



COUNTY GOVERNMENT OF NAKURU

PUBLIC ADMINISTRATION, NATIONAL/ INTERNATIONAL RELATIONS SECTOR

OFFICE OF THE COUNTY ATTORNEY

SUB SECTOR REPORT

MTEF 2026/2027 – 2028/2029

JANUARY 2026

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ABBREVIATIONS

ADR	Alternative Dispute Resolution
AJS	Alternative Justice System
CAJ	Commission on Administrative Justice
EACC	Ethics and Anti-Corruption Commission
FY	Financial Year
ICT	Information and Communication Technology
KLR	Kenya Law Reports
KLRC	Keya Law Reforms commission
MOU	Memorandum of Understanding
MTEF	Medium Term Expenditure Framework
OCA	Office of the County Attorney
PAIR	Public Administration National/International Relations
PFM	Public Finance Management
SRC	Salaries and Remuneration Commission

EXECUTIVE SUMMARY

The Office of the County Attorney (OCA) functions as the principal legal adviser to the County Government of Nakuru, operating under the Public Administration, National/International Relations (PAIR) Sector pursuant to the Office of the County Attorney Act, 2020. Its mandate is executed through three directorates—Administration, Litigation Services, and Land & Conveyancing Services—responsible for legal advisory services, litigation management, legislative drafting, revision of laws, and facilitation of land-related legal processes.

During the FY 2024/25 financial year, the Office of the County Attorney was allocated a total budget of Ksh. 53.86 million, against which actual expenditure amounted to Ksh. 27.78 million, translating to a budget absorption rate of 51.6 percent. This represents a marginal improvement compared to the previous financial year but remains below optimal levels. The under-absorption was largely attributable to delayed implementation of planned activities, inadequate allocations for critical operational needs, and constrained funding for development interventions such as equipping the County Legal Resource Centre and automation of legal systems.

Despite these feats, the OCA recorded notable achievements including the conclusion of 567 litigation cases, digitization of legal records, initiation of a County Legal Resource Centre in partnership with the Kenya Law Reports (KLR) and KLRC, engagement of seven legal pupils, and the appointment of a substantive County Solicitor. However, the department faced persistent challenges including inadequate staffing, insufficient budgetary allocation, increased litigation leading to a spike in pending bills (reaching Ksh. 639.7 million), limited office space, and slow uptake of ADR/AJS mechanisms.

The medium-term priorities for the 2026/27–2028/29 MTEF period focus on strengthening institutional capacity, promoting ADR/AJS, fully equipping and operationalizing the Legal Resource Centre, automation of legal processes, recruitment and training of legal officers, enhancing legal compliance across departments, and reducing the backlog of cases.

For FY 2026/27, the Office of the County Attorney requires Ksh. 162.09 million to effectively implement its prioritized programmes and obligations, excluding approximately Ksh. 600 million required to settle accumulated legal pending bills. However, the approved allocation stands at Ksh. 87.33 million, representing a financing gap of over 46 percent. This shortfall is expected to significantly constrain implementation of key interventions, including

operationalization of the County Legal Resource Centre, automation of legal processes, promotion of ADR/AJS mechanisms, recruitment and capacity building of legal staff, and proactive litigation management.

Cross-sector linkages remain central to the OCA's work, given its role in supporting all County departments through legal opinions, contract vetting, litigation, and legislative services. The Subsector continues to face emerging issues such as technological constraints for online court sessions, proposals to abolish non-practicing allowances, and rising litigations linked to non-compliance.

Overall, the report underscores the strategic importance of adequately resourcing the Office of the County Attorney to enhance legal compliance, reduce litigation exposure, support policy development, and strengthen governance and service delivery across the County Government of Nakuru.

CHAPTER 1

1.0 INTRODUCTION

1.1 Background Information

The Office of the County is the principal legal advisor of the County government with three (3) distinct directorates.

The directorates are Lands and Conveyancing Services, Litigation Services and Administration Services.

- *The 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.
- *The Directorate of Administration* is mandated with coordination, supervision, planning, directing and controlling to ensure efficient and effective service delivery.

The departmental establishment stands at 15 members of staff. 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 the Close of the FY 2022/23, the department had a total of approximately 100 pending cases. Cumulated legal pending bills to day were in the tune of Ksh. 442 million.

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

- i. Provision of County Legal Services.
- ii. Coordination in the implementation and formulation of laws
- iii. Continuous Legal Education to other county departments

1.4 Sub Sector 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 Sub-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
Office of the Ombudsman	The Office of the County Attorney often collaborates with the Office of the Ombudsman in addressing issues related to administrative justice and public complaints against County government departments and entities
The County Assembly	Review of bills and regulations before transition of the same to the assembly
Office of the Director of Public Prosecutions (ODPP)	OCA collaborates with the ODPP to ensure legal compliance and the effective prosecution of crimes within or involving the county government.
Development Partners	Funding and implementation of development programmes and projects
Judiciary	The County Attorney interacts with the Judiciary in the course of representing the county government in civil litigation and other legal proceedings.
Law Society of Kenya	As a professional body, the Law Society of Kenya represents the interests of legal practitioners in the country. legal practitioners in the Office of The County Attorney are members and adhere to the ethical standards and professional conduct set by the society.
Kenya School of Government	Conducts Staff training
Attorney General	The County Attorney may seek advice from the Attorney General on complex legal issues, particularly those that intersect with national laws and policies. The Attorney General's office may also provide directives or opinions that guide the legal actions of county governments.
Council of Governors	Liaise, implement and refer.
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
KLRC /KLR	Publishing and Publicizing Laws, regulation and Policies from the national government and other county governments
Commission on Administrative Justice	Resolution of public complaints

CHAPTER TWO

2.0 PROGRAMME PERFORMANCE REVIEW FOR THE MTEF PERIOD 2022/23-2024/25

This chapter provides an in-depth review of the sub sector's performance during the MTEF period of 2021/22 to 2023/24. The section analyses programmatic and budget performance against targets over the previous MTEF period.

