

# COMPANY PROFILE 2021



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## A BRIEF OVERVIEW

A 100% black-owned law firm, Setlago Attorneys is a vibrant pan-African legal service provider with a broad spectrum of legal expertise. It is a firm that was formed with the desire to contribute to the development of the legal system of the Republic of South Africa.

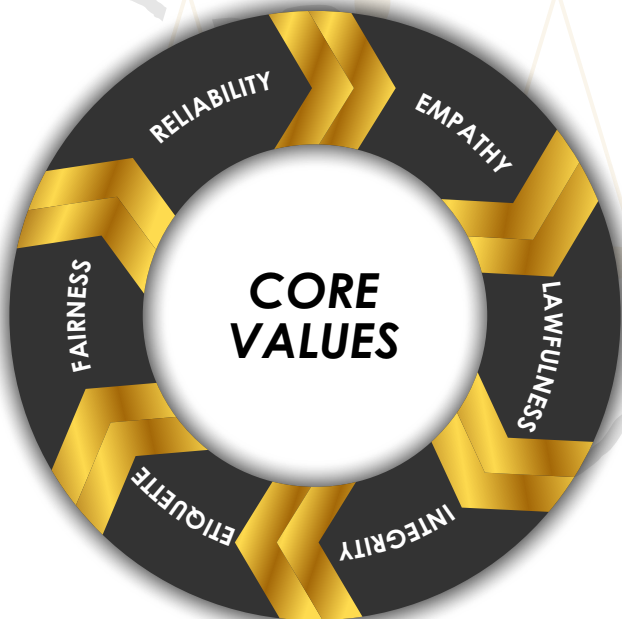
Setlago Attorneys was founded in early 2020, and it has seen consistent growth through its tailor-made service provision. The firm currently has its head office in Johannesburg, Gauteng Province with its satellite office in Lebowakgomo, Limpopo Province for consultation and correspondence purposes.



## OUR VALUES

**We aim to bring RELIEF to our clientele.**

**RELIABILITY** - a quality legal service provider is one that a client can depend on whenever they require legal assistance. We at Setlago Attorneys have an open line communication system for our clients.




**EMPATHY** - we conduct thorough research into our client base and the areas in which we provide legal services. As such, we have a good understanding of our clients and we are better positioned to service them with consideration to their circumstances.

**LAWFULNESS** - we are officers of the Court and therefore it is our duty to uphold the law at all costs.

**INTEGRITY** - we pride ourselves in doing the right thing even when we cannot be seen by the law or our clients because doing the right thing is not only for the public eye but it is our way of operating as a firm.

**ETIQUETTE** - we work according to established practice norms and customs and we add our unique systems thereto. Our clients are our practice.



  
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**FAIRNESS** - we take into consideration any and all factors that are of importance to our client. An example of this principle is our pro bono programs that we run monthly because indigent members of the society should be heard, as well.

## MISSION

The firm aims to become one of the most progressive pan-African law firms in Africa, firstly by growing on the geographical and jurisdictional area of South Africa and secondly by expanding to the other parts of the SADEC region and the continent as a whole. Our mission as Setlago Attorneys is to represent our clients with the utmost skill and expertise required by their distinct legal challenges. We aim to promote and protect the rights of our clients, while preserving the interests of justice and fairness.

## VISION

The global community is experiencing a number of changes, including the most conspicuous Fourth Industrial Revolution, which will not only have an impact on the tech industry but various other industries as well, including the general labour market and the Judiciary in particular. As such, Setlago Attorneys considers itself one of the pioneers of the new dispensation of the legal fraternity. Our vision is to be the elite law firm in Southern Africa. We endeavour to build our firm's reputation by satisfying each of our client's needs; one client and one successful outcome at a time.

## OUR TEAM

### DIRECTOR

As a recently established law firm, Setlago Attorneys is currently led by one director, the visionary and multifaceted Founding Director Mr. Kgwaedi Monare Setlago. Mr. Setlago graduated with an LL.B Degree from the University of Johannesburg and thereafter obtained further legal training from Legal Education and Development (L.E.A.D) Centre in association with the Law Society of South Africa, as it was then known. He obtained his legal training certificate with distinction. He further acquired a post-graduate Certificate in Labour Dispute Resolution Practice with Stellenbosch University.

