legal registry	Proper storage of legal documents			50%	100%	-
		Automation of legal records				50%	100%	-
<b>SP 1.2: Personnel Services</b>	County Attorney	Staff Training	No. of trainings conducted			4	4	4
		Engagement of Pupils	No. of pupils engaged			1	2	3
		-Capacity Development workshops	No. of workshops conducted			2	3	3
<b>SP 1.3: Financial Services</b>	Accountant	Improved financial reporting	No of financial reports generated			5	5	5
<b>PROGRAMME 2: Provision of Advisory Services</b>								
<b>Outcome:</b> Legal Compliance In Service Delivery								
<b>SP 2.1 Advisory on legal matters</b>	County Attorney	Attending cabinet meetings	Legal advice on CEC decisions affecting the County.			100%	100%	100%
	Legal Counsel	Interdepartmental meetings	The reports emanating from the meetings.			4	4	4
	County Attorney	Reduce number of pending cases	% of cases finalized			30%	30%	% 40
		Formulate new laws	No. of formulate bills			3	3	3



Programme	Delivery Unit	Key Outputs	Key Performance Indicators	Target 2020/21	Actual Achievement 2020/21	Target 2022/23	Target 2023/24	Target 2024/25
		Automation and digitization of case files	Automated Legal records system in place			50%	30%	20%
		County Law library and office space	Functional law Library and offices			30%	30%	40%
<b>PROGRAMME 3: PROVISION OF LEGAL SERVICES</b>								
<b>Outcome:</b> Efficiency and Effectiveness in the Legal Service								
<b>SP 3.1 Litigation</b>	County Attorney	Seeking ADR mechanisms to reduce the cases	The percentage of cases finalized			20%	30%	50%
	Legal Counsel	Handling of all litigation matters	Judgements delivered			-	-	-
<b>SP 3.2 Formulation and review of Bills</b>	County Attorney / Legal Counsel / Legal Clerks	Participating in drafting of the Bills.	The number of Bills drafted reviewed and forwarded to the Assembly for approval.			10	15	15
<b>SP 3.3 Conveyance and Commercial transactions</b>	County Attorney / Legal Counsel / Legal Clerks	Attending to all conveyance and commercial transactions on behalf of the County	The percentage of transactions done.			50%	30%	20%

### 3.1.3 Programmes by Order of Ranking

**Programme 1:** Administration, Planning and Support Services

**Programme 2:** Provision of Advisory Services

**Programme 3:** Provision of Legal Service

### 3.2 Analysis of Resource Requirement versus Allocation by Sector/Sub Sector

#### 3.2.1 Sub Sector Recurrent

**Table 5a: Analysis of Resource Requirement versus Allocation – Recurrent**

ANALYSIS OF RECURRENT RESOURCE REQUIREMENT VS ALLOCATION									
Sector Name		Approved	REQUIREMENT				ALLOCATION		
Vote and Vote Details	Economic Classification	2021/22	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25	
xxx1	Current Expenditure								
	2100000 Compensation to Employees		1,000,000	1,100,000	1,210,000	400,000	440,000	484,000	
	2200000 Use of Goods and Services	15,700,000	35,000,000	38,500,000	42,350,000	28,800,000	31,680,000	34,848,000	
	2400000 Interest Payments								
	2600000 Current Grants and Other Transfers								
	2700000 Social Benefits								
	3100000 Acquisition of Non-Financial Assets	500,000	16,000,000	17,600,000	19,360,000	11,300,000	12,430,000	13,673,000	
	4100000 Acquisition of Financial Assets								
	4500000 Disposal of Financial Assets								
<b>TOTAL</b>		<b>16,200,000</b>	<b>52,000,000</b>	<b>57,200,000</b>	<b>62,920,000</b>	<b>40,500,000</b>	<b>44,550,000</b>	<b>49,005,000</b>	

### 3.2.2 Sector Development

**Table 5b: Analysis of Resource Requirement versus Allocation – Development**

ANALYSIS OF DEVELOPMENT RESOURCE REQUIREMENT VS ALLOCATION								
Sector Name	Description	Approved	REQUIREMENT			ALLOCATION		
		2021/22	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
<b>xxx1</b>	Non-Financial Assets		10,000,000	11,000,000	12,100,000	7,000,000	7,700,000	8,470,000
	Capital Transfers Govt. Agencies							
	Other development							
<b>TOTAL</b>			<b>10,000,000</b>	<b>11,000,000</b>	<b>12,100,000</b>	<b>7,000,000</b>	<b>7,700,000</b>	<b>8,470,000</b>