Summary of key achievements for the MTEF period

- i. During the period under review, 567 cases (36 in FY 2023/24) were litigated and successfully concluded. By the close of the Fourth quarter of FY 2024/25 additional 287 closed were cases, 5 cases were dismissed and 21 were concluded, 1 resolved through ADR Only one cases was resolved outside court revealing a serious gap in implementation of ADR/AJS in the county.
- ii. Digitization of legal records was completed and the office is in the process of automating legal records in collaboration with the Kenya Law Reforms Commission and the Kenya Law Reports
- iii. Establishment of a legal resource Centre was initiated during the period and is currently 50 percent complete awaiting equipping and installation of the CMIS.
- iv. An MoU was signed between the KLR and the OCA that will oversee, the equipping and operationalization of a County Legal resource Centre
- v. During the period under review a County Solicitor was appointed to be the administrative head and assist in reducing the huge case backlog.
- vi. Engaged and supervised 7 new legal pupils as an accredited pupillage centre
- vii. Participated in the review and finalization of bills, policies, and other legal documents submitted by departments. These include Nakuru County Valuation and Rating Act of 2024, Nakuru County Finance Act 2023 and the Nakuru County Alcoholic Drinks control regulations 2024 and The Nakuru County Inspectorate regulations, 2025.

2.1 Review of Sector Programmes/Sub-Programmes/projects-Delivery of Outputs/ KPI/ targets

Table 1: Sector Programme Performance Reviews

Programme	Key Outputs	Key Performance Indicators	Targets			Achieved Targets			Remarks			
			2022/23	2023/24	2024/2025	2022/23	2023/24	2024/2025				
PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES												
Outcome: Outcome: Enhanced access of County Government services to residents												
SP 1.1 Administration Services	Office Renovations and equipping	Number of Renovated and equipped	0	9	9	0	5		Complete and in Use			
	Establishment of a legal resource Centre	Rate of completion	0	100	100	0	50%	50	Inadequate budget allocation to equip legal Resource Centre			
	Enhanced legal registry, digitization and Automation of legal records	Proportion of legal records digitized (%)	100	100	100	10	100	100	Continuous exercise (Achieved)			
		Rate of implementation of case management information system	70	100	100	-	0	0	No budgetary allocation compounded by slow progress in completing the legal resource centre which will provide space for installing and running the software			
SP 1.2: Personnel Services	Staff Training	No. of trainings conducted	4	5	11	1	1	5	Induction training for county Solicitor			
		Compensation to employees										
SP 1.3: Financial Services	Enhanced compliance with PFM	Number of quarterly Financial and Non-financial reports	8	4	9	8	4	9	Quarterly BPRR Quarterly Financial Statements Annual Progress Report Annual Financial Statement			
PROGRAMME 2: Provision of legal services												
Outcome: Legal Compliance In Service Delivery												
SP 2.1 Legal Services	Reduce Number of Backlog	Proportion of Caseloads	60	100	20	33	66.7	20.9	287 closed cases, 5 dismissed cases and			

Programme	Key Outputs	Key Performance Indicators	Targets			Achieved Targets			Remarks
			2022/23	2023/24	2024/2025	2022/23	2023/24	2024/2025	
	Litigation	closed (%)							21 concluded cases, 1 resolved through ADR
	Processing bills for enactment	Number of enacted laws	5	7	7	7	3	0	Nakuru County Valuation and Rating Act of 2024, Nakuru County Finance Act 2023 and the Nakuru County Alcoholic Drinks control regulations
SP 2.2: Improving Legal Compliance	Co-ordination of County compliance & Enforcement Agents	Number of assorted instruments acquired.	180	15	0	0	0	0	No budgetary allocation.
		Number of uniforms acquired.	350	15	0	150	0	0	Change in Priority

2.2 Expenditure Analysis

During the FY 2024/25, the OCA had a total allocation of Ksh 53,864,256 (Supp I). However, total expenditure by the close of the FY 2024/25 was **27,781,694**. This reflects a budget absorption rate of **51.6%**. This is a slight increase in Budgetary absorption rate FY 2023/24 which was 49.5%.

