



AFRICA
UNIVERSITY[®]
A United Methodist-Related Institution

“Investing in Africa’s future”

SCHOOL OF LAW
NLLB305: CLINICAL LEGAL EDUCATION
END OF SEMESTER EXAMINATIONS
NOVEMBER 2025
LECTURER: MS C. HAMADZIRIPI
DURATION: 3 HOURS

INSTRUCTIONS

1. Answer **ALL** questions
2. You have **3 hours** to complete.
3. **Candidates may bring into the examination room clean copies of the Magistrates Court (Civil) Rules (Statutory Instrument 11 of 2019)**

Question 1

- a) Discuss the 5 stages of carrying out an interview with a client. **[15 marks]**
- b) Discuss the importance of the following in law practice:-
- i) case file management; **[4 marks]**
 - ii) case file notes; **[2 marks]**
 - iii) diary system; and **[2 marks]**
 - iv) replying to correspondence. **[2 marks]**

Question 2

- (a) Define "pleadings" in civil matters. **[2 Marks]**
- (b) What are the two (2) main purposes of pleadings? **[2 Marks]**
- (c) State two (2) rules relating to pleadings. **[2 Marks]**
- (d) State the two (2) possible methods of procuring an amendment to pleading or process after the issue of summons. **[2 Marks]**
- (e) In what way or manner may an admission in a plea be withdrawn? **[2 Marks]**

ii) Inventing your own facts and other details for completeness, you are required to draft the following:

- a) the prayer in action in which the Plaintiff is seeking eviction of three defendants from a rented property; **[5 Marks]**
- b) the prayer in summons in which the Plaintiff is suing three (3) defendants for payment of USD 40 000.00; **[5 Marks]**
- c) the preamble to an affidavit in which a director makes a deposition on behalf of a company. **[5 Marks]**

Question 3

On 30 July 2025, at the intersection of Aerodrome and Third Street, Mutare, while driving from work, Tofa Mabwe was involved in a road accident with a motor vehicle belonging to the Ministry of Empowerment Affairs which was being driven by Josh Gomo, an officer in the Ministry, who was authorised to drive the vehicle on his official duties and was also on his way to work at the time.

Investigations by the National Traffic Police subsequently revealed that Josh Gomo was driving at 90 kilometres per hour in a built - up area where the stipulated maximum driving speed was 60 kilometres per hour. Indications made at the scene of the accident suggested that he went through the intersection in spite of the clearly marked and positioned "Give Way" sign, and that he made no attempt to apply his brakes or to swerve in order to avoid colliding with Tofa Mabwe's vehicle.

As a result of the accident, Tofa Mabwe's vehicle was extensively damaged at the front, necessitating repairs that cost USD4 500.00. He also sustained injuries to the face and right arm, and had to seek medical treatment at a cost of USD350.00. His spectacles were damaged beyond repair and their replacement cost amounted to USD220.00. For a period of 6 weeks during which he was indisposed due to the injuries he sustained, he was unable to play squash, his favourite sport.

While adding other essential details, you are required to-

a) Prepare the appropriate notice of intention to institute legal proceedings on behalf of Tofa Mabwe for damages arising from the accident; and **[10 Marks]**

b) Draft the particulars of claim for the damages he suffered. **[15 Marks]**

Question 4

John Phiri is the registered owner of Stand 275 Chikanga Phase 2, Mutare. He has agreed to let the property to Selina Ncube for a period of 2 years commencing 1st September, 2025, on a monthly rental of USD700.00. In addition, Selina Ncube is required to pay a security deposit equivalent to the monthly rental before she takes occupation of the property. She is also

required to pay all utility bills, rates and service charges to be levied on the property during the subsistence of the lease.

You are required to prepare the lease agreement incorporating, among others, the following provisions:

- a) Two (2) months' notice of termination of the lease;
- b) Prohibition against subletting;
- c) Prohibition against effecting alterations to the property without the lessor's prior written consent;
- d) Use of the property for residential purposes only; and
- e) Maintenance of the property in a good state of repair.

You may add other necessary details, including the particulars of the parties, for completeness.

[25 Marks]

END OF EXAMINATION