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THE LEGAL INSIGHT

The Official LSK Weekly Newsletter- ANNUAL CONFERENCE EDITION



LAW SOCIETY OF KENYA ANNUAL CONFERENCE 2024

The Law Society of Kenya held its Annual Conference from the 13th - 18th August 2024 at the Diamonds Leisure Beach and Golf Resort in Diani, Ukunda Kwale County. The conference was held under the theme, Empowering Legal Excellence: Good Governance and the Rule of Law for Sustainable Development and the Sub theme of, AI in Law: Navigating the Future of Legal Practice`.

The conference brought over 1,200 legal professionals, policymakers and stakeholders from across Country committed to advancing justice, transparency and accountability in Kenya and beyond. The conference featured a broad range of sessions and side events tailored to diverse segments of the legal community, including Women in law, In-House Counsel, Young Lawyers, and Senior Bar members. The aim was to foster professional development, provide networking opportunities, and address pertinent issues facing each segment of the profession in line with the theme.

Welcome Reception

The welcome reception was held on Wednesday 14th August 2024 where the President Faith Odhiambo made her opening remarks and welcomed members to the Annual Conference 2024.

The President further stated that the welcome cocktail was a way of ushering in a reflection of truth as members would be focusing on the theme for the Conference.



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On the other hand, the Vice President Mwaura Kabata welcomed members and encouraged members to take advantage of the networking opportunity to mingle with old friends and meet new acquaintances.

The invited Guests for the welcome reception included Mr. Henry Lughanje- County Attorney, Kilifi County; Mr. Faraji Chipinde from the Office of County Attorney, Kilifi County and Seth Mwatela-Speaker County. The guests welcomed members to the Coastal town of Diani and wished them a pleasant stay and productive conference.

Side Events of the LSK Annual Conference

Women's Breakfast Forum:

The LSK Women's Breakfast Forum was held in partnership with Federation of Women Lawyers in Kenya (FIDA) under the theme; Tracing the Journey of Advancing Gender equality in Kenya: The Two-Thirds Gender Rule where two panels held various discussion on the same.

Panel 1; The Moderator was Irene Otto, Council Member and the panelists were; Ms. Miriam Bomett- FIDA Vice Chair, Rosalinda Nduati-Managing Partner at Anjarwalla and Khanna Advocates and Hon Martha Karua SC.

Panel 2; The Moderator was Elizabeth Wanjeri, Council Member and the panelist were; Dr. Mercy Deche, Mr. Kevin Walumbe.

There was also a key note address from Ms. Renee Ngamau, a Women's right Advocate and Social Entrepreneur who spoke on, She calls a spade a space- The corporate Woman: A real Talk by Ms. Renee Ngamau.

The two panels indeed concurred that, the Two-Thirds Gender Rule is a constitutional mandate in Kenya that sought to ensure that no gender constituted more than two-thirds of any elected or appointed position in public office. Enacted as part of the 2010 Constitution, this rule is a critical step toward achieving gender balance and promoting equal representation in decision-making bodies.

They further explored on the progress, challenges and future directions in line with the two-thirds gender rule while giving personal accounts and their efforts at they various fields.





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Young Lawyers Forum

The Young Lawyers Forum was held under the theme: Artificial Intelligence (AI) as an Enhancer, not Substitute, of Legal Excellence where the key note speaker was Dorah Msengeti, Advocate, Esheria while the panelist were; Ploycarp Okello, Advocate, Naeem Hirani, Advocate and Maria Mbeneka, Advocate. held various discussion on the same.

The moderator was Ms. Gloria Kimani, Council member.

The panelists were in concurrence that indeed, Artificial Intelligence was rapidly transforming various industries, including the legal profession. While AI has the potential to revolutionize how legal services are delivered, it was crucial to understand its role as a complement to, rather than a replacement for, the nuanced expertise and critical thinking that define legal excellence.

Subsequently, the Young Lawyers Forum presented an insightful discussion on the role of Artificial Intelligence (AI) in the legal field and explored on how AI could serve as a powerful tool to enhance legal practice, rather than replace the essential skills and judgment of legal professionals.

Senior Bar Forum

The Senior Bar Forum was held under the theme; Succession Planning for Sustainable Development where panelists were; Dr. Fred Ojiambo SC, Wilfred Nderitu SC, Lucy Kambuni SC and John Ohaga SC. The moderator was Mr. Tom K'opere Council member.