### 3.2.3 Programmes and Sub-Programmes Resource Requirement

**Table 6a: Programme and Sub-Programmes requirement by Economic Classification**

ANALYSIS OF PROGRAMME EXPENDITURE RESOURCE REQUIREMENT (AMOUNT KSH MILLIONS)									
	2022/23			2023/24			2024/25		
	Current	Capital	Total	Current	Capital	Total	Current	Capital	Total
<b>PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES</b>									
SP 1.1 Administration Services	9,400,000		9,400,000	10,340,000	-	10,340,000	11,374,000	-	11,374,000
SP 1.2. Personnel Services	10,000,000		10,000,000	11,000,000	-	11,000,000	12,100,000	-	12,100,000
SP 1.3. Financial Services	600,000		600,000	660,000	-	660,000	726,000	-	726,000
<b>TOTAL PROG 1</b>	<b>20,000,000</b>	<b>-</b>	<b>20,000,000</b>	<b>22,000,000</b>	<b>-</b>	<b>22,000,000</b>	<b>24,200,000</b>	<b>-</b>	<b>24,200,000</b>
<b>PROGRAMME 2: PROVISION OF ADVISORY SERVICES</b>									
SP 2.1 Advising on legal matters	8,000,000		8,000,000	8,800,000	-	8,800,000	9,680,000	-	9,680,000
<b>TOTAL PROG 2</b>	<b>8,000,000</b>	<b>-</b>	<b>8,000,000</b>	<b>8,800,000</b>	<b>-</b>	<b>8,800,000</b>	<b>9,680,000</b>	<b>-</b>	<b>9,680,000</b>
<b>PROGRAMME 3: PROVISION OF LEGAL SERVICE</b>									
SP 3.1 Litigation	12,000,000	10,000,000	22,000,000	13,200,000	11,000,000	24,200,000	14,520,000	12,100,000	26,620,000
SP 3.2 Formulation and review of Bills	7,000,000		7,000,000	7,700,000	-	7,700,000	8,470,000	-	8,470,000

ANALYSIS OF PROGRAMME EXPENDITURE RESOURCE REQUIREMENT (AMOUNT KSH MILLIONS)									
	2022/23			2023/24			2024/25		
	Current	Capital	Total	Current	Capital	Total	Current	Capital	Total
SP 3.3 Conveyance and Commercial transactions	5,000,000		5,000,000	5,500,000	-	5,500,000	6,050,000	-	6,050,000
<b>TOTAL PROG 3</b>	<b>24,000,000</b>	<b>10,000,000</b>	<b>34,000,000</b>	<b>26,400,000</b>	<b>11,000,000</b>	<b>37,400,000</b>	<b>29,040,000</b>	<b>12,100,000</b>	<b>41,140,000</b>
<b>Total Expenditure of Vote</b>	<b>52,000,000</b>	<b>10,000,000</b>	<b>62,000,000</b>	<b>57,200,000</b>	<b>11,000,000</b>	<b>68,200,000</b>	<b>62,920,000</b>	<b>12,100,000</b>	<b>75,020,000</b>

