

KENYA SCHOOL OF LAW



EXAMINATION FOR ADMISSION
TO THE ROLL OF ADVOCATES

ATP 103: LEGAL WRITING AND DRAFTING

THURSDAY 21ST NOVEMBER, 2013

DURATION: 3 HOURS

Instructions to Candidates

- (a) Candidates should attempt **FOUR** questions
- (b) Answer **one question from each section** and a **fourth one from any of the three sections**
- (c) All questions carry 15 marks each
- (d) Marks shall be lost for illegibility

PLEASE TURN OVER

SECTION A

QUESTION ONE

- a) Discuss the origin and use of plain English as a technique in legal writing. (5 marks)
- b) Edit the following sentences to wit the separation of related words. Keep the subject, verb and object as close as possible at the beginning of the sentence:
- i) Hustler in the course of his struggle to provide for his family accrued huge debts owed to his friends and business associates. (5 marks)
- ii) The allegations in the original petition that the first respondent was a morally bankrupt appointee unfit to hold public office was omitted in the amended petition. (5 marks)

QUESTION TWO

Read the attached Judgment (Appendix I) and write a case brief. (15 marks)

SECTION B

QUESTION THREE

- a) Discuss the fundamental principles of legal drafting. (5 marks)
- b) Paulo Awich and Gracia Anyango of Post Office Box Number 2222-0000 Kisumu have lived as man and wife for quite some time. They claim that they got married under Luo customary law in December 2009. They now wish to join the National Health Insurance fund as self-employed persons. They however need to prove that they are married and have sought your assistance as an Advocate of the High Court of Kenya.

Draft the appropriate instrument. (10 marks)

QUESTION FOUR

You are an associate in the law firm, Wakili & Co. Advocates. The following assignment has been placed for your attention.