23. Which one of the following would be less likely to influence the professional independence of advocates?

A. Sharing of legal fees with non-lawyers
B. Partnership with non-lawyers in non-legal practice
C. Sharing of fee with other lawyers who are not partners
D. Acting in professional capacity when dealing with professional activities
E. Contracting with a client for the sale of the latter's property

24. Which of the following **is correct** about the conduct of a public prosecutor?

A. Persistent borrowing money from members of the public
B. Refusing superior order to ensure his/her professional independence
C. Receiving rewards from the public bodies for his/her efficient services
D. Disclosure of confidential information in the interest of the public
E. Disobeying superiors whose order violates prosecutors' code of conduct

25. Which one of the following **is correct** about the regulation of advocates in Ethiopia?

A. The Federal General Attorney centrally regulates advocates' professional conduct.
B. Foreign law firms can provide legal services in Ethiopia

SECTION II: MATCHING (10 %)

through the retention of Ethiopian advocates.

C. Professional indemnity insurance is a requirement to acquire advocacy license in federal courts.

D. It is legally permissible for an Ethiopian to practice in all levels of states courts with a first level federal advocacy license.

E. Ethiopian Lawyers Association prepares examination for advocates.

SECTION II: MATCHING (10

%) CHOOSE THE BEST MATCH FOR THE ITEMS UNDER A_FROM THE ITEMS UNDER B

Column "A"	Colli **III n "B-"**
1. Man is inherently evil	Hans Kelsen
2. Pure theory of law *A*	Ethics of self-interest
3. Historical school of	*J£*. Thomas Hobbes
4. Occupational disease ;T	D. Ethics of reciprocity
5. Infibulations p	E. Aristotle
6. Disability benefits *fA-*	F. A non-jurist in Ancient provided legal service
7. Managerial employee	
8. Egoism	–6: Lucius Seneca
9. Patroni *g*	H. A jurist in Ancient Rome appeared before tribunals
10 Rescual G"	Karl von Savigny
	-*A*— Disqualification
	K: John Finnis
	L. Immunity
	Employer's liability
	N. A mild form of female circumcision
	0. Exempt from taxation
	JPr An extreme form of female circumcision
	Excluded from the ambit of Labour Proclamation
	R. Collective Labour Action
	s. Employer is exonerated

liability

SECTION III: SHORT ANSWER (15 %)

PREPARE A SHORT NOTE ON EACH OF THE THREE CONCEPTS PROVIDED BELOW. YOUR NOTE ON EACH CASE INCLUDES MEANING, IMPORTANCE AND KEY JUSTIFICATION BEHIND THE CONCEPTS.

3.1. Marital rape (5%)
3.2. Gender mainstreaming (5%)
3.3. Judicial independence versus judicial accountability (5%)

SECTION IV: ESSAY-TYPE (20 %)

ANSWER THE FOLLOWING QUESTIONS BASED ON THE GIVEN CONTEXT.

4.1. Examine Ronald Dworkin's major criticisms against H. L. A. Hart's positivism. (10 **%)**

4.2. Identify and concisely explain four criteria that help to distinguish an 'employee' from 'independent contractor' for the purpose of application of Labour Proclamation No. 377/2003. (10 %)

SECTION V: HYPOTHETICAL CASES (30%)

READ THE FOLLOWING CASES VERY CAREFULLY AND ANSWER THE QUESTIONS BASED ON REASON AND AUTHORITY.

5.1. CASE I *(15%)*

Tegibar, Aida, Minishu, Olana and Tirhas were employees of Atlas University College, a private higher education institution. For over 8 years they were serving the University College as campus security personnel protecting the property and security of the University College. Recently, however, the management of the University College, as part of its new strategy to improve operational efficiency and minimize cost, has decided to outsource the security affair of the University College to a private company. Following this management decision, the President of the University College notified all five employees in writing of its decision to terminate their contract of employment, indicating that it has decided to entrust the protection of campus security to a private security services company.

Assume that, feeling helpless by the measure taken by their employer, they have approached you for advice if they have any legal remedy.

Give them your advice on whether or not the termination is lawful. State also the reasons for your position in this regard (15%).

5.2. CASE II *(15%)*

Ato Balew is a suspected fugitive on a run from federal police for the alleged crime of bank robbery in Addis Ababa on the 20 January 2015. Ato Balew is tired of 'hide and seek game' and wants to surrender to the nearby police station. However, before doing that he planned to talk to an advocate that will properly

defend him in later stage of the criminal proceeding. Accordingly, Ato Balew covertly approached advocate Birara in his law office to solicit legal advice and representation.

The face of Ato Balew is not new to Birara since local newspapers carry the photo of Ato Balew in the list of "Wanted Persons". Confused what to do in the situation, Birara opted to patiently listen to the confession stories of bank robbery narrated by Ato Balew for an hour. Birara in the course of the interview discovered that Ato Balew had previously robbed huge money from two other banks that is completely unrelated to the present bank robbery. With the consent of Ato Balew, advocate Birara made a tape recording of Ato Balew's confession on the unrelated bank robberies. Wondering to know about the whereabouts of the robbed money from the two banks, Birara requested Ato Balew to show him the remote locations of the hidden money of the unrelated robberies on a map. Ato Balew promised to Birara that he is willing to share half of the money for his professional service. Ato Balew also told Ato Birara that he is willing to pay 25,000 Birr as a down payment. The police have not found those robbed sums of money from the two banks, and Ato Balew is not a suspect in either crime except the recent one. Ato Balew strictly warned Birara not to disclose his confession to whosoever.

Assume that the public prosecutor opened a preliminary hearing based on the confession of Ato Balew given at the police station and no other evidence has been produced.

Argue whether Ato Birara is required under the law to disclose his knowledge of the two prior bank robberies and the location of the hidden money to the
court or the police. Provide reason(s) for your position (15%).

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