



REPUBLIC OF KENYA

**OFFICE OF THE ATTORNEY-GENERAL
&
DEPARTMENT OF JUSTICE**

YOUR REF: TBA
OUR REF: CC/PE/AUG/22/36 (6833)

Date: 5/9/2022

ERICK MANGO OTIENO
P.O BOX 184-40400
SUNA, MIGORI

“Via Email; erickmango2006@yahoo.com”

Dear Sir,

**RE: YOUR COMPLAINT AGAINST OWADE & CO. ADVOCATES AND MUDEYI
ALBERT OKUMU, ADVOCATE**

We write making reference to the above matter and acknowledge receipt of your complaint lodged with the Commission on 19TH August 2022.

Upon perusal of your complaint, we wish to respond as follows:-

1. In your complaint lodged via Help Form dated 18/8/2022, you are complaining against two different advocates as mentioned herein above. We request that you lodge two separate complaints in that regard.
2. Kindly avail proof of payment of the legal fees to the advocate(s).
3. Your complaint as received does not contain ANY evidence to ascertain your allegations against the advocates. Kindly avail documentary evidence to substantiate your claims against the said advocates.
4. Kindly avail proof of instructions to the said advocate(s) and the circumstances surrounding ‘rejection’ of the brief.
5. It is the duty of a client to pay legal fees to the advocate for professional services rendered. The law places the duty on the client in exchange for professional legal services. Unless a written fee agreement exists between the advocate and his/her client, an advocate has no duty to render any professional legal services if the issue of fees is not addressed. Thus our insistence on proof of legal fees by yourself for legal services.

Kindly note that the Commission shall only pursue the complaint(s) as soon as we receive relevant evidence. Further to this, kindly take note that the Commission is

ADVOCATES COMPLAINTS COMMISSION

COOPERATIVE BANK HOUSE, 20TH FLOOR, HAILE SELASSIE AVENUE

P.O Box 48048-00100, NAIROBI, KENYA.TEL: +254 20 2224029/2240337/0700072929/0732529995

EMAIL: acc@ag.go.ke WEBSITE: www.acc.go.ke

mandated to enquire into complaints against advocates, Law firms and their employees. After due enquiry, we are mandated to either: reject the complaint, promote reconciliation and/or encourage and facilitate an amicable settlement or, if a disciplinary offence that is serious or aggravated is disclosed, to file a complaint before the Disciplinary Tribunal. Once investigation is conducted and evidence adduced proving the acts of professional misconduct, the Commission may then draft charges for presentation before the Tribunal which shall then act further.

Let us have evidence within **21 days** from the date hereof. You may send an advance copy of your response to leah.mutua@ag.go.ke.

Yours faithfully,

**FOR: COMMISSION SECRETARY,
ADVOCATES COMPLAINTS COMMISSION.**

LM

**Leah M. Mutua
Senior State Counsel.**