2.2.1 Analysis of Programme Expenditures

Table 2: Programme/ Sub Programme Expenditure Analysis

ANALYSIS OF PROGRAMME EXPENDITURE BY PROGRAMME AND SUB PROGRAMME						
Economic Classification	APPROVED BUDGET			ACTUAL EXPENDITURE		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES						
SP 1.1: Administration Services	5,957,500	24,670,798	16,320,000	1,338,472	15,648,250	8,171,614
SP 1.2: Personnel Services	400,000	18,946,623	28,471,782	367,577	7,276,967	18,959,580
SP 1.3: Financial Services	500,000	500,000	600,000	-	-	-
Total Expenditure Prog 1	6,857,500	44,117,421	45,391,782	1,706,049	22,925,217	27,131,194
PROGRAMME 2: PROVISION OF ADVISORY SERVICES						
SP 2.1: Legal Advisory Services	201,042,500	23,561,886	8,472,473	119,055,676	10,435,915	650,500
Total Expenditure Prog 2	201,042,500	23,561,886	8,472,473	119,055,676	10,435,915	650,500
TOTAL VOTE	207,900,000	67,361,886	53,864,256	120,761,725	33,361,132	27,781,694

2.2.2 Analysis of Programme Expenditures by Economic Classification

The expenditure trends show **significant under-absorption across most programmes**, with overall absorption consistently lagging at a meagre average. This implies need for stronger systems and institutional reforms to facilitate utilization of budget upward of the 90th percentile going forward.

Table 3: Programme Expenditure Analysis by Economic Classification

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	APPROVED BUDGET			ACTUAL EXPENDITURE		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES						
Current Expenditure						
2100000 Compensation to Employees	400,000	18,302,916	27,161,503	367,577	7,276,967	18,401,814
2200000 Use of goods and services	6,112,500	19,620,798	12,420,000	1,338,472	12,266,136	4,527,938
2400000 Interest Payments						
2600000 Current grants and other Transfers						
2700000 Social Benefits		926,286	1,310,280			557,765
3100000 Acquisition of Non-Financial Assets	345,000	950,000	1,500,000			736,627
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets		4,000,000	3,000,000		3,382,115	2,907,049
Capital Transfers Govt. Agencies						
Other development						
TOTAL PROGRAMME 1	6,857,500	43,800,000	45,391,782	1,706,049	22,925,217	27,131,193
SUB PROGRAMME 1.1: Administration Services						
Current Expenditure						
2100000 Compensation to Employees						
2200000 Use of goods and services	5,612,500	19,120,798	11,820,000	1,338,472	12,266,136	4,527,938
2400000 Interest Payments						
2600000 Current grants and other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	345,000	950,000	1,500,000		-	736,627
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets		4,000,000	3,000,000		3,382,115	2,907,049
Capital Transfers Govt. Agencies						

Economic Classification	APPROVED BUDGET			ACTUAL EXPENDITURE		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
Other development						
TOTAL SUB PROGRAMME 1.1	5,957,500	24,070,798	16,320,000	1,338,472	15,648,250	8,171,614
SUB PROGRAMME 1.2: Personnel Services						
Current Expenditure						
2100000 Compensation to Employees	400,000	18,302,916	27,161,503	367,577	7,249,607	18,401,814
2200000 Use of goods and services						
2400000 Interest Payments						
2600000 Current grants and other Transfers						
2700000 Social Benefits		926,286	1,310,280		27,360	557,765
3100000 Acquisition of Non-Financial Assets						
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets						
Capital Transfers Govt. Agencies						
Other development						
TOTAL SUB PROGRAMME 1.2:	400,000	19,229,202	28,471,782	367,577	7,276,967	18,959,579
SUB PROGRAMME 1.3: Financial Services						
Current Expenditure						
2100000 Compensation to Employees						
2200000 Use of goods and services	500,000	500,000	600,000		-	-
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						
Capital Expenditure						
Non-Financial Assets						
Capital Transfers Govt. Agencies						

Economic Classification	APPROVED BUDGET			ACTUAL EXPENDITURE		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
Other development						
TOTAL SUB PROGRAMME 1.3:	500,000	500,000	600,000		-	-
PROGRAMME 2: PROVISION OF LEGAL SERVICES						
Current Expenditure						
2100000 Compensation to Employees						
2200000 Use of goods and services	199,925,000	15,410,966	7,845,881	119,055,676	9,917,525	650,500
2400000 Interest Payments						
2600000 Current grants and other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	1,117,500	8,150,920	626,592		518,390	
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets						
Capital Transfers Govt. Agencies						
Other development						
TOTAL PROGRAMME 2	201,042,500	23,561,886	8,472,473	119,055,676	10,435,915	650,500
SUB PROGRAMME 2.1: Legal Advisory Services						
Current Expenditure						
2100000 Compensation to Employees						
2200000 Use of goods and services	199,925,000	15,410,966	7,845,881	119,055,676	9,917,525	650,500
2400000 Interest Payments						
2600000 Current grants and other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	1,117,500	8,150,920	626,592		518,390	
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets						

Economic Classification	APPROVED BUDGET			ACTUAL EXPENDITURE		
	2022/23	2023/24	2024/25	2022/23	2023/24	2024/25
Capital Transfers Govt. Agencies						
Other development						
TOTAL SUB PROGRAMME 2.1:	201,042,500	23,561,886	8,472,473	119,055,676	10,435,915	650,500
TOTAL VOTE	207,900,000	67,361,886	53,864,256	120,761,725	33,361,132	27,781,694

