



SCHOOL OF LAW

COURSE NAME: Legal Method and Process

COURSE NO: LA102

TIME ALLOWED: Three (3) hours

READING TIME: Ten (10) minutes

NUMBER OF PAGES: Three (2) excluding this page

NUMBER OF QUESTIONS ON PAPER: Seven (7)

NUMBER OF QUESTIONS TO BE ANSWERED: Five (5)

MARK ALLOCATED FOR EACH QUESTION: Equal

TOTAL MARKS: Fifty marks

MATERIALS PERMITTED IN EXAMINATION ROOM:

None

SPECIAL INSTRUCTIONS

1. Complete the full paper.
 2. Read the instructions carefully.
 3. Attempt no more than five questions
 4. None of the questions is compulsory
 5. Some of the questions have parts where you are required to answer all parts.
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Question 1 ANSWER BOTH PARTS A AND B

A. Lawyers perform important functions in society. They are organized as a professional group. However this does not mean that they act in solely their own interests or for their own commercial benefit. They have special responsibilities both to their clients and as public officers.

Write an brief essay explaining this statement.

AND

B. The types of legal work which lawyers undertake varies a great deal. Discuss the different kinds of legal work which lawyers can and do undertake.

Question 2 ANSWER BOTH PARTS A AND B

A. Choose any five specialized legal terms which you have encountered during your studies in this course. Write a note explaining the specialized legal meaning of each one of these.

AND

B. Explain why the law is often expressed in special legal terminology. Discuss any problems which you think arise from this and possible measures which might be put in place to avoid it.

Question 3 ANSWER BOTH PARTS A AND B

A. Explain what is meant by 'an unpublished judgment'. On what basis can an unpublished judgment be used in court proceedings.

AND

B. Lawyers and law students are expected to be able to use proper case citation methods. Explain what is meant by this. Your answer should provide examples of proper case citations.

Question 4

Write an essay explaining how persons get to become members of the legal profession and maintain their status as practicing members of that profession.

Question 5

A legal researcher has to be able to draw a clear difference between questions of fact and questions of law especially when analyzing cases. Write an essay explaining why this is an important difference. Use as many practical examples as you can to illustrate its importance.

Question 6

What is meant by student plagiarism? Give examples of direct and indirect plagiarism. Explain what the consequences of plagiarism undertaken by students at USP.

Question 7

Here is a series of statements which could possibly contain grammatical errors and problems of expression. You are required to look closely at each one and then do two things: (1) state whether it is correct or incorrect and (2) if it is incorrect, explain why it is incorrect and give a corrected version.

Note: You are not being asked to comment or write an essay on the meaning or possible meaning of the statements concerned.

- (a) The House of Lords can be functioned both a court and as an upper house of the British parliament.
- (b) The Statute of Uses forbid the uses of the special land for the purpose or purposes of the abuses of taxation.
- (c) The purpose of a statute is to enact law by way of the formal processes of the parliament.
- (d) The court staffs is not members of the court and can never hear as many cases as they wanted to.
- (e) There is a write way and the wronger way to answer nearly all and every of the question.
- (f) None is more worse than the case of the wronged party in a matrimonial dispute.
- (g) Intention of the defendant is plainly something that could be implied from the facts of this case.
- (h) If the witness said "I done what I should have done" then I assume that the court will have to take account of that as evidence of his manner of speech at the very least.

END OF EXAMINATION PAPER