### 3.2.4 Programmes and Sub-Programmes Resource Allocation

**Table 6b: Analysis of Resource Allocation by Programmes and Sub-Programmes**

ANALYSIS OF PROGRAMME EXPENDITURE RESOURCE ALLOCATION (AMOUNT KSH MILLIONS)									
	2022/23			2023/24			2024/25		
	Current	Capital	Total	Current	Capital	Total	Current	Capital	Total
<b>PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES</b>									
SP 1.1 Administration Services	7,400,000		7,400,000	8,140,000	-	8,140,000	8,954,000	-	8,954,000
SP 1.2. Personnel Services	9,000,000		9,000,000	9,900,000	-	9,900,000	10,890,000	-	10,890,000
SP 1.3. Financial Services	500,000		500,000	550,000	-	550,000	605,000	-	605,000
<b>TOTAL PROG 1</b>	<b>16,900,000</b>	<b>-</b>	<b>16,900,000</b>	<b>18,590,000</b>	<b>-</b>	<b>18,590,000</b>	<b>20,449,000</b>	<b>-</b>	<b>20,449,000</b>
<b>PROGRAMME 2: PROVISION OF ADVISORY SERVICES</b>									
SP 2.1 Advising on legal matters	5,000,000		5,000,000	5,500,000	-	5,500,000	6,050,000	-	6,050,000
<b>TOTAL PROG 2</b>	<b>5,000,000</b>	<b>-</b>	<b>5,000,000</b>	<b>5,500,000</b>	<b>-</b>	<b>5,500,000</b>	<b>6,050,000</b>	<b>-</b>	<b>6,050,000</b>
<b>PROGRAMME 3: PROVISION OF LEGAL SERVICE</b>									
SP 3.1 Litigation	10,000,000	7,000,000	17,000,000	11,000,000	7,700,000	18,700,000	12,100,000	8,470,000	20,570,000
SP 3.2 Formulation and review of Bills	5,600,000		5,600,000	6,160,000	-	6,160,000	6,776,000	-	6,776,000
SP 3.3 Conveyance and Commercial transactions	3,000,000		3,000,000	3,300,000	-	3,300,000	3,630,000	-	3,630,000
<b>TOTAL PROG 3</b>	<b>18,600,000</b>	<b>7,000,000</b>	<b>25,600,000</b>	<b>20,460,000</b>	<b>7,700,000</b>	<b>28,160,000</b>	<b>22,506,000</b>	<b>8,470,000</b>	<b>30,976,000</b>
<b>Total Expenditure of Vote</b>	<b>40,500,000</b>	<b>7,000,000</b>	<b>47,500,000</b>	<b>44,550,000</b>	<b>7,700,000</b>	<b>52,250,000</b>	<b>49,005,000</b>	<b>8,470,000</b>	<b>57,475,000</b>

### 3.2.5 Programmes and Sub-Programmes Economic Classification

**Table 7: Programme and Sub-Programmes Allocation by Economic Classification**

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	REQUIREMENT			ALLOCATION		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
<b>PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES</b>						
<b>Current Expenditure:</b>						
2100000 Compensation to Employees	1,000,000	1,100,000	1,210,000	400,000	440,000	484,000
2200000 Use of Goods and Services	12,000,000	13,200,000	14,520,000	10,200,000	11,220,000	12,342,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	7,000,000	7,700,000	8,470,000	6,300,000	6,930,000	7,623,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets						
Capital Transfers to Govt. Agencies						
Other Development						
<b>TOTAL PROGRAMME 1</b>	<b>20,000,000</b>	<b>22,000,000</b>	<b>24,200,000</b>	<b>16,900,000</b>	<b>18,590,000</b>	<b>20,449,000</b>
<b>SP 1.1 Administration Services</b>						
<b>Current Expenditure:</b>						
2100000 Compensation to Employees						
2200000 Use of Goods and Services	5,400,000	5,940,000	6,534,000	4,900,000	5,390,000	5,929,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	3,000,000	3,300,000	3,630,000	2,500,000	2,750,000	3,025,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets						
Capital Transfers to Govt. Agencies						
Other Development						
<b>SUB TOTAL SP 1.1</b>	<b>8,400,000</b>	<b>9,240,000</b>	<b>10,164,000</b>	<b>7,400,000</b>	<b>8,140,000</b>	<b>8,954,000</b>
<b>SP 1.2. Personnel Services</b>						
<b>Current Expenditure:</b>						