2.2.3 Analysis of Capital Projects

During the review period, the department had one supplies project to implement that is complete and partially paid. In addition, the total approved development budget for the OCA was Ksh. 3,000,000 while total development expenditure for the quarter was Ksh. 2,907,049 for the project with a balance of 92,951 pending for payment (mostly tax remittance). This reflects a 97 percent achievement rate. A summary of the statuses of the project implementation is presented in Table below;

ANALYSIS OF PERFORMANCE OF CAPITAL PROJECTS (2024/2025)

Project Description	Location	Contract Date	Completion Date	Estimated Cost to Completion	Cumulative Budget Allocation	Completion Stage (%)	Specific Needs to Be Addressed by the Project
Programme: Administration Planning and Support Services							
Equipping of a county legal resource centre	HQ -Biashara Ward	FY 2024/2025	FY 2024/25	12,000,000	6,000,000	50%	Facilitate Continuous Capacity Building of legal officers and the public.
TOTAL				12,000,000	6,000,000		

The department did not have any multiyear projects implemented between FY 202 in the FY 2024/25 budget

2.3 Review of Pending Bills

By the close of the FY 2024/25 period, the Total Legal pending bills for the sub sector amounted to Ksh. 639,691,959.87 a sharp increase of Ksh. 267,647,056.89 from the 372,044,902.98 reported by the Close of FY 2023/2024. Failure to settle legal pending bills on time may expose the County Government to legal action, budgetary imbalance from accrued interests and penalties and strained relationship with prequalified legal firms that handle cases on behalf of the County government.

2.3.1 Recurrent Pending Bills

The department has an advocate pending bill of Ksh. 639,691,959.87.

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 2026/27 – 2028/29

The sector's programme expectations into the future are presented in this section highlighting medium-term priorities for the MTEF period 2026/27 – 2028/29. Programs and sub-programs are prioritized and broken down by objectives, expected outcomes, and performance indicators. Resource requirements and allocations are analyzed, and a clear criterion for resource allocation is established.

During the Next MTEF period 2026/27 – 2028/29, the Office of the County Attorney has prioritized

- Intensive Campaign to promote ADR/AJS mechanisms in handling of county cases.
- Equipping of the legal resource Centre
- Settlement and active reduction of Legal pending bills
- Engagement and training of legal pupils
- Recruitment, training and promotion of additional Advocates and support staff
- Purchase of a departmental motor-vehicle
- Automation of legal records
- Finalizing cases pending in court

3.1 Prioritization of Programmes and Sub-Programmes

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 LEGAL SERVICE

- SP 2.1 legal Advisory Services

3.1.1 Programmes and their Objectives

Programme Name: Administration, planning and support services

Objective: To provide effective and efficient service delivery

Programme Name: Legal advisory services

Objective: To provide legal advisory services to the County Government

Outcome: Legal compliance in service delivery.

Establishment of a County legal Resource centre

The establishment of the County Legal Resource Centre is a strategic intervention aimed at strengthening legal research, law revision, legislative tracking, public legal information, and overall legal compliance within the County Government of Nakuru. Pursuant to the Memorandum of Cooperation signed between the County Government and the National Council for Law Reporting (Kenya Law), the Centre is designed to operate as both a physical and digital hub for access to consolidated county laws, jurisprudence, bill tracking systems, and continuous capacity building for legal and technical staff, while also supporting public access to county legislation and legal information.

Despite its demonstrated potential to improve the quality of legal advisory services, reduce preventable litigation, enhance Alternative Dispute Resolution (ADR/AJS) uptake, and lower long-term legal costs, the Legal Resource Centre remains only partially operational due to persistent underfunding. Inadequate budgetary allocations have constrained equipping, digitization, installation of supporting systems, and full implementation of the Kenya Law partnership obligations, thereby limiting realization of the Centre's intended outcomes and undermining broader efforts to improve governance, compliance, and fiscal prudence within the County

3.1.2 Programmes, Sub-Programmes, Expected Outcomes, Outputs, and Key Performance Indicators for the Sector

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

Programme	Delivery Unit	Key Outputs	Key Performance Indicators	Target 2024/25	Actual Achievement 2024/25	Baseline 2025/26	Target 2026/27	Target 2027/28	Target 2028/29
PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES									
Outcome: Enhanced Access Of County Government Services To Residents									
SP 1.1 Administration Services	Administration	Establishment of a legal resource Centre	Rate of Completion	100	0	50	100	100	100
		Equipping of the legal resource centre	Rate of implementation	100	10	30	60	80	100
		Automation of legal records	Rate of implementation	100	100	100	50	100	100
SP 1.2: Personnel Services	Administration	Staff Training	No. of trainings conducted	4	7	7	4	4	4
		Engagement of Pupils	No. of pupils engaged	--	7	10	10	10	10
		Capacity Development workshops	No. of workshops conducted	2	0	2	2	3	3
SP 1.3: Financial Services	Accounting Unit	Improved financial reporting	No of financial reports generated	5	5	5	5	5	5
PROGRAMME 2: PROVISION OF LEGAL SERVICES									
Outcome: Efficiency And Effectiveness In The Legal Service									
SP 2.1 Legal Advisory Services	Administration	Attending cabinet meetings	Proportion of cabinet meetings attended	100	100	100	100	100	100
		Interdepartmental meetings	No of reports generated from interdepartmental meetings	-	2	2	4	4	4
	Litigation	Reduce number of pending cases	Number of Cases closed	100	314	100	100	100	100
		Formulate new laws	No. of formulated bills	10	7	7	3	3	3