Soon thereafter, he proceeded to serve articles of clerkship with a reputable black-owned medium law firm in the Pretoria region. It was at this firm that Mr. Setlago began his legal career as a Candidate Legal Practitioner with appearances at Magistrates' Court, other lower courts and tribunals as well as the drafting of litigation papers in the Higher Courts. He practiced in various fields such as labour law, land claims disputes, debt collection, divorce actions and predominantly Road Accident Fund claims, amongst others.

Mr. Setlago was admitted as a Legal Practitioner and enrolled as an Attorney of the High Court of South Africa in early 2019. He is a specialist in the fields of labour law, contract law, third party claims, personal injury claims, divorce & family law and labour & employment law.



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## PARALEGAL

We understand the need to keep up with legal developments in our application of the law and as such, we have a knowledgeable and skilled paralegal on our team whose responsibilities include extensive legal research and handling of our law library. Ms. Alicia Neliswa Lukhele is a legal mind in her own right as she obtained her LL.B degree from the University of Johannesburg in 2019. She is currently furthering her studies and aims to be admitted as a Legal Practitioner and practice as an Attorney of the High Court of South Africa in the near future.

## CANDIDATE LEGAL PRACTITIONER

We currently have one Candidate Legal Practitioner at our firm, Mr. Nthabeleng Philas Mphahlele. Mr. Mphahlele is a young vibrant individual that is goal-orientated and has excellent communication skills and legal acumen. He obtained his LL.B Degree from the University of Limpopo in record time in 2019. He wasted no time in launching his legal career as he joined our firm with its inception and has been an important member of our young dynamic team of legal minds.

## OUR SERVICES

We offer tailor-made legal solutions to cater for the diverse needs of our distinct clients. As a pan-African law firm, we center the provision of our legal services around the principle of justice, fairness, inclusivity and the overall sense of building a just and equitable society through access to justice and legal representation. Our broad spectrum of legal services include the following fields of practice:

### ❖ LABOUR AND EMPLOYMENT LAW

We specialise in and provide labour and employment law services to individual clients, trade unions, corporate clients, small to medium businesses and various other organizations such as NGOs, NPOs etc.

The Labour Relations Act, read with other legislations including the Constitution, Employment Equity Act, National Minimum Wage Act, Basic Conditions of Employment Act, and several other Acts, promotes, protects and provides for fair labour practices.

Institutions like the Commission for Conciliation, Mediation and Arbitration, as well as various Bargaining Councils across different industries, have been mandated to adjudicate labour and labour-related disputes. The CCMA has recently reported that due to the Covid-19 global pandemic, they have received an increased number of new cases which largely include retrenchments as well as misconduct and incapacity dismissals.



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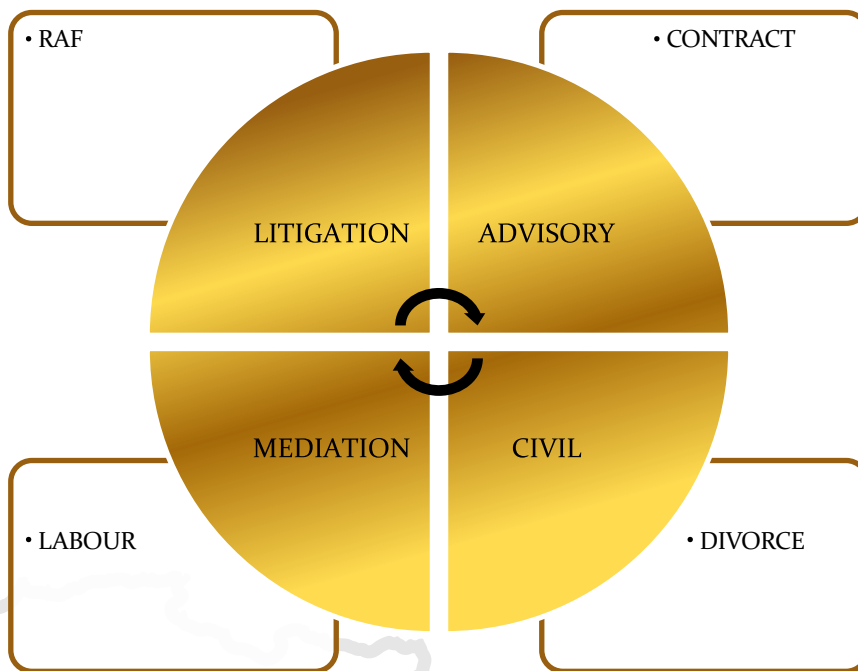
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Furthermore, the banking and mining sectors have shed off thousands of jobs in recent times due to a declining gross domestic product (GDP) as well as the Covid-19 global pandemic. The issues being highlighted are just a few of many affecting the country's labour force and the economy at large.

