



**REPUBLIC OF KENYA
COUNTY GOVERNMENT OF BOMET
OFFICE OF THE COUNTY ATTORNEY**



ANNUAL REPORT

2024/2025

MESSAGE FROM THE COUNTY ATTORNEY

It is my pleasure and honor to present the Annual Report for the Office of the County Attorney for the Financial Year 2024/2025 pursuant to Section 28 of the Office of the County Attorney Act.

During the year, the Office discharged its mandate in provision of timely legal advice to the county government departments, entities and agencies. This includes representing the county executive in court or in any other legal proceedings to which the county is a party, advising county departments on legislative and other legal matters, vetting agreements and memorandum of understanding for and on behalf of county executive departments and its agencies.

In its bid to strengthen its capacity to discharge its mandate efficiently and effectively, the Office of the County Attorney through the County Public Service Board engaged additional legal officers and a legal assistant. This is intended to ensure that legal matters are handled internally thereby reducing on costs incurred through outsourcing of legal services.

It is gratifying to note the high standard of professionalism demonstrated by our officers in discharge of their duties.

Going forward, the Office of the County Attorney remains committed to deliver on its mandate and vision to be the lead institution in promotion and protection of the rule of law, ethical behavior and good governance.

This will be achieved strengthening alternative dispute resolution mechanism thus safeguarding not only the interests of our great County but also its residents.


Hon. Langat John M.K.
COUNTY ATTORNEY

1.0 Preamble

This report is prepared in accordance with the Constitution and Section 28 of the Office of the County Attorney Act which stipulates that the County Attorney shall prepare and furnish to the Governor a report of the operations of the office during the year containing the financial statements of the office; a description of the activities of the office; and such other information relating to its functions that the office may consider necessary.

The Office of the County Attorney is established under the provisions of the Office of the County Attorney Act which is an Act of Parliament to:

establish the Office of the County Attorney; provide for the functions and powers of the County Attorney; provide for the discharge of duties and the exercise of powers of the County Attorney; and for connected purposes.

Section 4 of the Act provides for the Office of the County Attorney, the County Solicitor and such other number of County Legal Counsel as the County Attorney may, in consultation with the county public service board consider necessary.

1.1 Functions of the County Attorney

The County Attorney -

- (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 instructions of the county government, represent the county executive in court or in any other legal proceedings other than criminal proceedings;
- (d) Shall advise county executive departments 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 revision of laws

The Act prohibits county departments in the executive from engaging services of a consultant to render any legal services without approval of the county executive committee.

1.2 Current Status

The Department currently has the following officers

1. County Attorney - Langat John M.K.
2. County Solicitor - Geoffrey K. Korir
3. Chief County Legal Counsel (Director) - Andrew N. Matwere
4. Senior Principal County Counsel - Cosmas K. Koech
5. County Legal Counsel - Topias Korir
6. County Legal Counsel - Caroline Chemutai

7. Haron Ngeno -Legal Assistant
8. Gilbert Yegon-Legal Assistant

1.3 Key Milestones

During the period the Office handled several litigation matters against county executive departments (*See Annex 1*). I am glad to report that the same were handled by the department hence reducing costs.

The Department also reviewed several bills, policies and regulations before being tabled in the County Executive Committee. These include the Bomet County Revenue Administration Bill, Bomet County Rating Act 2025, Bomet County Loan and Mortgage Regulations

The Office of the County Attorney also actively participated in the Legal Awareness Week in conjunction with the Law Society of Kenya in which residents were given free legal aid.

The Office of the County Attorney is an accredited training centre for pupils undertaking Advocates Training Program at the Kenya School of Law. The training is for a period of six months.

The training is undertaken in accordance with the Constitution of Kenya, the Advocates Act, the Kenya School of Law Act, 2012 and the Kenya School of Law Pupillage guidelines.

During the period, the department trained two pupils under the above program.

The department in discharging its mandate assisted departments in drafting and signing memorandum of understanding between the county government and other institutions including:

- (a) Kenya Medical Training College
- (b) Nyayo Tea Zones Development Corporation
- (c) Kenya Red Cross Society
- (d) State Department for Water, Sanitation and Irrigation (Kenya Water and Sanitation Hygiene Program -K-WASH)
- (e) State Department for Basic Education (Issuance of Bursaries)
- (f) State Department for Health (National Equipment Service Project)

1.4 Pending Court Matters

There are several ongoing matters in various courts across the country. They include land, accident claims, employment and labour relations and contract. In a bid to minimize these matters and reduce on attendant costs, the Office has reached out to parties involved to explore alternative dispute resolution mechanism. During the fiscal year 2024/2025, a total of Kenya shillings 20,574,796.55 was paid in legal fees and court awards as shown in **Annex 2**.