Programme	Delivery Unit	Key Outputs	Key Performance Indicators	Target 2024/25	Actual Achievement 2024/25	Baseline 2025/26	Target 2026/27	Target 2027/28	Target 2028/29
		Automation and digitization of case files	Rate of automation of Legal records system	100	0	0	80	90	100
		County Law library and office space	Percentage functionality of law Library and offices	100	0	0	30	50	100
		Seeking ADR mechanisms to reduce the cases	Percentage of cases finalized through ADR	50	0	10	20	20	20
		Participating in drafting of the Bills.	Proportion of departmental bills and policy documents reviewed and forwarded for approval.	100	100	100	100	100	100
	Lands and conveyancing	Attending to all conveyance and commercial transactions on behalf of the County	Percentage of commercial transactions and conveyance applications received and processed by OCA	100	100	100	100	100	100

3.1.3 Programmes by Order of Ranking

Programme 1: Administration, Planning and Support Services

Programme 2: Provision Of Legal Services

3.2 Analysis of Resource Requirement versus allocation by Sector/Sub Sector

To effectively execute their mandate FY 2026/27, the department requires a total of 162,090,500, where Ksh. 142,090,500 is for recurrent expenditure and Ksh. 15,000,000 is for development Expenditure. This is not inclusive of an additional 600M needed to settle prevailing legal pending bills incurred in the Financial Years ending 30th June 2025. Despite these huge resource requirements, the allocation for the sub sector was 87,330,162, out of which Ksh. 84,330,162 is for recurrent and Ksh 3,000,000 is for development expenditure. This is expected to further delay important departmental projects such as operationalization of legal resource centre and Promotion of AJS/ADR in the County.

3.2.1 Sub Sector Recurrent

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

ANALYSIS OF RECURRENT RESOURCE REQUIREMENT VS ALLOCATION								
Sector Name	Office of the County Attorney	Approved 2025/26	REQUIREMENT			ALLOCATION		
			2026/27	2027/28	2028/29	2026/27	2027/28	2028/29
Vote	Economic Classification							
xxx1	Current Expenditure							
	2100000 Compensation to Employees	23,627,797	40,250,210	44,275,220	48,702,742	24,002,158	26,402,374	29,042,611
	2200000 Use of Goods and Services	31,575,434	88,500,000	97,350,000	107,085,000	54,952,639	60,447,903	66,492,693
	2400000 Interest Payments							
	2600000 Current Grants and Other Transfers							
	2700000 Social Benefits	1,874,361	1,840,300	2,024,330	2,226,763	1,875,365	2,062,902	2,269,192

ANALYSIS OF RECURRENT RESOURCE REQUIREMENT VS ALLOCATION								
		Approved	REQUIREMENT			ALLOCATION		
Sector Name	Office of the County Attorney	2025/26	2026/27	2027/28	2028/29	2026/27	2027/28	2028/29
	3100000 Acquisition of Non-Financial Assets	2,500,000	16,500,000	18,150,000	19,965,000	3,500,000	3,850,000	4,235,000
	4100000 Acquisition of Financial Assets							
	4500000 Disposal of Financial Assets							
	TOTAL	59,577,592	147,090,500	161,799,550	177,979,505	84,330,162	92,763,178	102,039,496

3.2.2 Sub Sector Development

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

ANALYSIS OF DEVELOPMENT RESOURCE REQUIREMENT VS ALLOCATION								
		Approved	REQUIREMENT			ALLOCATION		
Sector Name		2025/26	2026/27	2027/28	2028/29	2026/27	2027/28	2028/29
Vote and Vote Details	Description							
xxx1	Non-Financial Assets	3,000,000	15,000,000	16,500,000	18,150,000	3,000,000	3,300,000	3,630,000
	Capital Transfers Govt. Agencies							
	Other development							
	TOTAL	3,000,000	15,000,000	16,500,000	18,150,000	3,000,000	3,300,000	3,630,000

3.2.3 Programmes and sub-programmes Resource Requirement (2026/27 – 2028/29)

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

ANALYSIS OF PROGRAMME EXPENDITURE RESOURCE REQUIREMENT (AMOUNT KSH MILLIONS)									
	2026/27			2027/28			2028/29		
	Current	Capital	Total	Current	Capital	Total	Current	Capital	Total
PROGRAMME 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES									
SP 1.1 Administration Services	84,500,000	15,000,000	99,500,000	92,950,000	16,500,000	109,450,000	102,245,000	18,150,000	120,395,000
SP 1.2. Personnel Services	42,090,500		42,090,500	46,299,550	-	46,299,550	50,929,505	-	50,929,505
SP 1.3. Financial Services	500,000		500,000	550,000	-	550,000	605,000	-	605,000
TOTAL PROGRAMME 1	127,090,500	15,000,000	142,090,500	139,799,550	16,500,000	156,299,550.	153,779,505	18,150,000	171,929,505
PROGRAMME 2: PROVISION OF LEGAL SERVICES									
SP 2.1 Legal Advisory Services	20,000,000		20,000,000	22,000,000	-	22,000,000	24,200,000	-	24,200,000
TOTAL PROGRAMME 2	20,000,000	-	20,000,000	22,000,000	-	22,000,000	24,200,000	-	24,200,000
TOTAL VOTE	147,090,500	15,000,000	162,090,500	161,799,550	16,500,000	177,979,505	178,299,550	18,150,000	196,129,505

