QUESTION ONE (15 Marks)

"A good flow of water follows a stream which moves from point A to point Z depending on the landscape. If there is no stream, water flows randomly and may easily lead to flooding. Thus streams are of paramount importance in order to control water movement for different uses to both living and non-living organisms and avoid flooding and its associated impacts" **Anonymous.**

In the light of the above statement, account for the expert wrongdoings amongst private practitioners.

QUESTION TWO (15 Marks)

(a) With examples, outline the various contents of a charge and show the importance of each content. The contents **must be outlined in sequence** manner. **(7.5 marks)**

(b) What makes a charge defective? **(7.5 marks)**

QUESTION THREE (15 Marks)

There are various skills which an advocate must observe from the time he meets with the client to the time he knows how to go about with his client's matter. Explain the various skills and state at least three (3) importance of each skill.

QUESTION FOUR (15 Marks)

(a) During pre-trial stage in a civil litigation there are various matters which are undertaken as part and parcel of the civil litigation procedures, discuss those matters and state the importance of carrying out each of such procedures.

(b) Framing issues in civil litigation is a must not optional. **Discuss.**

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QUESTION FIVE (15 Marks)

Write short notes on each of the following:

i) The difference between review and revision.
ii) Committal proceedings
iii) Demand note
iv) Lawyer's conflict of interest
v) Case analysis.

QUESTION SIX (15 Marks)

Asongolisye Mwakapalata is a resident of Isanga area within Mbeya city employed at one of the famous hotels in Mbeya city. On 3rd October 2020 she approached you and narrated her story in relation to the fatal accident occurred at Mafiat area on 22nd September 2020 when she was on her way to town where a commuter bus (*daladala*) making its journey between Igawilo and Bus terminal knocked her down. The accident was caused by reckless driving of the commuter buses' driver known as Himid Masopakyindi causing serious injuries to Asongolisye Mwakapalata. The driver was immediately arrested but he claims that he is unable to pay for treatment to the victim because the vehicle is owned by Teleza Amani who is one of the famous business men in town living at New Forest P. O. Box 214 Mbeya. Asongolisye Mwakapalata wants to take legal actions for redress following loss of money incurred on treatment and from losing remuneration for about six months which amounts to Tshs 85,000.000/= (eighty five millions). Asongolwisye is desirous to enforce her matter before the court of law.

In light of the above scenario, answer the following questions; (where necessary include imaginary information)

(i) With reasons and authorities, state which court has jurisdiction to entertain the matter? **(3.5 marks)**
(ii) Against whom should the proceedings be instituted? **(1.5 marks)**
(iii) Draft the relevant legal document to be used in accomplishing Asongolisye Mwakapalata's wish. **(10 marks)**.

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