

RAFIKI ATTORNEYS & COMPANY ADVOCATES



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ABOUT THE FIRM

INTRODUCTION

Rafiki Attorneys & Company Advocates (RACA) was started by young, vibrant lawyers who have a range of experience from litigation to various areas of the law. We are therefore a firm that provides a wide range of legal services in areas where we have technical superiority and depth of experience.

VISION

Reliable, distinctive, and cost-effective legal services to our clients delivered in a timely manner.

MISSION

To use our professionalism and competence in providing reliable legal services to our clients.

GOAL

We are committed to becoming the law firm of choice for those who seek extensive experience, high proficiency, and incomparable devotion in providing legal services.

OBJECTIVES

- To offer professional services without any discrimination to both private individuals, communities, corporate organizations, and governmental bodies in accordance with the finest ethics of the society of law.
- To promote and stoutly defend the Rule of Law.
- To enhance and promote the cause of justice nationwide through the development of case law, legislation, and development.
- To encourage and promote legal knowledge and education in the practice of law nationwide.
- To assist in the protection, promotion and uplifting of the integrity of the legal profession.
- To disseminate and import these ideals to succeeding generations of members of the legal profession nationwide.



PHILOSOPHY

As a firm we cherish the practice of our profession and have a passion for justice. We are driven by a hard-working spirit and have adopted a slogan of 'Hongera kwa Kazi' to mean congratulations for work instead of 'Pole kwa Kazi,' a common Swahili word to connote sorry for work. This philosophy was adopted since the law firm began. It is this philosophy which energizes the RACA staff to diligently attend to clients' issues all the time. We can summarise our philosophy in the following points:

- We always strive to excel in everything and enable everyone who works with us - our people, our clients, our business associates to achieve their maximum potential.
- We ensure that the work we do and the services we provide are consistently of the highest standard.
- We are open to constructive criticism and suggestions for improvement.
- We encourage everyone to strive to go further.

TEAM CORDINATION

Our firm works as a team. Every case and or project that is accepted by the firm is approached as teamwork. The assignment of the case to a lawyer is done only after careful analysis of the case.

For this reason, cases, as well as projects, are handled by a working team that is headed by a partner. The team may vary in size, depending on the nature of the problem and the complexity of the case. The members of the team are responsible for drafting the necessary pleadings, proofreading them, and ultimately filing the requisite pleadings and other legal documents. Further, the team attends hearings and monitors the case as a whole or is represented by an advocate who is dully instructed.

The lawyers at RACA ensure that they form a close working relationship with the clients to ensure that their cases are handled in a proficient yet efficient approach. It is our rule to involve our clients in the handling of their referrals and to communicate with them regularly about the progress of their cases. We do this knowing that our clients are experts in their cases. This means that the clients who approach our firm know the facts of their cases exactly, and that they will be treated as experts, not as laypeople. Our team cannot handle a case without first extracting useful information from the client.



We have an open communication system where our clients can easily reach us whenever they feel the need. And we are working as a family as stated below:

- We treat everyone who works with us as our family - with courtesy and respect.
- We care about our people's well-being and welfare while creating a friendly and joyful working environment and instilling in everyone a strong sense of belonging.
- We promote team spirit and help to support each other so that we take pride in each other's success.

DEDICATION

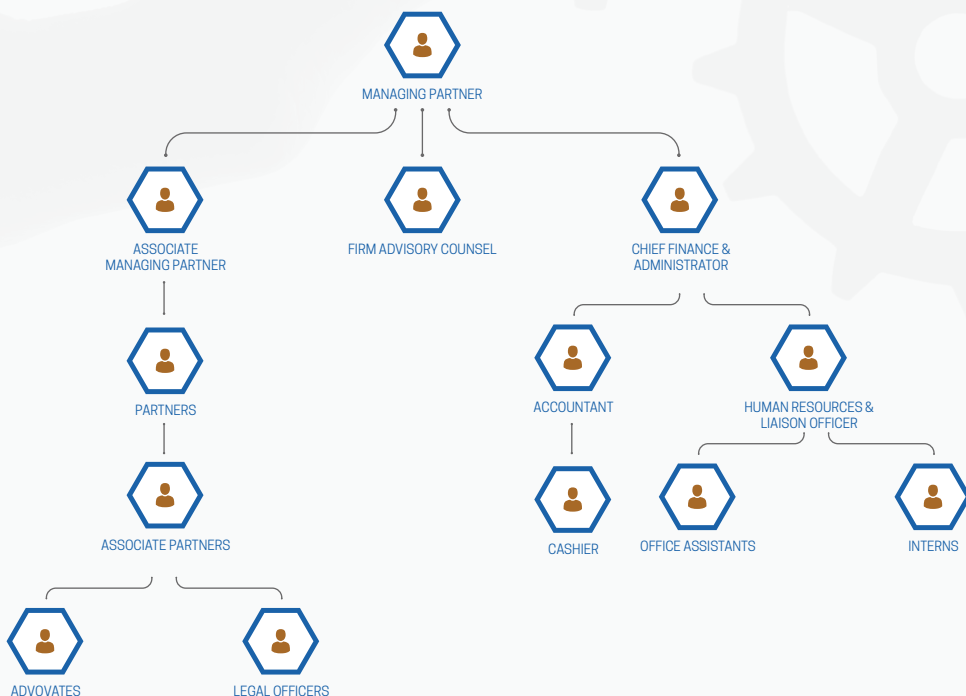
Our firm is committed to adhering to ethical issues. We maintain confidentiality and a fiduciary relationship with our clients in our legal services. Indeed, our staff is trained to keep the cases and matters involving our clients confidential. And our clients are assured that the issues discussed with our lawyers never pass to a third party without formal consent from the client. The outline below exemplifies our dedication to ethical issues:

We have an open communication system where our clients can easily reach us whenever they feel the need. And we are working as a family as stated below:

- We are totally dedicated to providing the highest standard of legal services to our clients.
- We are caring and understanding in managing our relationships with our clients.
- We understand and anticipate our clients' needs, requirements and business, and help them to develop and succeed.
- We foster our relationships with our clients based on trust, mutual respect, and integrity.
- We make working with our clients an enjoyable experience.

ORGANIZATIONAL STRUCTURE

Our law firm is managed as a structured organization. The Steering Committee is the highest body of decision-making within the firm. It oversees the function of the firm by approving policies and procedures, hiring the Managing Partner or Counsel, as the case may be, admitting partners and or associates, and coordinating with other law firms interested in working with our firm. The Managing Partner in the chain of the organization is in charge of the day to day business of the firm. He has overall responsibilities and powers in hiring support staff, representing clients before courts of law, managing other staff, and determining the direction of the firm; he has the authority to sign documents relating to the firm (aside from client work) such as tender documents and projects to be secured by the firm. The Associate Managing Partner, Firm Advisory Counsel, Chief Finance & Administration Officer, and other staff assist the Managing Partner in the operations of the law firm.





AREAS OF PRACTICE

LAND LAW AND PROPERTY CONVEYANCING

Our law firm deals with different areas of land law and conveyancing. We are involved in handling land disputes before the district land and housing tribunals and the High Court of Tanzania in matters relating to land issues. We also prepare documents for disposition of landed property. Our firm considers this an important area of practice and further provides land disposition, process change of use of land, transfer of title and re-registration, and division of titles services.

COMPANY FORMATION, SACCOS AND NGOS REGISTRATION

RACA provides services to new and existing businesses by providing company formations, savings and credit co-operative societies services (SACCOS), while also serving as an NGO formation/incorporation agent. Our law firm provides company formation and NGO registration services as part of the general services of assisting both local and foreign individuals and other business entities to set up their legal presence in Tanzania. One of our Partners, Mr Otieno, has extensive experience in undertakings related to company formation, SACCOS and NGO registration. We can therefore process incorporations relating to a company limited by shares or limited by guarantee, and register a foreign company in Tanzania by obtaining a certificate of compliance. We provide fast and efficient services in this area.

LABOUR & IMMIGRATION

The firm handles proceedings involving the enforcement of labour and employment laws before the Commission for Mediation and Arbitration and before the High Court of Tanzania. Prior to advising the clients about instituting a labour suit, the firm analyses the reason for termination of employment and, after satisfying itself that there are substantive and procedural irregularities committed by the employer and or employee, the team and assigned law staff to advise the client accordingly. Under this category, our firm is highly proficient, as we believe that employer and employees are social partners.

Moreover, our services include counselling in personnel management, salary negotiations, employment contracts, collective bargaining, grievance handling, compulsory arbitration, mediation cases, unfair labour practices and strikes. The best outcome for any successful business is the right of an employer to hire the employee(s) it needs.

We also deal with a range of immigration issues, assisting our clients to procure resident permits to relevant authorities.

LITIGATION & DISPUTE RESOLUTION

Through creativity and strategic thinking, we efficiently assess each case and execute the best legal strategy for the benefit of our client. Our litigation team handles all stages of civil, criminal, commercial and administrative cases before all courts, quasi-judicial agencies and dispute resolution bodies. Services of this department include family and other matrimonial matters, the probate of wills, settlement of estates, property disputes, land registration, banking and other commercial disputes, insolvency, intellectual property infringement and election controversies. Since we do not encourage unnecessary and / or protracted litigation, it is the policy of the firm to always be candid with a client regarding the merits of the case from the very beginning.