The forum highlighted that succession planning was not merely a process for replacing leaders; it was a vital component of sustainable development for law firms. By ensuring continuity, fostering growth, managing risks and aligning with core values, succession planning would help law firms thrive and adapt to an evolving legal environment. Investing in a comprehensive succession plan is essential for long-term success and stability in the legal profession.

In a nut shell, effective succession planning is a strategic investment in the future of law firms, ensuring their resilience, growth, and continued success.

In-House Counsel Forum

The In-House Counsel Forum was held under the theme; The Role of In-House Counsel in shaping the future of corporate Governance. where panelists were; Paul Muthaura, Advocate- CEO Africa Carbon Markets Initiative (ACMI), Catherine Musakali, Advocate- FCPSK, ACIrb, OGW, Enock Mulongo, Advocate- Principal Legal Counsel- Financial Services Safaricom PLC. The moderator was Ndinda Kinyili, Advocate, Convener In-House Counsel Committee, LSK.

The forum held discussion and insights on the following key areas:

- Current trends in in-house counsel corporate governance
- The evolving role of in-house counsel in shaping ESG compliance in Kenya.
- Insights into the latest regulatory changes and best practices for maintaining compliance in the corporate environment.



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Sexual and Reproductive Health and Rights (SRHR) Forum

The Sexual and Reproductive Health and Rights (SRHR) Forum was held in partnership with Center for Reproductive Rights Africa under the theme; What has the Law got to do with it? Rethinking Sexual and Reproductive Health and Rights where the panelists were; Mwathi Kitonga, Deputy CEO/ Director Compliance and Ethics, LSK. Timothy Thondu, Legal Advisor CRR, Edigah Kavulavu- Snr, Manager, Africa Probono Services- CRR. The Moderator was Angelica Mecha, Advocate.

It was noted that sexual and reproductive health and rights are fundamental to individual well-being, social equity and economic development. Further ensuring access to SRHR services and upholding these rights supports healthier, more empowered communities and contributes to the broader goals of human rights and sustainable development. It is essential for governments, organizations, and individuals to prioritize SRHR as a key component of health and social policy.

By prioritizing SRHR, we contribute to a healthier, more equitable and sustainable future for all individuals.

Key Highlights of the Main Conference

The Official opening ceremony of the [#LSKAnnualConference2024](#) was graced by Hon Lady Justice Olga Sewe who was representing the Chief Justice Martha Koome. In her speech, she urged Advocates to reflect on their role in the system of administration of justice to effectively uphold the rule of Law. Further, she highlighted the various ways the judiciary has adopted the use of technology to ease service delivery for all its court users. On the challenges experienced, she indicated that the Judiciary is working on eliminating the same and the protection of data.

Hon. Lady Justice Sewe also appreciated the Advocate who stood by the Judiciary when the courts faced hostility for undertaking its constitutional mandate and standing up for the rule of law.

Preceding the Chief Guest's remarks, the LSK CEO Florence Muturi welcomed members to the [#LSKAnnualConference2024](#) highlighting the key aspects of the conference. She then in turn called on the Vice President, Mr. Mwaura Kabata to make his remarks. The VP made a clarion call for members to reaffirm on our commitment to the core of our business which is the protecting the sanctity of the Constitution while adhering to the rule of law and administration of Justice.

On the other hand, the President Faith Odhiambo in her remarks indicated that as members converged for the Annual Conference, it was not just a momentous and highly anticipated occasion on members calendars, but an integral forum for enhancing the unity of purpose for the legal profession.





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She proceeded to note that the conference came at a time when the limits of the Country's democracy was stretched and the resilience of the Constitution and rule of law were tested both insidiously and blatantly. She concluded by calling on Advocates to reflect on how we can translate our individual privileges into action points to impact good governance and sustainable development in the Country.

The Key Note speaker was Mr. Pheroze Nowrojee SC who urged advocates to speak up against bad governance and be champions of good governance, in addition he stated that the office of an advocate is a constitutional office.

There were two break-away streams which addressed the following areas of the theme:

Stream A

The stream tackled the main theme, Empowering legal excellence: Good Governance and the Rule of Law for Sustainable Development and had two speakers: Hon. Kivutha Kibwana, Advocate of the High Court of Kenya who made a presentation on, Role of LSK in promotion of Rule of Law and Constitutionalism and catalyzing Socio-Political Change 1949- 2024.

The other Speaker was Charles Kanjama SC who made a presentation on, Technicalities as a Graveyard for Justice.

