LAW IN PRACTICE

OVERVIEW

List four skills a Legal Practitioner should possess to provide the best possible service to his client. May 2011 No 3(b)(i)

What alternatives to litigation are available. May 2011 No 3(b)(ii)

What factors that should be considered in advising a Client to choose ADR. August 2011 No 3(b)(iii)

List the processes of negotiation and state any four negotiation tactics you may consider during negotiation. August 2011 No 3(b)(iv)

Can a matter already brought before the Court be settled out of Court, and what happens to such settlement. May 2012 No 3(e)

LAWYER'S DUTY TO THE CLIENT

Mention your first professional responsibility to your clients before commencing an action. May 2012 No 1(b)

Advise a Client on the validity of the deposit of the title deeds of her property by her Solicitor contrary to her instruction and what remedy she has. May 2011 No 2(a)

Identify the rules of the RPC breached by a Solicitor who was instructed by a Client to apply for Governor's consent and instead he used the Title Deeds he was given to deposit as a security for a loan he collected. May 2011 No 2(b).

Briefly comment on the ethical implication of a Counsel who was instructed and paid to incorporate a Company but he failed to and started hiding from the client and the possible consequence. May 2012 No 3(a)

What are the duties (if any) to the Client and to the Court breached by a Counsel who was instructed and paid to incorporate a Company but he failed to and started hiding from the client and the possible consequence. May 2012 No 3(b)

State instances when a Counsel may take instructions from his client outside his law office and why. May 2011 No 3(b) (iii)

What recourse is available to a client who claims to have paid a Lawyer fully for services not rendered as the time of the termination of the relationship. August 2011 No 1(d); May 2012 No 4(7)

Comment on the threat by a Legal Practitioner (who is aggrieved that he was debriefed by his Client) to expose the illicit relationship between the Client and another person, to the Client's husband, which information he came across in the course of their Client/Counsel relationship. August 2011 No 1(e)

State four instances you may be allowed to disclose privileged communication between you and your client. May 2012 No 1(d)

A client is confused as to why a Lawyer refused her brief of wrongful dismissal simply because her husband is the Managing Director of the Sister Company of her former employer. Explain to her. August 2011 No 1(f)

Write a brief legal opinion on the ethical implication of a Counsel representing a Party against another Party that he had earlier acted for. August 2011 No 2(a)(iii)

A client has asked you to advise her on an easier line of action to follow as she is getting frustrated by her attempt to seek legal redress, what would you advise her client to do assuming she has engaged you as her Counsel. What else would be your reason for suggesting this line of action. August 2011 No 1(f)

What advice would you give a legal practitioner who paid client money into his own account. August 2011 No 4(d).

Comment on the propriety of a Counsel accepting a brief concerning a matter he had earlier acted in a Public Office before his retirement. May 2012 No 1(c)

Assuming you acted for a Client in a case in Court and lost. And your Client has commenced legal actions against you, contending that your line of argument was responsible for their loss. What will be your response. May 2012 No 1(e)

Comment on the propriety or otherwise of a Counsel appearing as a witness for a Client in the same he is conducting as a Counsel in Court. May 2012 No 4(6)

LAWYER'S DUTY TO THE STATE

With the aid of authorities, write an opinion regarding the role of a law firm in demanding #5000 from a client to give the Commissioner of Police as gratification 2010 No 1(e)

Comment on the action of a Legal Practitioner who presented a defence of mistaken identity after his client had confessed to his guilt to the lawyer. 2010 No 4(a)(i)

Explain if there is any support for a Lawyer going ahead with the case in spite of the Client's confession of guilt. 2010 No 4(a)(ii)

Where a Client confesses to commission of an offence, instead of making an opening statement and telling a story inconsistent with the confession of guilt, what alternative statement or action should the Lawyer present or pursue at the trial. 2010 No 4(a)(iii)

What option is open to a Counsel when his client insists on an illegal course. May 2012 No 4(2)

With authorities, state what professional offences have been committed by a Lawyer who connived with a Client to conceal the Will of a Deceased Testator. May 2012 No 4(1)

Would your answer to the question above be the same, if the act was done by a medical Doctor. May 2012 No 4(3)

Where a Counsel is facing a charge of concealment for concealing the Will of Deceased Testator on the instruction of his Will, a Child of the Testator, can he rely on the defence of the principle of client confidentiality. May 2012 No 4(8)

LAWYER'S DUTY TO FELLOW PROFESSIONALS

Assuming a client informs you that he had earlier contacted another law firm in relation to the matter for which he seeks to conduct you, what is your next line of action. 2010 No 1(c)

Write a letter to a law firm informing them that a client has consulted you in view of a matter they had earlier been consulted. 2010 No 1(d)

Assuming a Counsel is taking over a case from another Lawyer, state the duties expected of the two Lawyers individually and collectively. August 2011 No 1(c)

LAW OFFICE MANAGEMENT

A Lawyer just recently set up his law firm, and has need to employ other lawyers to work with him in view of his robust practice, advise him. May 2011 No 4(b)

State five modern office equipment for effective case management by a lawyer. May 2011 No 4(c)

To give support to a Lawyer who just set up a robust law practice, suggest three possible office support staff he would require. May 2011 No 4(d)

DRAFTING

Write an application for employment in a law firm and your curriculum vitae 2010 No 3(a); A Lawyer is worried on what should be the contents of a good CV, advise him. May 2011 No 3(c)(i)

Outline the essentials of a good minutes of a meeting. May 2011 No 3(c)(ii)

Draft an application for adjournment. May 2011 No 4(a); August 2011 No 3(b)(ii)

Draft a letter to a Court informing the Court that you would not be able to attend a Court Sitting because you were involved in an accident. May 2012 No 3(c)