3.2.4 Programmes and sub-programmes Resource Allocation (2024/25 – 2026/27)

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

ANALYSIS OF PROGRAMME EXPENDITURE RESOURCE ALLOCATION (AMOUNT KSH MILLIONS)									
	2026/27			2027/28			2028/29		
	Current	Capital	Total	Current	Capital	Total	Current	Capital	Total
Programme 1: ADMINISTRATION, PLANNING AND SUPPORT SERVICES									
SP 1.1 Administration Services	31,650,124	3,000,000	34,650,124	34,815,136	3,300,000	38,115,136	38,296,650	3,630,000	41,926,650
SP 1.2. Personnel Services	25,877,523		25,877,523	28,465,275	-	28,465,275	31,311,803	-	31,311,803
SP 1.3. Financial Services	500,000		500,000	550,000	-	550,000	605,000	-	605,000
TOTAL PROGRAMME 1	58,027,647	3,000,000	61,027,647	63,830,412	3,300,000	75,656,538	79,592,192	3,630,000	83,222,192
PROGRAMME 2: PROVISION OF LEGAL SERVICES									
SP 2.1 Legal Advisory Services	26,302,515		26,302,515	28,932,767	-	28,932,767	31,826,043	-	31,826,043
TOTAL PROGRAMME 2	26,302,515	-	26,302,515	28,932,767	-	28,932,767	31,826,043	-	31,826,043
TOTAL VOTE	84,330,162	3,000,000	87,330,162	92,763,178	3,300,000	96,063,178	102,039,496	3,630,000	105,669,496

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		
	2026/27	2027/28	2028/29	2026/27	2027/28	2028/29
PROGRAMME 1: PROGRAMME 1: ADMINISTRATION, ADMINISTRATION, PLANNING AND SUPPORT SERVICES						
Current Expenditure						
Current Expenditure						
2100000 Compensation to Employees	40,250,210	44,275,220	48,702,742	24,002,158	26,402,374	29,042,611
2200000 Use of goods and services	68,500,000	75,350,000	82,885,000	28,650,124	31,515,136	34,666,650
2400000 Interest Payments		-	-		-	-
2600000 Current grants and other Transfers		-	-		-	-
2700000 Social Benefits	1,840,300	2,024,330	2,226,763	1,875,365	2,062,902	2,269,192
3100000 Acquisition of Non-Financial Assets	16,500,000	18,150,000	19,965,000	3,500,000	3,850,000	4,235,000
4100000 Acquisition of Financial Assets					-	-
4500000 Disposal of Financial Assets					-	-
Capital Expenditure					-	-
Non-Financial Assets	15,000,000	16,500,000	18,150,000	3,000,000	3,300,000	3,630,000
Capital Transfers Govt. Agencies						
Other development						
TOTAL PROGRAMME 1	142,090,510	156,299,550	171,929,505	61,027,647	67,130,412	73,843,453
Sub-Programme 1.1: Administration Services						
Current Expenditure:						
2100000 Compensation to Employees						
2200000 Use of Goods and Services	68,000,000	74,800,000	82,280,000	28,150,124	30,965,136	34,061,650
2400000 Interest Payments						
2600000 Current Grants and Other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	16,500,000	18,150,000	19,965,000	3,500,000	3,850,000	4,235,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets	15,000,000	16,500,000	18,150,000	3,000,000	3,300,000	3,630,000
Capital Transfers to Govt. Agencies						

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	REQUIREMENT			ALLOCATION		
	2026/27	2027/28	2028/29	2026/27	2027/28	2028/29
Other Development						
SUB TOTAL SP 1.1	99,500,000	109,450,000	120,395,000	34,650,124	38,115,136	41,926,650
Sub-Programme 1.2: Personnel Services						
Current Expenditure						
2100000 Compensation to Employees	40,250,210	44,275,220	48,702,742	24,002,158	26,402,374	29,042,611
2200000 Use of goods and services						
2400000 Interest Payments						
2600000 Current grants and other Transfers						
2700000 Social Benefits	1,840,300	2,024,330	2,226,763	1,875,365	2,062,902	2,269,192
3100000 Acquisition of Non-Financial Assets						
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets						
Capital Transfers Govt. Agencies						
Other development						
SUB TOTAL SP 1.2:	42,090,510	46,299,550	50,929,505	25,877,523	28,465,275	31,311,803
Sub-Programme 1.3: Financial Services						
Current Expenditure						
2100000 Compensation to Employees						
2200000 Use of goods and services	500,000	550,000	605,000	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						
Capital Expenditure						
Non-Financial Assets						
Capital Transfers Govt. Agencies						
Other development						
SUB TOTAL SP 1.3:	500,000	550,000	605,000	500,000	550,000	605,000