The moderator was Dr. Nabil Orina, Advocate

Stream B

The stream tackled the sub theme, Artificial Intelligence in Law: Navigating the Future of Legal Practice and had the following speakers: Peter Koiria Advocate of the High Court of Kenya who made a presentation on, The Infinite Possibilities of Artificial Intelligence and Good Governance in Advancing Sustainable Development Goals: A Legal Perspective.

Sentai Simons, Co-founder & Director & Maria Petrat, Lawyer & Legal Innovator 637 Capital, New York & Nairobi presented on, How to Use Artificial Intelligence in the Management of a Modern Law Firm; while Immaculate Kassait, MBS Data Protection Commissioner presented on, Data Protection Considerations When Incorporating Artificial Intelligence in Legal Practice

The moderator was Zakayo Alakonya

Day 2

On the second day of the [#LSKAnnualConference2024](#), the Chief Guest was Hon. Prof. Palamagamba John Aidan Mwaluko Kabudi, Minister for Constitutional & Legal Affairs of the United Republic of Tanzania. In his address, he noted that on Advancing [#GoodGovernance](#), it was part of the LSK's role as a [#SustainableDevelopmentGoal](#), therefore for Lawyers, as much as we defend our people, we need to be conscious of our actions. We need to think about the people and LSK has done well in that aspect; while on [#ArtificialIntelligence](#) (AI), he stated that it does not replace human intelligence therefore we need to have a regional approach, not a European approach or any other. In this and other areas of integration, for instance, in Kiswahili- English translation in nomenclature and vocabulary of the law so that when we feed this in the virtual world, we have a common language in the Google translator.





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Mr. Elisha Ongoya delivered his address titled, Our role as Kenya Advocates in recentering the rule of law for sustainable development in a fast-changing world. He highlighted that in the surge for of technology's development, he proposed four realms where the rule of law should be realigned to shape AI's advancement for our future's embrace and enhanced expense and they include the following; Advocating for legal reforms, ethical standards, promoting legal awareness and demanding accountability and finally, ensuring access to justice.

There were two break-away streams which addressed the following areas of the theme:

Stream A

The stream held discussion on, Empowering Legal Excellence: Good Governance and the Rule of Law for Sustainable Development and the following speakers lead the discussions:

Dr. Andrew Khakula, Advocate Partner, ABK Advocates LLP, made a presentation on, Exploring The Role of Citizen Participation in Championing Good Governance and The Rule of Law for Sustainable Development in Kenya

Florida Kabasinga Secretary General, East Africa Law Society & Founder & Managing Partner, CERTA Law, made a presentation on, Empowering Legal Excellence: The Role of the Lawyer in Supporting the Development Goals and Promoting Sustainable Development of East Africa

The moderator was Dr. Martin Oloo

Stream B

the Stream handled, Artificial Intelligence in Law: Navigating the Future of Legal Practice.

The following speakers led the discussions:

Beverline Ongaro Advocate of the High Court of Kenya, made a presentation on, A Human Rights-Based Approach to Integrating Artificial Intelligence in Legal Practice: Promise and Pitfalls

Maria Mbeneka, Advocate, made presented on, Impact of AI and an Overview of Ethics in the Legal Profession

Waithera Kabiru, Digital Hub Lead - Africa, presented on Unlocking Operational Efficiencies with A.I.

The moderator was Boke

Closing Ceremony

The Closing ceremony of the week- long conference was graced by Hon. Martha Karua SC who appreciated the LSK for conference and the topics discussed that were very timely.



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She encouraged advocates to carry the lessons learned here into their respective fields, striving to uphold the principles of justice and fairness while embracing the transformative potential of technology. She further stated that together, we can build a future where the rule of law and good governance continue to drive progress and ensure sustainable development for all.

“Nations are made by its citizens. Institutions are good as the persons manning it. The LSK Leadership, the previous and the current, has been able to bring cohesiveness in the profession. We need to ask ourselves how we can help our Country get where the framers of the Constitution wanted us to be. A nation where our needs are prioritized.” Martha Karua as she officially closed the [#LSKAnnualConference2024](#).

Gala Dinner and Awards Ceremony

In the evening after the close of the conference, members were hosted for a Gala Dinner which was sponsored by the East Africa Breweries Limited by the sandy beaches of the Indian Ocean to celebrate the culmination of the concluded conference on [#GoodGovernance](#), the [#RuleofLaw](#), and the evolving role of [#AinLaw](#).

The Event Moderators Ms. Linda Kiome, Council member and Mr. Stephen Mbugua Council Member stated that that it was an evening to acknowledge, appreciate and celebrate the sponsors, speakers and moderators of the [#LSKAnnualConference2024](#) who made the event possible with their generous support.

