

THE KENYA SCHOOL OF LAW



KENYA SCHOOL OF LAW
TOWN CAMPUS LIBRARY

DIPLOMA IN LAW (PARA-LEGAL STUDIES)

2ND YEAR TERM III EXAMINATION

CIVIL PROCEDURE II

10TH APRIL, 2014

DURATION: 2 HOURS

Instructions to Candidates

- (a) Answer Question **ONE** and **ANY OTHER THREE** Questions
- (b) Question **ONE** carries **25 Marks**
- (c) All other questions carry **15 Marks** each

PLEASE TURN OVER

Question One:

- a) How are plaints classified under Civil Procedure Act? (5 Marks)
- b) State the purpose of a trial conference. (10 Marks)
- c) Briefly explain the process a plaint goes through from the time of drawing it to the time of close of pleadings. (10 Marks)

Question Two:

State the powers of the court during the case conference.

(15 Marks)

Question Three:

- a) Give a brief explanation on how cases are fixed for hearing. (10 Marks)
- b) Define a "judgment" (5 Marks)

Question Four:

- a) What must be contained in a decree? (10 Marks)
- b) State the various ways in which parties to a case may arrive at costs of the case. (5 Marks)

Question Five:

- a) State the modes of paying of money due under the decree. (5 Marks)
- b) Give reasons as to why a judgment-debtor may be committed to prison in execution of a decree. (10 Marks)

Question Six:

- a) Briefly state the power of an appellate court over a case before it. (5 Marks)
- b) List ten (10) issues that must appear on an application for execution. (10 Marks)