Draft a letter to a company, demanding compensation for a client for injuries suffered by the client. August 2011 No 2(a)(i)

What is the evidential import of a letter marked. "Without Prejudice" August 2011 No 2(a)(ii)

Re-draft a Lease Agreement in plain English to remove the redundant words and archaic expressions used and fill in any gaps and ensure a standard agreement is prepared. May 2011 No 1

Draft a Pre-action Notice to a Defendant Ministry. May 2012 No 1(a)

Draft an application for re-listing a matter struck out (without affidavit) May 2012 No 3(d)(ii)

ORDER OF PRECEDENCE

Comment on the action of a Judge in stopping a Registrar who was reading a case no from the cause list and instead asked him to call the case of an SAN who just walked into Court and whose case was the last on the cause list. August 2011 No 1(a)

Advise the Court on the Order of Precedence and who is entitled to have his matter called first between a Senior Advocate of Nigeria and a Life Bencher. May 2012 No 1(f)

APPOINTMENT AND DISCIPLINE OF JUDICIAL OFFICERS

In summary, outline 5 steps in the procedure for the appointment of Judges as contained in the Revised NJC Guidelines for the appointment of Judges and Kadis. 2010 No 2(c)

Advise a party who has been disciplined by the LPDC for professional misconduct on the procedure for appointment of Judicial Officers and whether he will succeed in his ambition to be a Judge. May 2012 No 3(e)(ii)

Explain briefly the procedure for the removal of the Chief Judge of a State. May 2012 No 2(a)

What are the grounds for the removal of a Judicial Officer. May 2012 No 2(b)

Can a Judicial Officer practice as a Lawyer after his removal from office. State (if any) the restrictions which a Judicial Officer is subject to while practicing as a Lawyer. May 2012 No 2(c)

INTERPRATATION OF STATUTES

What rule of interpretation would you employ as a Judge in the event of a conflict between a general and specific provision of a Statute. August 2011 No 3(b)(i)

CONTEMPT OF COURT

State the offence that a Counsel is liable to be convicted for and state in numbered paragraphs, the steps that could be taken against such Lawyer. August 2011 No 1(b)

Can a person in a summary trial for contempt in facie curiae, plead nemojudexin causa sua? Give reasons for your answer. May 2012 No 4(4)

What principal of law can a Counsel insist on where a Judge tries him for Contempt allegedly committed against the same Judge. May 2012 No 4(5)

SOLICITOR'S BILLINGS

What are the options available to a Solicitor in recovering his professional fees. 2010 No 2b(i)

List the contents of a bill of charges. 2010 No 2a(ii)

Draft Bill of Charges. August 2011 No 4(a)

Itemize the process for recovery of professional charges August 2011 No 4(b)

Draft a Statement of Claim for the recovery of professional charges. August 2011 No 4(c)

LEGAL PRACTITIONERS ACCOUNT RULES AND ACOUNT

Draw up a Solicitor's cash book and opening balance in a ledger. 2010 No 2b(i)

ARBITRATION

Write a short essay on how to challenge and enforce an Arbitration. 2010 No 3(b)

ADVERTISEMENT AND IMPROPER ATTRACTION OF BUSINESS

Comment on postings made in the websites of two Law Firms portraying themselves as the leading law firms in Nigeria. 2010 No 3(c)

A Lawyer wants to set up a website for his law practice where he would display his professional qualifications, the nature of cases he handles, the cases he has handled and won and his range of professional charges etc. advise on him on the ethical issues involved. May 2011 No 4(e)

Write a reflective opinion on the topic "In reality there is no difference between advertisement and solicitation by the Lawyer under the RPC" 2010 No 3(d)

PROFESSIONAL DISCIPLINE OF LAWYERS

Describe how to commence disciplinary procedure against a Lawyer for breach of the RPC. May 2011 No 2(c)(i)

Describe the procedure the Disciplinary Authority will comply with in the discipline of an erring Lawyer. May 2011 No 2(c)(ii)

What are the types of punishment that can be meted out to a legal practitioner for breach of his duties to his Client. May 2011 No 2(c)(iii).

As a Counsel to the Defendants, draft a petition to the appropriate authority against a Legal Practitioner for concealing the Will of a Deceased Testator. May 2012 No 4(9)

ADVOCACY/EXAMINATION OF WITNESSES

Write a short explanation of the principles and scope of cross-examination. 2010 No 4(c)(iii)

What would be your ground for opposing a question asked by a Prosecution Counsel during re-examination in the following words' "You know that what you have stated before this Court is not the truth and that you have testified so because you are afraid of the Defendant" 2010 No 4(b)(i)

Is there any stage during a trial that a Prosecution could ask its witness this kind of question. 2010 No 4(b)(ii)

State how the Prosecution can discharge the burden of proof of over speeding. August 2011 No 3a(e)

State the sequence for tendering a sketch map in evidence in a trial. August 2011 No 3a(g)

State whether a matter which has been struck out can be brought before the Court again and how. May 2012 No 3(d)

LEGISLATIVE DRAFTING

Set out briefly the stages you will take in drafting a proposed Bill. 2010 No 2d(i)

Draft the long title for a Bill 2010 No 2d(ii)

The commencement clause of a Bill. 2010 No 2d(iii)

Draft the enacting clause, interpretation clause, establishment clause, long title, short title, commencement and schedule of a Legislation. May 2011 No 3(a); August 2011 No 2(b)

Draft the short title of an Act by the National Assembly passed in 2011 which amends the Legal Practitioners Act, 1975. May 2011 No 3(b)(iv)

Mention five sources of materials used in drafting legislations. 2010 No 2d(iv)

FILE MANAGEMENT

How would you deal with files which matter have been concluded in your law office. 2010 No 2(e)