In addition, it provided an opportunity for members to reflect on the rich discussions had and new connects made. They further indicated that it was an evening to acknowledge and appreciate the sponsor of the [#LSKAnnualConference2024](#) who made the event possible with their generous support.

The event moderators led the awards ceremony where the sponsors, speakers and moderators were awarded for their support, dedication and making the conference a success. The awards were presented by the LSK Council Members.

Corporate Social Responsibility (CSR)

On 17th August 2024, the Council of the Law Society of Kenya in collaboration with the Advocate Benevolent Association (ABA) undertook the Society’s Annual CSR activity at the BornAgain Children’s Home during the [#LSKAnnualConference2024](#).

The team supported the Children’s Home with essential supplies including foodstuff and flooring materials to help create a safe and nourishing environment for the kids.

[#CommunitySupport](#) [#GivingBack](#) [#LawyersForGood](#)



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LSK President Golf Tournament

On Saturday 17th August 2024, over 50 golf enthusiasts from around the country registered for the exciting one-day event dubbed the [#LSKPresidentsGolfTournament2024](#) which was played at the Diamonds Leisure Beach and Golf Resort.

This year's tournament showcased the stunning, lush greens and challenging fairways of Diamonds Golf Resort. Preceding the fierce competition from the players saw the LSK President Faith Odhiambo teeing off the games to ushering in the tournament.

Spectators enjoyed the perfect Diani tropical climate, characterized by warm temperatures and high humidity adding to the tournament's charm. The event also featured various fan activities and a lively clubhouse, making it a memorable experience for all in attendance.

The day came to an end with an exciting awards ceremony which took place at the clubhouse grounds decorated with floral arrangements and golf-themed decor. The atmosphere was filled with anticipation and excitement as players, members and spectators gathered to celebrate the achievements of the tournament's standout performers.

The following golfers were awarded as follows:

- Best Effort- James Delamere
- Men Nearest to the pin - Jimmy Kingori
- Lady Nearest to the Pin- Josephine Ndiho
- Men longest drive Scott Caruthers
- Lady Longest drive- Nancy Ikinu
- Junior Longest Drive- Alpha Wise
- Sponsor winner- Sifa Dena
- Sponsor Runner up- Lawi Mbira
- Guest Winner men - Milkhail Fernandes
- Guest Lady Winner - Getrude Mwendah
- Gross Winner- Scott Caruthers
- Men winner- Mark Kotonya
- Lady Winner - Provia Odhiambo
- Men 1st runners up- Austin Odhiambo
- Lady 1st runners up - wangoko njoroge
- Men 2nd runners up - Joseph wandaro





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- Lady 2nd runners up - Nancy Ikinu
- Men 3rd runners up - C kariuki
- Overall winner - Allen Gichuhi SC

The regions that played were Nairobi, Coast, Mt. Kenya, Rift Valley, South Eastern and Western. The winners were as follows

- 1.Coast,
- 2.Nairobi and;
- 3.Mt. Kenya

The Society appreciates the MC, George King Gustavo for his energy, professionalism and ability to seamlessly guide the conference from the start to the end, while engaging meaningful interactions with the audience; this contributed to the conference's success.

The photo gallery for the conference can be accessed on this link, <https://drive.google.com/drive/folders/1uO-vn0ZGBoz9SfH2WnjTlqpfvOxj4u10>





VACANCY- ASSOCIATE ADVOCATE

Migos Ogamba & Waudo Advocates, a well established medium sized law firm based in Nairobi and Kajiado requires the services of a high calibre Associate Advocate for its Kajiado Office.

Duties & Responsibilities:

- Ability to prepare security documents and ensure they are properly executed and properly registered
- Provide legal opinion, advice on commercial and corporate transactions and matters relating to property & real estate.
- Carrying out the negotiation, drafting and review of commercial contracts, legal documents and ensuring they are duly executed
- Offer advice to clients on the legal processes involved in purchasing & selling of property.
- Carrying out the negotiation, drafting and review of commercial contracts and ensuring they are duly executed
- Conduct due diligence on conveyancing transactions, prepare sale agreements, completion documents and ensure proper registration of documents
- Processing of stamp duty payments and registration of documents at various registries.
- Procure clearance certificates and consents.
- Liaison at the Land Registry and Government departments.
- Drafting conveyancing documents and other legal documents.
- Prosecuting and defending civil, commercial and land matters.

