



KISII UNIVERSITY
UNIVERSITY EXAMINATIONS

SPECIAL EXAMINATIONS
FOURTH YEAR EXAMINATION FOR THE AWARD OF THE
DEGREE OF BACHELOR OF LAWS
FIRST SEMESTER, 2021/2022
(FEBRUARY - JUNE, 2022)

LLBK 411: PROFESSIONAL ETHICS

STREAM: Y4 S1

TIME: 2 HOURS

DAY: THURSDAY, 8:00 – 10:00 A.M.

DATE: 21/07/2022

INSTRUCTIONS

- 1. Do not write anything on this question paper.***
- 2. Answer question ONE (Compulsory) and any other TWO questions.***
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.***

QUESTION ONE

IGF& Partners is a legal firm that has been in existence for 2 years and seeks you out as an experienced practitioner to assist it with its efforts to rebrand and revamp its operations.

- (a) As the consultant engaged to assist with this rebranding effort, give the partners an exposition on risk management.

(7 Marks)

- (b) Set out to IGF& partners the tenets of good client care and develop a client feedback form for their consideration.

(15 Marks)

- (c) In developing the firm's Human Resource Manual, render an opinion to the partners on the effects of engaging an unqualified person as an associate in the firm. (8 Marks)

QUESTION TWO

- a. Charlo LLP seeks to enhance its presence in the growing social media. render an opinion to them on the legality and efficacy of online marketing (12 Marks)
- b. Explain to the partners of Charlo LLP the extent of the privilege offered in their advocate- client communication. (8 Marks)

QUESTION THREE

- a. Sleek Haunda Advocates LLP handles a large portfolio of corporate clients. They have recently received funds in their client account from their client who is interested in purchasing land from your client Grobby. Explain to your client what is meant by a professional undertaking and the assurance given with regards to the entire transaction. (12 Marks)
- b. It turns out that Sleek Haunda LLP had represented a company where Grobby was a major shareholder. Render an opinion to Grobby whether this amounts to a conflict of interest. (8 Marks)

QUESTION FOUR

- a. Wupti, a potential client approaches you to keep a certain safe with what he refers to as 'valuables'. Give an opinion on your obligations as an advocate with regard to this instruction and the measures you can implement should you accept the instructions. (12 Marks)
- b. Wupti inquires on the public perception that advocates are very busy and 'stressed'/ give a view on this and how as a practitioner you would handle stressful situations. (8 Marks)

QUESTION FIVE

- a. Filedis instructed you to register a trade mark and just before the issue of the certificate, you established that a new advocate has been instructed by Filedis to deal with the matter going forward. Explain the action you will take to ensure the fees owed to you by Filedis are paid. (10 Marks)

- b. You are in court waiting for your matter to be called when somebody thrusts a file at you with a loud whisper 'kindly hold brief for Advocate Coach in the matter'. Explain to the file thruster the reasons you cannot hold brief in the matter as presented.

(8 Marks)