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	REQUIREMENT			ALLOCATION		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
2100000 Compensation to Employees	1,000,000	1,100,000	1,210,000	400,000	440,000	484,000
2200000 Use of Goods and Services	10,000,000	11,000,000	12,100,000	8,600,000	9,460,000	10,406,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets						
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets						
Capital Transfers to Govt. Agencies						
Other Development						
<b>SUB TOTAL SP 1.2</b>	<b>11,000,000</b>	<b>12,100,000</b>	<b>13,310,000</b>	<b>9,000,000</b>	<b>9,900,000</b>	<b>10,890,000</b>
<b>SP 1.3. Financial Services</b>						
<b>Current Expenditure:</b>						
2100000 Compensation to Employees						
2200000 Use of Goods and Services	600,000	660,000	726,000	500,000	550,000	605,000
2400000 Interest Payments					-	-
2600000 Current Grants and Other Transfers					-	-
2700000 Social Benefits					-	-
3100000 Acquisition of Non-Financial Assets					-	-
4100000 Acquisition of Financial Assets					-	-
4500000 Disposal of Financial Assets					-	-
<b>Capital Expenditure</b>					-	-
Non-Financial Assets					-	-
Capital Transfers to Govt. Agencies					-	-
Other Development					-	-
<b>SUB TOTAL SP 1.3</b>	<b>600,000</b>	<b>660,000</b>	<b>726,000</b>	<b>500,000</b>	<b>550,000</b>	<b>605,000</b>
<b>TOTAL PROGRAMME 1</b>	<b>20,000,000</b>	<b>22,000,000</b>	<b>24,200,000</b>	<b>16,900,000</b>	<b>18,590,000</b>	<b>20,449,000</b>
<b>PROGRAMME 2: PROVISION OF ADVISORY SERVICES</b>						
<b>Current Expenditure:</b>						
2100000 Compensation to Employees						
2200000 Use of Goods and Services	5,000,000	5,500,000	6,050,000	3,000,000	3,300,000	3,630,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	REQUIREMENT			ALLOCATION		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
3100000 Acquisition of Non-Financial Assets	3,000,000	3,300,000	3,630,000	2,000,000	2,200,000	2,420,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets						
Capital Transfers to Govt. Agencies						
Other Development						
<b>TOTAL PROGRAMME 2</b>	<b>8,000,000</b>	<b>8,800,000</b>	<b>9,680,000</b>	<b>5,000,000</b>	<b>5,500,000</b>	<b>6,050,000</b>
<b>SP 2.1 Advising on legal matters</b>						
<b>Current Expenditure:</b>						
2100000 Compensation to Employees						
2200000 Use of Goods and Services	5,000,000	5,500,000	6,050,000	3,000,000	3,300,000	3,630,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	3,000,000	3,300,000	3,630,000	2,000,000	2,200,000	2,420,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets						
Capital Transfers to Govt. Agencies						
Other Development						
<b>SUB TOTAL SP 2.1</b>	<b>8,000,000</b>	<b>8,800,000</b>	<b>9,680,000</b>	<b>5,000,000</b>	<b>5,500,000</b>	<b>6,050,000</b>
<b>TOTAL PROG 2</b>	<b>8,000,000</b>	<b>8,800,000</b>	<b>9,680,000</b>	<b>5,000,000</b>	<b>5,500,000</b>	<b>6,050,000</b>
<b>PROGRAMME 3: PROVISION OF LEGAL SERVICE</b>						
<b>Current Expenditure:</b>						
2100000 Compensation to Employees						
2200000 Use of Goods and Services	18,000,000	19,800,000	21,780,000	15,600,000	17,160,000	18,876,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	6,000,000	6,600,000	7,260,000	3,000,000	3,300,000	3,630,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets	10,000,000	11,000,000	12,100,000	7,000,000	7,700,000	8,470,000

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	REQUIREMENT			ALLOCATION		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
Capital Transfers to Govt. Agencies						
Other Development						
<b>TOTAL PROGRAMME 3</b>	<b>34,000,000</b>	<b>37,400,000</b>	<b>41,140,000</b>	<b>25,600,000</b>	28,160,000	30,976,000
<b>SP 3.1 Litigation</b>						
<b>Current Expenditure:</b>						
2100000 Compensation to Employees						
2200000 Use of Goods and Services	12,000,000	13,200,000	14,520,000	10,000,000	11,000,000	12,100,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets						
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets	10,000,000	11,000,000	12,100,000	7,000,000	7,700,000	8,470,000
Capital Transfers to Govt. Agencies						
Other Development						
<b>SUB TOTAL SP 3.1</b>	<b>22,000,000</b>	<b>24,200,000</b>	<b>26,620,000</b>	<b>17,000,000</b>	<b>18,700,000</b>	<b>20,570,000</b>
<b>SP 3.2 Formulation and review of Bills</b>						
<b>Current Expenditure:</b>						
2100000 Compensation to Employees						
2200000 Use of Goods and Services	3,000,000	3,300,000	3,630,000	2,600,000	2,860,000	3,146,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	4,000,000	4,400,000	4,840,000	3,000,000	3,300,000	3,630,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets						
Capital Transfers to Govt. Agencies						
Other Development						
<b>SUB TOTAL SP 3.2</b>	<b>7,000,000</b>	<b>7,700,000</b>	<b>8,470,000</b>	<b>5,600,000</b>	<b>6,160,000</b>	<b>6,776,000</b>
<b>SP 3.3 Conveyance and Commercial transactions</b>						
<b>Current Expenditure:</b>						



ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	REQUIREMENT			ALLOCATION		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
2100000 Compensation to Employees						
2200000 Use of Goods and Services	5,000,000	5,500,000	6,050,000	3,000,000	3,300,000	3,630,000
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets						
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
<b>Capital Expenditure</b>						
Non-Financial Assets						
Capital Transfers to Govt. Agencies						
Other Development						
<b>SUB TOTAL SP 3.3</b>	<b>5,000,000</b>	<b>5,500,000</b>	<b>6,050,000</b>	<b>3,000,000</b>	<b>3,300,000</b>	<b>3,630,000</b>
<b>TOTAL PROGRAMME 3</b>	<b>34,000,000</b>	<b>37,400,000</b>	<b>41,140,000</b>	<b>25,600,000</b>	<b>28,160,000</b>	<b>30,976,000</b>
<b>TOTAL VOTE</b>	<b>62,000,000</b>	<b>68,200,000</b>	<b>75,020,000</b>	<b>47,500,000</b>	<b>52,250,000</b>	<b>57,475,000</b>

## CHAPTER FOUR

### 4.0 CROSS-SECTOR LINKAGES

The Office of the County Attorney has inter-linkages both within and with other County Government sectors. It offers facilitative role to other Departments:

SECTOR	LINKAGES
General economic and Commercial affairs	Provisions of legal services Drafting and review of documents
Energy, physical infrastructure and ICT	Provision of legal services Preparation of legal documents and instruments
Agriculture, rural and urban development	Provision of legal services Conveyancing services
Education culture and youth affairs, sports and social services	Legal services
Environment, Natural resources water and energy	Provision of legal services
Health sector	Provision of legal services

## **CHAPTER FIVE**

### **5.0 EMERGING ISSUES AND CHALLENGES**

Some of the challenges encountered by Office of the County Attorney during the period under review included the following: -

#### **5.1 Emerging Issues**

- a) The Municipal Boards for Nakuru and Naivasha alongside proposed elevation of Nakuru Town to City status and the laws that will need to be formulated to efficient management.
- b) The need for internet connectivity for research and Court attendance
- c) Impact of Covid-19 on service delivery.

#### **5.2 Challenges**

- a) An inadequate human resource to provided efficient services
- b) Inadequate office space remains a challenge. Officers having to share desks and other basic working tools
- c) Inadequate training and capacity building budget against very high demand for service delivery
- d) Lack of vehicles for the department to attend to necessary court cases and other Court mandated field visits.
- e) Lack of essential staff such as an accountant, accounting officer and necessary support staff
- f) Lack of payment of non-practicing allowance to legal counsels
- g) Necessary policies between departments and sub counties not yet fully developed.

## CHAPTER SIX

### 6.0 CONCLUSION

The Office of the County Attorney will play a big role in the coming Medium Term Expenditure Period by developing County Government legal system and provision of service towards this end, the foregoing outlined programs are aimed at improving performance and ensuring quality service delivery to the people. It is therefore important that sufficient resources are availed to fuel the facilitative nature of the department to the development of the County.

## CHAPTER SEVEN

### 7.0 RECOMMENDATIONS

The sub-sector therefore wishes to make the following recommendations;

- 1) The County Government should fast-track payment of county legal pending bills
- 2) Training, promotion and recruitment budget to the Office of the County Attorney should be enhanced.
- 3) Timely release of operation funds to Department to enhance efficiency.
- 4) Development of policies between County Government and Municipal Boards for Nakuru and Naivasha considering proposed elevation of Nakuru Town to City status to guide realignment of HRM, and distribution of functions and mandate between the new institutions and the county government.
- 5) The County Government should provide the office of the County Attorney with adequate office space and vehicles for the facilitation of efficient service delivery.

## REFERENCES

- ✓ Approved Budgets FY2018/2019 - FY2021/2022
- ✓ Approved CBROP 2021
- ✓ Office of The County Attorney Act, 2020