It is such economic conditions that makes it incumbent that the provision of legal services in the field of labour and employment law be of high quality, offered by knowledgeable and skilled practitioners. We hold ourselves to the same standard and as such are qualified to provide such a service. The services we provide include the following:

- Developing workplace policies
- Drafting of employment contracts
- Labour legislation workshops for employees and management
- Initiating and Chairing Disciplinary hearing for misconduct and incapacity
- Chairing of workplace grievance hearings
- Legal opinion and advisory services
- Mediation and Arbitration processes
- Appearances at the CCMA for arbitration proceedings



## ❖ **DIVORCE LAW**

We assist individuals in divorce proceedings from commencement stage through to finalisation stage. We undertake to finalise the divorce proceedings within the minimum time frame and expedite the gruesome divorce proceedings. The Divorce Act provides various mechanisms through which the dissolution of marriage may take place. Our services include the following:

- Mediation proceedings as an alternative to divorce proceedings
- Initiation of divorce proceedings through divorce summons
- Settlement Negotiations for both opposed and unopposed divorce proceedings
- Applications for Variation of Divorce decrees

## ❖ **MAINTENANCE LAW**

We understand the various challenges faced by the members of the public, in particular those challenges affecting children. These challenges include child maintenance and spousal maintenance or ex-spousal maintenance. We offer the following services with regards to maintenance matters in terms of the Maintenance Act and the Children's Act:

- Lodgment of maintenance claims
- Settlement of maintenance disputes
- Applications for variation of maintenance orders

## ❖ **ROAD ACCIDENT FUND CLAIMS & PRASA**

We specialise in road accident fund claims for victims of motor vehicle accidents. The Road Accident Fund is an institution of government established in terms of the Road Accident Fund Act, as Amended, to compensate victims and dependents of victims of motor vehicle accidents within the Republic of South Africa. The scope of the RAF is not limited to citizens of RSA but is however, limited to motor vehicle accidents that occur on the roads within the Republic. We represent and lodge claims on



behalf of claimants including drivers, passengers, pedestrians and minor children. We assist in claims for loss of support for those who lost their breadwinners as a result of motor vehicle accidents. Furthermore, we also lodge claims for claimants who wish to recover funeral expenses incurred from a death resulting from motor vehicle accidents.

There are a number of damages that may be claimed from the RAF in terms of Road Accident Fund Act and these are:

- Claim for past and future medical expenses



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- Claims for past and future loss of income or earning capacity
- Claims for funeral expenses
- Claims for costs of a domestic worker hired to care for a victim of a motor vehicle accident
- Claims for general damages (pain, suffering, discomfort and disability caused by the injuries sustained in the motor vehicle accident)

Our undertaking is to lodge the claims timeously and attempt to satisfactorily settle or finalise the claims within a reasonable period of time, considering the fact that in South Africa it takes a minimum of two years to either settle or finalize such claims. Such a prolonged period of settlement and or finalisation is due to the long court rolls in our Magistrate's Courts and High Courts.

- Passenger Rail Agency of South Africa (PRASA) claims- these claims are similar to RAF claims in nature and process. We assist victims of train accidents to claim compensation against PRASA.

### ❖ **CORPORATE AND COMMERCIAL LAW**

The law regulates and governs all forms of relationships. Commercial transactions are similarly not excluded in these regulations. Corporate law includes aspects of the law that governs economic relations or relations of a commercial nature between individuals, individuals and corporations, between corporations and all other possible legal persons with legal capacity to enter into contracts in terms of the Companies Act. We specialise in the following aspects of corporate and commercial law:



- Lease Agreements
- Service Level Agreements
- Supplier Agreements
- Settlement Agreements
- Employment Contracts
- Partnership Agreements
- Mergers and Acquisitions
- Shareholder Agreements and Sale of Share Agreements
- Many other agreements that govern commercial and or personal agreements.



