



FACULTY OF LAW
END OF SEMESTER EXAMINATIONS - APRIL 2025

PROGRAMME: LLB

YEAR/SEM: YEAR 4/SEMESTER 2

COURSE CODE: LLB 4207

NAME: LAWYERS: PRACTICE AND ETHICS

DATE: 2025-04-14

TIME: 9:00AM-12:00PM

INSTRUCTIONS TO CANDIDATES:

1. Read the instructions very carefully
2. The time allowed for this examination is STRICTLY three hours
3. Read each question carefully before you attempt and allocate your time equally between all the Sections
4. Write clearly and legibly. Illegible handwriting cannot be marked
5. Number the questions you have attempted
6. Use of appropriate workplace examples to illustrate your answers will earn you bonus marks
7. Any examination malpractice detected will lead to automatic disqualification.

DO NOT WRITE ANYTHING ON THE QUESTION PAPER

Section A This Question is Compulsory


Question 1:

Ssendi is an advocate of Eight (8) years standing. Ssendi failed to apply for a Practising Certificate for the years 2022 and 2023. He nevertheless continued to take instructions from clients, draw and execute the necessary pleadings and represent his clients in court. Since his admission, she has been practicing under her own firm known as Ssendi Associates. One of his clients, Zakayo wishes to file a complaint against him with the Disciplinary Committee. Zakayo alleges that Ssendi successfully concluded a case in which he was the Plaintiff, judgement was awarded against the defendant and payment of the decretal sum had in fact been deposited in Ssendi's personal fixed deposit account from which Ssendi has been earning interest at the rate of 10% per annum. Ssendi is yet to release the decretal sum to Zakayo despite many requests in writing.

Zakayo has shown you a retainer which prescribes the legal fees payable to Ssendi and a receipt for full payment of the same. The last time Zakayo heard from Ssendi about the case was the day Zakayo attended court for hearing. That was Two years ago.

Zakayo got to know about the payment by the defendant only recently and even through a third party. When Zakayo visited Ssendi's office with a view to discuss his case, Ssendi threw him out with blows and insults, thereby physically assaulting him in the process. Furthermore, Zakayo withdrew the case (**Civil Application No. 1 of 2025**) without informing Zakayo. Ssendi then proceeded to settle the claim at UGX. 100,000,000/= all-inclusive without informing Zakayo.

Prepare a Legal Opinion to Samantha on the following matters:

- (a) What ethical issues arise from the scenario presented above? **(10 marks)**
- (b)  Zakayo wishes to make a formal complaint against Ssendi. Advise Zakayo on the process and procedure before the Disciplinary Committee. **(10 Marks)**
- (c) Advise Zakayo on the possible sanctions against the advocate in the disciplinary proceedings at the tribunal **(5 Marks)**

Section B Choose One Question from the Two Questions in this Section.

Question 1:

Write short notes on the following Cases (25 Marks):

- a) a) Masalu Musene & 3 Others v Attorney General, Constitutional Petition No. 5 of 2004
- b) b) Nocton v Lord Ashburton [1914] AC 932
- c) c) *Larb (U) Limited & others vs. Greenland Bank (Liquidation) & Anor* High Court, Miscellaneous Application No. 420 of 2010
- d) d) Namayega Barbra v Etot Denis & 2 Others (Civil Suit 939 of 2019) [2024] UGCommC 2

- e) e) Rondel V Worsley (1967) 1 QB 443

Question 2:

Write short notes on the following Cases (25 Marks):

- a) Uganda v Patricia Ojangole, Criminal Case No. 1 of 2014
- b) Katungi Tony v Attorney General [2019] UGHCCD 1.
- c) Pius Nuwagaba v Law Development Centre, Misc. Cause No. 3 of 2006
- d) Asiiimwe Byaruhanga & Others v Law Development Center & Another, Misc. Case No. 269 of 2017
- e) Muwanga & 3 Others v Mohan Musisi Kiwanuja, Misc. Application No. 937 of 2023

Section C Choose Two Questions from the Four Questions in this Section.

Question 1:

You have been recently acquired an internship placement at Success & Co. Advocates, a middle sized law firm in Kampala. Prepare a legal opinion to the Managing Partner of Success & Co. Advocates, on the meaning and scope of the term "Contempt of Court", while reference to relevant authorities from the Ugandan context. **25 Marks**

Question 2:

With reference to relevant authorities, discuss the tenets of the principle of independence of the judiciary, whether the principle of independence of the judiciary a reality or myth in Uganda. **25 Marks**

Question 3:

“The Practice of law is not a matter of grace, but of right for one who is qualified by learning and his moral character.” **Per the case of United States Supreme Court, Baird v State Bar of Arizona, 401 U.S 1(1971).** With reference to the above statement, discuss the procedure of how one becomes an Advocate in Uganda. **25 Marks**

Question 4:

Critically analyse the manner in which advocates that conduct themselves unprofessionally are disciplined in Uganda. **25 Marks**