



**KISII UNIVERSITY**  
**UNIVERSITY EXAMINATIONS**

**FOURTH YEAR EXAMINATION FOR THE AWARD OF THE DEGREE OF**  
**BACHELOR OF ARTS IN CRIMINOLOGY AND SECURITY STUDIES**  
**SECOND SEMESTER 2021/2022**  
**[JUNE-SEPTEMBER, 2022]**

**CRSS 435: LITIGATION PROCESS**

**STREAM: Y4 S2**

**TIME: 2 HOURS**

**DAY: TUESDAY, 3:00 – 5:00 PM**

**DATE: 00/09/2022**

**INSTRUCTIONS**

- 1. Do not write anything on this question paper.**
- 2. Answer question ONE (Compulsory) and any other TWO questions.**

**QUESTION ONE**

The procedural system in Kenya is adversarial. Discuss the role of the court in an adversarial system of procedure. [30 marks]

**QUESTION TWO**

The function of courts is to resolve disputes between legal subjects or between legal subjects and the state. Both civil and criminal proceedings are formal systems of dispute resolution that are sanctioned by the state. Giving examples compare and contrast civil and criminal proceedings. [30 marks]

**QUESTION THREE**

- What is execution in the law of civil procedure? [5 marks]
- Discuss three types of execution in civil procedure. [15 marks]

**QUESTION FOUR**

- What is justiciability? [5 marks]
- Discuss the conditions that must be met for a matter to be justiciable. [15 marks]

**QUESTION FIVE**

Discuss the sources of civil procedure law in Kenya. [20 marks]