1.5. Challenges

- Evolving regulatory and compliance requirements.
- Hitherto, the Office has been facing acute staff shortage with the result that some cases have had to be handled by external lawyers. It is gratifying to note that the County Public Service Board has recruited additional legal officers. This will reduce the cost of outsourcing legal services save and except where there is potential conflict of interest.
- Limited Budgetary Allocations

The last three years has witnessed a significant reduction of the budget from the over Kenya shillings 40 million in 2020 to Kenya shillings 13 million in 2024. This does not reflect the huge workload and the huge court awards and advocates fees.

1.6 Target for the next Financial Year

- Carry out legal awareness
- Undertake legal audit and compliance in key county departments
- Periodically review existing policies and legislations
- Promote partnership with other other players in legal and justice sector
- Build capacity of staff within the department.

Conclusion

The Office of the County Attorney remains committed to providing timely legal advice to the county government departments, entities and agencies in keeping with its mandate. Besides, it shall strengthen the legal, policy and institutional framework on anti-corruption, ethics and integrity.

Langat John M.K

COUNTY ATTORNEY

ANNEX 1



**REPUBLIC OF KENYA
COUNTY GOVERNMENT OF BOMET
OFFICE OF THE COUNTY ATTORNEY**

Date: June 20, 2025

Prepared by: Office of the County Attorney

1. Matters Handled by Advocate – LANGAT JOHN M.K

S/N	Case Number	Parties	Nature of Case	Status
1	Kericho CMCC E082/2024	Mary Chepkemai Cheruiyot v County Government of Bomet	Accident claim	Memo of Appearance and Defence filed
2	Makueni HC Petition E006/2024	Kenya Human Rights Commission v Makueni County Govt & 19 Others	Revenue allocation below 30%	Judgment delivered; CECM Finance to report to OCOB
3	Nakuru ELRC E007/2020	KMPDU v CGOB	Party & Party Costs	Ksh. 240,935 due for payment

2. Matters Handled by Advocate – GEOFFREY K. KORIR

S/N	Case Number	Parties	Nature of Case	Status
4	Bomet SPMCC E002/2024	Leonard Langat Kitur & Another v CGOB	Land dispute	Case withdrawn, marked closed
5	Nakuru Civil Appeal E032/2024	Bomet County Public Service Board v CGOB & BPSB	Employment dispute	Mention on 5th March 2025
6	Nakuru CoA Civil App. E029/2024	CGOB v KCGWU & Another	Employment dispute	Awaiting directions

S/N	Case Number	Parties	Nature of Case	Status
7	Bomet HC Civil 1/2019	AID (Africa Ltd) v CS & Another	Breach of contract	Ksh. 500,000 balance remains unpaid
8	Bomet HC E001/2023	Jubilee Ltd v CGOB & 3 Others	(No details)	(No status provided)

3. Matters Handled by Advocate – ANDREW N. MATWERE

S/N	Case Number	Parties	Nature of Case	Status
9	Bomet HC Civil Appeal 44/2023	Bomet Water & Sanitation Co. v Sharon Chelangat & Another	Accident claim	Ksh. 2,320,000 due for payment
10	Bomet CMC E058/2023	Desley Holdings Ltd v Olbutyo Dairy Co-op & Another	Civil dispute	Pre-trial, compliance with Order 11
11	Bomet SPMCC ELC 35/2023	Joseph K. Sanga v CEC Health & Another	Land dispute	Hearing ongoing
12	Bomet HC Petition E002/2024 (Eldoret)	Stanley Maina & Weldon Kibet v Governor & 5 Others	Constitutional petition	Awaiting directions on main hearing
13	Bomet PMC Land 2/2022	Robert Koros v CGOB	Land dispute	Awaiting CO Roads' instructions
14	Bomet PMC ELC E021/2022	Richard Koech v CGOB	Land dispute	Defence filed
15	Kericho ELC 18/2015	Eunice Chepkorir v BOMWASCO & Another	Land dispute	Pending 2nd Defendant's defence & submissions
16	Nakuru CoA E171/2024	CGOB & 2 Others v Margaret Chebet	Employment dispute	Awaiting court directions