ANALYSIS OF PROGRAMME EXPENDITURE BY ECONOMIC CLASSIFICATION						
Economic Classification	REQUIREMENT			ALLOCATION		
	2026/27	2027/28	2028/29	2026/27	2027/28	2028/29
PROGRAMME 2: PROVISON OF LEGAL SERVICES						
Current Expenditure						
2100000 Compensation to Employees						
2200000 Use of goods and services	15,500,000	17,050,000	18,755,000	23,802,515	26,182,767	28,801,043
2400000 Interest Payments						
2600000 Current grants and other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	4,500,000	4,950,000	5,445,000	2,500,000	2,750,000	3,025,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets						
Capital Transfers Govt. Agencies						
Other development						
TOTAL PROGRAMME 2	20,000,000	22,000,000	24,200,000	26,302,515	28,932,767	31,826,043
Sub-Programme 2.1: Legal Advisory Services						
Current Expenditure						
2100000 Compensation to Employees						
2200000 Use of goods and services	15,500,000	17,050,000	18,755,000	23,802,515	26,182,767	28,801,043
2400000 Interest Payments						
2600000 Current grants and other Transfers						
2700000 Social Benefits						
3100000 Acquisition of Non-Financial Assets	4,500,000	4,950,000	5,445,000	2,500,000	2,750,000	3,025,000
4100000 Acquisition of Financial Assets						
4500000 Disposal of Financial Assets						
Capital Expenditure						
Non-Financial Assets						
Capital Transfers Govt. Agencies						
Other development						
SUB TOTAL SP 2.1	20,000,000	22,000,000	24,200,000	26,302,515	28,932,767	31,826,043
TOTAL VOTE	162,090,500	177,979,505	196,129,505	87,330,162	96,063,178	105,669,496

3.3 Resource Allocation Criteria.

1. Members of the SWG received the Ceilings (CBROP).
2. Reviewed the priorities as per the CIDP 2023-2027 and ADP 2025.2026
3. Additional Commitments contained in the Mou Between OCA and KLRC
4. Made provisions for the non-discretionary Expenditures (employee renumeration and interest payments).
5. Made provisions for Development Priorities.
6. The remaining amount was allocated towards other recurrent expenditures for operations and maintenance.

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:

Summary of Sector Linkages

SECTOR	LINKAGES
General economics and Commercial affairs	OCA provides legal advisory services to GECA.
Energy, physical infrastructure and ICT	OCA provides legal advisory services to the infrastructure sector. Infrastructure on the other hand assists OCA in preparing BQs and supervising development projects implemented by the OCA.
Agriculture, rural and urban development	OCA provides legal advisory services to the ARUD sector OCA collaborates with the ARUD sector in handling legal matters associated with Conveyancing services
Education sector	OCA provides legal advisory services to the education sector.
Environmental Protection sector	OCA provides legal advisory services to the education sector. Implementation of crosscutting issues in climate change adaptation and mitigation
Health sector	OCA provides legal advisory services to the health sector.
Public Administration, international/national Relations	OCA provides legal advisory services to the PAIR sector. The county Assembly passes bills reviewed by the County Attorney's office from departments The county Treasury provides technical assistance on budget formulation and implementation as well as expenditure control and management to OCA The public service board approves staff establishments and facilitates recruitment of legal counsels and other essential staff. The office of the Governor asents to bills passed by the assembly and passes policies reviewed by OCA. The PSD department supplies OCA with support staff such as drivers, cooks, cleaners, HR officers, Admins and others to assist the department to run efficiently as they are executing their mandate.

CHAPTER FIVE

5.0 EMERGING ISSUES AND CHALLENGES

5.1 Emerging Issues

- I. The emergence of online court hearings presents a multifaceted issue encompassing concerns related to technological accessibility, security, privacy, legal frameworks, fairness, and the long-term implications on the legal system.
- II. Proposed Abolishment of the non-practicing allowance by the SRC's recent issue
- III. Increased cases of litigation against the County government leading to rise in legal pending bills.
- IV. Declaration of various government laws as Unconstitutional Null and Void due to lack of adequate and meaningful public participation

5.2 Challenges

- i. There are inadequate advocates of the High court to carry out the departmental mandates. Support staff are also inadequate such as an accountant, accounting officer and necessary support staff.
- ii. Poor and inconsistent internet connectivity to carry out judicial research
- iii. Inadequate budgetary allocation to support the implementation of key priorities that were planned for including full implementation of the MoU signed with KLRC/KLR
- iv. Capacity constraints relating to inadequate and fragmented office space, insufficient office equipment and lack of a legal library.
- v. Non-compliance with set out laws by county departments sparking a huge number of litigations with 70 percent of cases relating to land, housing and physical planning matters.
- vi. Inadequate training and capacity building budget against very high demand for service delivery
- vii. Lack of vehicles for the department to attend to necessary court cases and other Court mandated field visits.
- viii. Lack of payment of non-practicing allowance to legal counsels
- ix. Necessary policies between departments and sub counties not yet fully developed.
- x. Legal pending bills have been on the rise over the medium term

CHAPTER SIX

6.0 CONCLUSION

The Office of the County Attorney remains a critical institutional pillar in the governance, service delivery, and risk management framework of the County Government of Nakuru. During the review period, the subsector demonstrated measurable progress in litigation management, legal advisory services, legislative support, and institutional reforms, including digitization of legal records, initiation of a County Legal Resource Centre, and conclusion of a significant number of court cases. These achievements underscore the strategic value of a functional and well-resourced legal function in safeguarding public resources, ensuring compliance with the law, and supporting effective implementation of county programmes. However, the review period also revealed persistent structural and financial constraints that continue to undermine optimal performance. These include acute staffing shortages, inadequate budgetary allocations, limited office infrastructure, low uptake of ADR/AJS mechanisms, and a rapidly rising stock of legal pending bills, which pose significant fiscal and legal risks to the County Government. The financing gaps observed between the subsector's resource requirements and actual allocations threaten the timely operationalization of priority interventions such as automation of legal processes, full equipping of the Legal Resource Centre, settlement of legal pending bills, and strengthening of preventive legal compliance across departments.

