



AFRICA
UNIVERSITY
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SCHOOL OF LAW

NLLB312: CLINICAL LEGAL EDUCATION AND PRACTICAL SKILLS

END OF SECOND SEMESTER EXAMINATIONS

APRIL 2025

LECTURER: Mr V NKIWANE

DURATION: 3HRS

INSTRUCTIONS

- 1. Answer ALL questions.**
- 2. Read all questions carefully before attempting to answer any.**
- 3. Write legibly.**
- 4. Cite relevant authority to support your answers.**
- 5. Candidates are allowed to use clean copies of the following materials during the examination:**
 - Constitution of Zimbabwe Amendment (No. 20) Act 2013**
 - Magistrates Court Act [Chapter 7:10]**
 - Magistrates Court Rules 2019.**

Question 1

Your client Susan Nkomo, an adult female aged 40, approaches you that she was served with summons commencing action in the Mutare Magistrates Court three days ago.

Advise her on the options available to her and the legal implications of each of those options. **[20 marks]**

Question 2

Mr Amos Marange of No. 25 Magamba Street Sakubva, Mutare, I.D. No. 08-072539Y 26, born on 12 December 1980, mobile no. 0772578131, is the owner of a motor vehicle, a Mercedes Benz ML, registration number ABK 2042, silver grey in colour and petrol powered. The engine number is 233156X and chassis number 427Y3144. Mr Marange wishes to sell the vehicle to Ms Gladys Choto, I.D. No. 09-023468 A42, mobile no. 0784307158 of 10 Kings Avenue, Hillside, Mutare, born on 16 July 1976.

Using the above information, draft an agreement of sale for the parties. In your draft, include any other terms which you think are necessary to minimise possible future disputes. **[20 marks]**

Question 3

Using the Magistrates Court Rules, explain the two fundamental forms of proceedings used in civil disputes in the Magistrates Court. Your explanation should highlight how these differ from each other. **[20 marks]**

Question 4

Mr Samson Mbada is being sued in the Magistrates Court, Mutare by Sunshine Motors for the payment of USD\$2 000.00, being the balance of the purchase price for a motor vehicle he bought for his wife from Sunshine Motors. You are a legal practitioner and Mr Mbada has approached you for advice. He tells you that Sunshine Motors owe you USD\$1 500.00, due under a written acknowledgment of debt. You have approached the lawyers representing Sunshine Motors who are adamant that Mr Mbada must simply pay his debt in terms of the summons.

Outline the procedure you would adopt on behalf of Mr Mbada. **[10 marks]**

Question 5

You are approached by Jane, who is suing her former employer, Ubuntu University on a dishonoured cheque. The summons was issued and served on the defendant. The

dies induciae has expired and Ubuntu University has not entered an appearance to defend.

(a) Outline the steps you would take, in chronological order, to obtain final relief for your client. **[6 marks]**

(b) Draft a notice of set down to attend a pre-trial conference.

[4 marks]

[Sub-Total: 10 marks]

Question 6

Musa has owed Susan an amount of \$USD 500.00 borrowed on the 1st of April 2022. It was agreed that Musa would pay the debt on the 30th of April 2022. Susan has been advised by her boyfriend that the debt is danger of being described but she is not sure what the effect of that is.

(a) Advise Susan on the meaning of prescription and when her claim from Musa will be deemed prescribed. **[3 marks]**

(b) Draft a letter of demand for Susan and explain to her the purpose served by a letter of demand. **[7 marks]**

(c) What is the role of a University Law Clinic in the training of undergraduate law students? **[10 marks]**

[Sub-Total: 20]

TOTAL MARKS: 100

END OF QUESTION PAPER