4. Matters Handled by Advocate – COSMAS KOECH

S/N	Case Number	Parties	Nature of Case	Status
17	Nakuru CoA Civil App. 11/2020	Kirwa Jonah T/A Mwakio & Co. v BPSB & CGOB	Disputed bill of costs	Ksh. 3,300,000 due
18	Kericho ELRC E019/2023	Patrick Cheruiyot v BOMWASCO & Another	Employment award (partially paid)	Balance: Ksh. 2,735,295.93
19	Bomet PMC 50/2019	Evaline C. Langat & Josphat K. Langat v CGOB	Accident claim	Ksh. 1,468,190 due
20	Bomet SPMCC ELC E018/2022	Alexander Rere v CGOB & Land Registrar	Land purchase dispute	Ksh. 1,500,000 due
21	PPARB App. 99/2023	Astronea Construction Ltd v CO & CGOB	Procurement dispute	Ksh. 250,000 due
22	Kericho SCC E124/2024	Faulu Microfinance Ltd v Richard Langat & CGOB	Small claims	Third party notice missing; pleadings not served
23	Nakuru CoA CA/32/2016	Daniel Chege Kamau v CGOB	Disputed bill of costs	Grounds of opposition filed

5. Matters Handled by Advocate – TOBIAS KORIR

S/N	Case Number	Parties	Nature of Case	Status
24	Kericho SCC E016/2025	Bremlyn Ltd v CGOB & Another	Procurement dispute (retention claim)	(No further status provided)
25	Bomet CC E110/2023	John K. Kiludir & William Malenga v Bomet Water	Civil dispute	Awaiting instructions
26	Bomet CC E197/2023	Simon L. Taiwa v Lake Victoria & BOMWASCO	Civil dispute	Awaiting instructions
27	Bomet CC E198/2023	John K. Kantare v Lake Victoria & BOMWASCO	Civil dispute	Awaiting instructions

6. Matters Handled by Advocate – CAROLYNE CHEMUTAI

S/N	Case Number	Parties	Nature of Case	Status
28	Constitutional Petition E002/2025	IMLU & Another v Longisa CRH & 3 Others	Medical negligence	Mention set for 23rd June 2025

7. Other Cases

S/N	Case Number	Parties	Nature of Case	Status
29	Bomet CMCC 128/2024	Benjamin Kiprotich v CJOB	Accident claim	Underwriter (Heritage Insurance) took over
30	Bomet CMCC 129/2024	Caleb Kipkoech v CJOB	Accident claim	Underwriter (Heritage Insurance) took over
31	Nakuru COACA 28/2018	Kosgei Toppias & 4 Others v CJOB & Another	Employment dispute	Appeal dismissed

Prepared by _____

For County Attorney

ANNEX 2

VOTE CODE	DEPARTMENT	VOTE	PAYEE	DATE	AMOUNT
60859	0-4761-4761000101-00001001-0707014760-2211308	Legal Dues/fees, Arbitration and Compensation Payments	Betty Mwenesi And Associates	29-Nov-24	5,000,000.00
62175	0-4761-4761000101-00001001-0707014760-2211308	Legal Dues/fees, Arbitration and Compensation Payments	Betty Mwenesi And Associates	28-Feb-25	4,355,996.00
64002	0-4761-4761000101-00001001-0707014760-2211308	Legal Dues/fees, Arbitration and Compensation Payments	Betty Mwenesi And Associates	18-Jun-25	562,127.00
64311	0-4762-4762000101-00001001-0101014760-2211308	Legal Dues/fees, Arbitration and Compensation Payments	Singoei Murkomen And Sigel Associates	27-Jun-25	5,370,000.00
62703	0-4761-2211308-00001001-0707014760-47600001	Legal Dues/fees, Arbitration and Compensation Payments	ONESMUS LANGAT AND COMPANY	21-Mar-25	3,444,451.00
62704	0-4761-2211308-00001001-0707014760-47600001	Legal Dues/fees, Arbitration and Compensation Payments	ONESMUS LANGAT AND COMPANY	24-Mar-25	172,222.55
64277	0-4762-2211308-00001001-0101014760-47600001	Legal Dues/fees, Arbitration and Compensation Payments	ONESMUS LANGAT AND COMPANY	28-Jun-25	1,670,000.00
					20,574,796.55