CONTRACT LAW

Contractual accuracy and rigour underpin every aspect of the business. Our commercial lawyers handle all aspects of contractual work, from drafting to negotiation, supporting our clients' day-to-day operations and tackling specific projects. We advise on a wide variety of contracts, including:

- Terms and conditions for goods and services (supply and purchase)
- Manufacturing agreements.
- Agency, distribution and franchise arrangements.
- IP and content licenses
- Collaboration and joint venture agreements
- Outsourcing
- Advertising and sponsorship agreements
- Consultancy agreements
- E-commerce agreements and terms
- Hotel management agreements
- Confidentiality agreements

FAMILY LAW

RACA understand that family law can be extremely stressful to communities. The firm has been assisting its clients to access legal services in terms of the petition of divorce, division of matrimonial property, and custody of children. Further, the lawyers have acted as reconcilers for broken marriages before taking legal action.

PROBATE AND ADMINISTRATION OF ESTATES

The private client team has expertise in the preparation of wills, dealing with probate matters, advising on estate tax planning and administering the estate when someone dies. We act for a broad range of clients, including landowners, business entrepreneurs and private individuals. We treat each client as an individual, ensuring that you work with someone with the appropriate level of experience.

The team's services include:

- Drafting family Wills and Codicils, incorporating Trusts, if appropriate, for family or tax reasons.
- Probate matters, the administration of estates and the resolution of disputes.
- Obtaining Grants of Representation.
- Advising in relation to contested estates.
- Court of Representation
- Applying to put in place a Statutory Will
- Managing all financial affairs and setting personal care arrangements as needed

We are happy to visit clients at home or visit nursing homes and hospitals to take instructions for wills and powers of attorney, and to provide general advice in what are sometimes sensitive and difficult circumstances.

INTERNATIONAL TRADE AND INVESTMENT LAW

Our firm's experience in International Trade and Investment Law includes assisting our clients in handling issues of domestic trade and investment laws, international rules and treaties, and international dispute settlement in trade and investment matters. We offer broad range of legal services in Tanzania in relation to international trade and investment regulation. Our services include advising our clients on technical border issues or high-level trade policy, treaty negotiation or international relations matters.

MINING LAW

Our mining lawyers work exclusively on deals in the mining industry and have worked for small, medium and large scale mining operations for years. We have particularly dealt with disputes involving mining activities and have drafted contracts involving the installation and development of mining plants.

We understand the twists and turns of the sector. We know and track those involved, the assets, the market trends and commodity fundamentals. And we understand the technical side of the business, the underlying chemistry and geology, and how mining works operationally, from pit-to-port.

Our mining team is shaped and reshaped to meet the needs of the industry. This means we can advise clients on their activities at all levels in the cycle and bring an industry-focused approach to each transaction.

LEGAL CONSULTATION AND CONSULTANCY

To provide flexibility as a service-oriented firm, our lawyers can readily assist with regard to day-to-day legal requirements and general counselling. Retainer services include legal consultations and contract documentation relating to the routine operations of the client. Consultations cover advice on the pertinent laws, rules and regulations which may have legal implications for a client's activities. The documentation covers the preparation, review and notarization of agreements and contracts. For purposes of mutual growth, we encourage clients to maintain a retainer agreement with the firm.

The firm has also been accepting consultancy works related to training individuals, groups, organizations, and government officials, for example, in different areas of law ranging from good governance, voter's education, labour laws, and local government administration, just to mention a few. The firm further accepts consultancy works from both private and government authorities.

LEGAL AID & CREATIVITY

LEGAL AID

The firm recognizes the engagement of the community members in its practice of providing legal aid. The RACA Legal Aid Practice has been initiated by the firm to provide free legal service to poor rural and urban people who cannot afford legal fees. This is done after careful assessment of the condition of the person who is seeking legal service in terms of legal aid from our firm. The objective of this scheme is to enhance access to justice to all regardless of financial position.

However, in this project, the firm undertakes to adhere to the rules of professional conduct and etiquette in billing its clients. This practice does not serve as a shield to cover up professional misconduct in the legal practice. Furthermore, under this plan, the firm works with other legal aid providers (CBOs & NGOs), local governments and individual persons.

Before reaching the decision to have a legal aid practice, the firm studied the process of access of justice to all and concluded that there are a good number of poor rural and urban people, especially children and women, whose rights are jeopardized because of financial difficulties and lack of legal knowledge in handling their legal issues.

CREATIVITY

The team leading the firm is creative and innovative in ensuring that the legal services provided are of high standards as stated hereunder:

- We are innovative and creative in devising cost-saving and effective legal solutions for our clients.
- We are proactive, anticipating our client's needs and providing solutions which are timely, clear and pragmatic.
- We embrace new information and communication technology to ensure the fullest optimization of our resources.
- We also engage with the poor rural and urban people to allow them access to justice from bodies administering justice.



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