

**SCHOOL OF LAW****FINAL EXAMINATION: APRIL, 2022****CODE: LLB 306T****UNIT: PROFESSIONAL ETHICS AND PRACTICE**

INSTRUCTIONS:**TIME: 2 HOURS**

This paper contains **FIVE questions**.

Question **ONE** is compulsory.

Answer any other **TWO** questions.

Question **ONE** carries **30 MARKS** and the rest carry **15 MARKS** each.

SECTION 1: COMPULSORY**QUESTION ONE: (30 marks)**

Mr. Ungwana, an advocate wishes to bid for work with a well-known bank. The bank has advertised for empanelment. Mr Ungwana is young and getting into this type of work for the first time. He has previously delayed in processing his practicing certificate. He has never understood the need for obtaining a higher indemnity for his practice. He has not seen the need of employing other advocates in his firm. He comes to you for advice as a mentor who has been in the profession for longer and who has been walking with him as his mentor.

Advise Mr Ungwana in detail, the requirements expected of him by the bank and his would be obligations to the bank. **(30 marks)**

QUESTION TWO

Briefly state the history of the bar in Kenya from its colonial past to post independence.

(15 Marks)

QUESTION THREE

Mary Wanja graduated from Kenya School of Law recently and has been practicing law for the last 5 months. Before going to university to study law, Mary thought that before graduation, clients would start walking into her office with Millions of Shillings. She had planned within the first year of practice to buy a four-wheel SUV with a sunroof, tinted windows and self - pulsating aircon. After 5 months of practice, clients are not trooping to her chambers. She has difficulties paying rent and bus fare to the office. She is worried that things are not going as per her dreams. she would like to go to the media and marketplaces to advertise her law firm. Explain to her the importance of the restriction in advertising and marketing in the profession of law in Kenya.

(15 Marks)

QUESTION FOUR

Describe the various steps in client interview and how it ultimately translates into effective litigation.

(15 Marks)

QUESTION FIVE

Explain the rationale behind the restriction in charging fees as provided under the Advocates remuneration order. Why is undercutting an offence and what is the philosophy behind this offence?

(15 Marks)