Looking ahead to the MTEF period 2026/27–2028/29, the Office of the County Attorney has articulated clear, realistic, and outcome-oriented priorities aimed at strengthening institutional capacity, reducing litigation exposure, enhancing access to justice through ADR/AJS, improving legal compliance, and supporting evidence-based policy and legislative development. Successful implementation of these priorities will require deliberate and sustained investment, improved interdepartmental collaboration, and timely settlement of legal obligations to prevent escalation of costs and reputational risks.

In conclusion, adequately resourcing the Office of the County Attorney is not merely an administrative necessity but a strategic investment in good governance, fiscal discipline, and sustainable service delivery. Strengthening the legal function will significantly contribute to reduced litigation costs, improved regulatory compliance, enhanced accountability, and the overall realization of the County's development objectives as articulated in the CIDP and MTEF framework.

CHAPTER SEVEN

7.0 RECOMMENDATIONS

The subsector, proposes the following key recommendations:

- I. The county public service board should fast track recruitment of staff recommended by the departmental human resource establishment to ensure the County has a strong and well-functioning legal unit that effectively executes its mandate.
- II. The county treasury should allocate more funds to the subsector to facilitate full operationalization and procurement of office necessities.
- III. The SRC should review the proposals to abolish non practicing allowance by conducting Public Participation with the County Attorney's Forum as a way of trying to understand the ramifications of such a revision.
- IV. The county departments should engage the Attorney's office in their processes and procedures to prevent occurrence of preventable litigations.
- V. The County treasury should fast-track repayment of eligible pending bills for legal services directorate in collaboration with the County Executive Committee and the County Treasury's Debt management unit .

REFERENCES

- Approved CIDP 2018-2022, CIDP 2023-2027
- Approved ADPs 2023/24, 2024/25, 2025/26
- Approved budgets and Supplementary Budgets FY 2022/23-2024/25
- Annual Progress Report FY 2024/25
- The OCA subsector report 2024/25 -2026/27
- SRC Circular -2023 (<https://src.go.ke/download/proposal-to-review-non-practice-allowance-in-the-public-service/>)
- CBROP, 2023, 2024, 2025
- County Attorney Act no 14 of 2020
- MoU between CGN and the National Council for Law Reporting, 2024
- Approved Staff Establishment
- CFSP 2023, CFSP 2024

APPENDICES

Appendix I: Proposed Projects FY2026/2027

Project Code (IFMIS)	Project Description	Sub County	Ward	Est cost of Project or Contract Value (a)	Timeline		Allocation for 2025/26 Budget					
					Start Date	Expected Completion Date	Equitable	Conditional Grant				
PROGRAMME 2: PROVISION OF LEGAL services												
Sub Programme: Provision of legal services												
4579	Equipping of the County Legal Resource Center	HQ	HQ	23,333,400	2026/27	2026/27	3,000,000	-				
	SUB TOTAL			23,333,400			3,000,000					
	TOTAL			23,333,400			3,000,000					

Appendix II: Summary of Human Resource Requirements

DIRECTORATE	DESIGNATION/ POSITION TITLE	AUTHORIZED ESTABLISHMENT	IN POST AS AT 30 TH JUNE 2025	FUNDED POSITIONS	POSITIONS TO BE FUNDED		
					2025/26	2026/27	2027/28 projection
Administration and Planning	Supply Chain Management officer/Assistant	1	1	0	0	0	0
	Economist/ Statisticians	1	1	0	0	0	0
	Accountant	1	1	0	0	0	0
	ICT Officer	1	0	0	0	0	0
	Human Resource Officers	1	0	0	0	0	0
	Office Administrative Officer/Assistant	2	1	0	0	0	0
	Clerical Officers	2	1	0	0	0	0
	Drivers	3	1	0	0	0	0
	Records Management Officers	1	0	0	0	0	0
	Support Staff	2	0	0	0	0	0
Litigation and Conveyancing	County Attorney	1	1	0	0	0	0
	County Solicitor	1	1	1	0	0	0
	Deputy Chief Legal Officer	1	0	0	0	0	1
	Assistant Deputy Chief Legal Officer	1	0	0	0	1	0
	Principal Legal Officer	2	1	0	1	1	0
	Senior Legal Officer	3	0	1	0	1	1
	Legal Officer II/ Legal Officer I	6	0	1	0	2	3
	Legal Clerk Assistant I	4	1	2	0	0	1
	Legal Clerk Assistant III/Legal Clerk Assistant II	8	2	1	1	2	2
Total Funded Positions		42	12	6	4	7	8