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## ❖ MEDICAL NEGLIGENCE

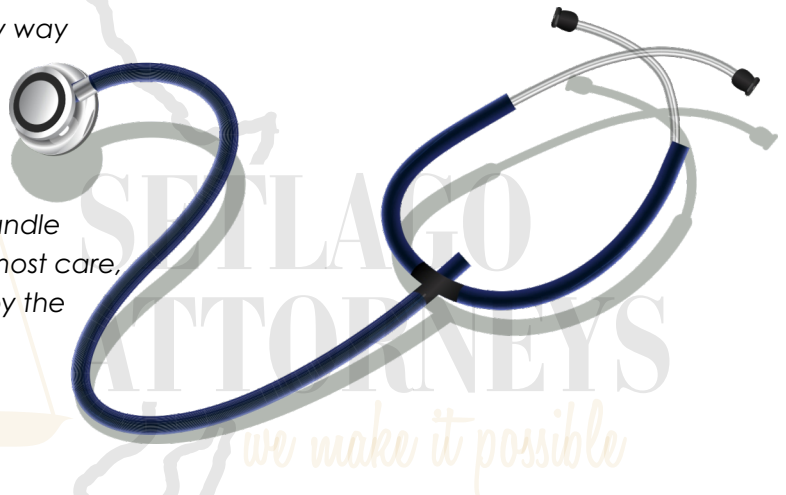
The field of medical law and medical negligence law is complex and often involves lengthy processes. It is a field of law which deals with claims by victims of medical malpractice in the hands of doctors, nurses and other medical and health professional workers, both in private and public hospitals, clinics and medical centers.

Doctors and nurses, as well as other members of the health profession are bound by oath to uphold the highest standards of care and caution, as well as to carry out their duties with utmost skill and expertise. Such high standards are in place because medical professionals are responsible for handling and dealing with people's lives and livelihoods in their daily scope of work. We have seen a rapid increase in the number of medical negligence cases against doctors and other healthcare practitioners, as well as the number of complaints against healthcare professionals lodged with institutions such as the Health Profession Council of South Africa (HPCSA).

The claims that may be lodged in the field of medical negligence include:

- Claims by patients who had contracted infections as a result of lack of or poor care in the hands of nurses, doctors or other healthcare professionals
- Claims by patients who died as a result of any negligent act or omission on the part of doctors, nurses or other healthcare professionals
- Claims by patients who suffered in any way including but not limited to physical, emotional, and or psychological pain, discomfort, or suffering.

We have the capacity and ability to handle such matters and we do so with the utmost care, skill and requisite knowledge required by the nature of the claims.



## ❖ LEGAL COSTS

Legal Practitioners are always confronted with a lot of paperwork during the course of carrying out their mandate. They spend ample hours researching the law and drafting legal documents. In addition, they spend hours attending to court proceedings and other meetings in the course of administration. At the close of a case file, legal practitioners need to commercialise all the work they have done and bill their clients accordingly.

We are well trained Legal Cost consultants and we use various court tariffs and practice standards to prepare our bills of cost.



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We offer the following services for legal costs:

- Drafting Bills of Costs- Party and Party; Attorney and own-client both at High Court and Magistrate's Court scale.
- Submitting and attending taxation matters at the Taxing Master
- Opposing taxations of Bills at the Taxing Master.

#### ❖ GENERAL CIVIL LITIGATION

General civil litigation largely involves issues faced by the general public on a daily basis and as such are not assigned to one specific field of practice. Such claims also require access to courts and tribunals. These claims commonly occur as a result of damages suffered either in the form of money or other ways, and or damages likely to be suffered when a particular right is not enforced. We offer service to handle amongst others the following third party claims:

- Claims for patrimonial damages - all claims by individuals against other individuals and businesses resulting from any form of dispute that might arise between party. These claims vary from business loans, personal loans, car rentals, and any other claims that may give rise to monetary loss.
- Tenant and Landlord disputes - disputes regarding lease agreements, rental payments, and or any other dispute which may arise between landlord and tenant in lieu of the tenant-landlord relationship. These claims are addressed in the Rental Housing Tribunal that was established in terms of the Rental Housing Act.
- Motor-vehicle accident claims - these claims arise in circumstances whereby victims and perpetrators of motor-vehicle accidents, in particular the owners of motor vehicles suffer other forms of financial damages in the form of the costs of repair to their motor-vehicles and or insurance excess payments, which are not covered by the RAF Act.



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## ❖ LEGAL ADVISORY AND OPINION WRITING

Some legal challenges are trivial in nature and less complex in facts that they do not require the use of or access to courts and tribunals. These cases may be resolved with access to legal advice and or legal opinion. Parties may find themselves confronted with circumstances that require them to make decisions which may present legal consequences at a later stage. As such, we provide legal advice on civil matters and provide legal opinions on corporate matters.

## CONTACT US

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