Qualifications & Requirements

- Advocate of the High Court
- At least three (3) years Post admission experience in a busy law firm.
- An upper 2nd Bachelors of Laws (LLB) degree from a recognized university.
- A valid practicing certificate
- Certificate of Good Standing from the Law Society of Kenya
- Clearance Certificate from the Advocates Complaints Committee
- Be computer literate



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Competencies & Skills

- Experience in a busy law firm dealing with commercial and conveyancing matters.
- Excellent knowledge and practical understanding of the legal and judicial systems.
- High degree of responsibility, professional ethics and personal integrity at a personal and professional level.
- Ability to develop positive relationship with clients and manage/meet client expectations.
- Excellent analytical writing, oral presentation, organizational and computer skills.
- Good knowledge and experience in research skills and drafting of legal documents.
- Good communication and ultimate customer service skills.
- Proactive, aggressive and self-motivated.
- High Level of accuracy and attention to detail.
- Team player with leadership skills.
- Excellent interpersonal skills.
- Ability to manage pressure and meet targets.
- Ability to demonstrate acumen in business development.
- Work independently with minimum or no supervision and ready to lead.

Remuneration

Competitive and dependent on qualifications, skills and experience.

Interested and qualified persons are requested to submit their applications to hrlegal@migosogamba.com on or before August 28, 2024 indicating their current and expected salary together with detailed Curriculum vitae, copy of National Identity Card, copies of academic and professional certificates and testimonials.

COUNCIL DECISIONS TAKEN ON 13TH AUGUST 2024

The Council Decisions on applications taken on 13th August 2024 for admission to the Roll of Advocates, Practicing Certificates, Notary Public and Commissioner for Oaths and Admission petitions can be accessed on the link: <https://drive.google.com/drive/folders/1qHDLcRnTMFAsyxH8yosbvn8KQGeUeRIS?usp=sharing>



NOTICE

COUNCIL OF LEGAL EDUCATION (CLE)- VACANCIES FOR SETTERS, MARKERS & MODERATORS



COUNCIL OF LEGAL EDUCATION

VACANCIES FOR SETTERS, MARKERS, & MODERATORS

The Council of Legal Education is a statutory body established by the Legal Education Act, Cap 16B.

Our mission is to ensure quality legal education through responsive regulation and administration of Bar Examinations. In fulfilment of that mandate, Council is seeking experienced Legal Professionals to contribute to the future of the Legal profession.

Council invites applications for advocates or experienced professionals with experience to provide the following services.

1. ATP Examination Setter
2. ATP Examination Marker
3. ATP Examination Moderator

The setters, markers and moderators are required for the following examination papers.

1. ATP 100 - Civil Litigation
2. ATP 101 - Criminal Litigation
3. ATP 102 - Probate & Administration
4. ATP 103 - Legal Writing & Drafting
5. ATP 104 - Trial Advocacy
6. ATP 105 - Professional Ethics
7. ATP 106 - Legal Practice Management
8. ATP 107 - Conveyancing
9. ATP 108 - Commercial Transactions

Procedure of application

1. Visit council's careers page at https://cle.or.ke/test_jobs/careers/;
2. Browse through the list of open opportunities;
3. Select relevant role of expertise; and
4. Submit your application through this link: <https://forms.office.com/r/B9s8b2shP2>

Thank you.


Secretary/ CEO
Council of Legal Education
829 - 00502, Karen
Kenya
Ms. Jennifer Gitiri, HSC
Ag. Secretary/CEO
COUNCIL OF LEGAL EDUCATION



NOTICE

ADVOCATES BENEVOLENT ASSOCIATION



The Board of Management of the Advocates Benevolent Association successfully conducted its annual CSR activity at the Born Again Children's Home in collaboration with the LSK Council.

The Board extends its heartfelt gratitude to all members and stakeholders whose presence and contributions were instrumental in ensuring the event's success.

We express particular appreciation to Diamond Trust Bank, whose generous donation of t-shirts brought joy and smiles to the children.

The support of all participants is not only recognized but deeply valued as we collectively strive to make a positive impact on our communities.



The Advocate

The Advocate Magazine

Vol 1 Issue 16 - Annual Conference Edition 2024

PRESIDENT'S DISPATCH

Champion of Justice:

LSK President

Faith Odhiambo, Steering
the Legal Community
Forward



EMPOWERING LEGAL EXCELLENCE:

Good Governance and the
Rule of Law for Sustainable
Development



CURRENT AFFAIRS:

Taxation in a corrupt soci-
ety, who benefits?



AI IN LAW:

Navigating the Future of
Legal Practice



www.lsk.or.ke



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