



ZIMBABWE EZEKIEL GUTI UNIVERSITY
FACULTY OF BUSINESS, ECONOMICS AND ACCOUNTING
DEPARTMENT OF LAW AND LEGAL SERVICES

EXAMINATION PAPER

COURSE CODE :LLB 511
COURSE TITLE : ACCOUNTING FOR LEGALPRACTITIONERS
DURATION :3 Hours
DATE :

28 JUL 2025

INSTRUCTIONS TO CANDIDATES:

1. This question paper comprises of two printed pages.
2. This question paper comprise of seven questions.
3. Answer any four questions.
4. Start each question on a new page of your answer sheet

Question 1

An important requirement for admission as a legal practitioner is to be a “fit and proper person”. Legal practitioners are struck off the roll if they cease to be “fit and proper person”. The Legal Practitioners Disciplinary Tribunal deregistered fifteen legal practitioners in the year 2024. The Secretary of the Law Society is concerned about the corruption, incompetence and unprofessionalism within the once noble profession. The Law Society has approached you upon recommendation from the Council of Legal Education seeking an opinion on mechanisms which the Law Society should set into motion to ensure that prospective legal practitioners are “fit and proper persons” to take the esteemed office of a legal practitioner.

Prepare an opinion for the Law Society of Zimbabwe. [20 marks]

Question 2

- a) Making reference to the famous novel by renowned legal author John Grisham titled “The Partner” list any twenty (20) cases of unprofessional, dishonourable or unworthy conduct which may have been committed by any of the lawyers. [10 marks]

- b) Making reference to decided Zimbabwean and South African case law under what circumstances may *costs de bonis propriis* be granted against a legal practitioner? [10 marks]

Question 3

Concerns around money laundering and other illicit financial activities have been gaining traction in the Zimbabwean legal profession. Trust accounts are considered to be susceptible to misuse from money laundering and for funnelling illicit funds into organised crimes or terrorism.

Prepare a write up on how law firms in Zimbabwe are facilitating money laundering and how the legal profession should guard against money laundering and other illicit financial activities. [20 marks]

Question 4

The Law Society of Zimbabwe is battling with errant legal practitioners. There has been an increase in number of complaints which have been reported by the members of society against legal practitioners. The noble profession is now filled with corrupt, unscrupulous, incompetent and unprofessional persons masquerading as legal practitioners. Judges of the superior courts are always bemoaning how the courts are being burdened by court processes poorly drafted and premised on wrong substantive and procedural basis. The Chief Magistrate has on frequent occasions lamented how legal practitioners are failing to dress properly and has proposed that legal practitioners robe even in the Magistrates Court.

The Secretary of the Law Society and the Chairperson of the Council for Legal Education have approached you and request you to prepare a confidential report on how corruption is occurring in the courts of law [20 marks]

Question 5

"End of the road" Discuss this assertion with the decisions on Tribunals which has been set to determine the suitability of one to remain a judge in Zimbabwe.

Question 6

Theft and misappropriation of trust funds by legal practitioners is a practical reality in the legal profession. Prepare a factually and legally detailed a write up on decided cases where legal practitioners were deregistered due to the issue of theft of trust funds.

Question 7

Wally and Finney are legal practitioners under the firm Wally and Finney Legal Practitioners. Wally and Finney are equal partners in their law firm as they share the business expenses and profits equally. Wally as the Managing Partner is in charge of trust funds. They use Willards Bank for banking. Wally and Finney are all signatories to the bank accounts and both can make deposits and withdrawals without requiring the signature of another. Finney courts a huge construction company based in Sweden. The Swedish company sends USD1 500 000 to be kept in trust while the Swedish company is setting up its compliance issues to operate in Zimbabwe. Finney informs Wally about the transaction and the two are elated on the potential business the firm will engage.

Unknown to Finney over the course of the years Wally has developed a gambling addiction. Wally's estate is diminished. Wally is on the throngs of a divorce as his wife can no longer endure his problems. Wally starts to dip into the trust funds so as to turn around his misfortunes. Wally thinks if he can withdraw a few thousands and invest in gambling he may win big. Wally makes a withdrawal and immediately rushes to gambling where he wins big. Wally is tempted to make another withdrawal so as to maximise his wins. Wally withdraws USD500 000 and off he goes to his favourite casino. On this occasion Wally does not have his earlier luck and he loses all the money. Wally panicked and in a state of panic went to the bank and withdrew all the money and skips the country.

Finney then discovers that Wally has gambled some of the money and ran off with the rest makes a police report. Finney informs the Swedish company. As anticipated the Swedish company does not laugh this off. A report is made to the Law Society. The Law Society dips into its Compensation Fund and pays back the Swedish Company.

The International Police manages to arrest Wally who had set up his base in Las Vegas thinking he could win big and pay back the money. The United States government agrees to extradite Wally to Zimbabwe. Wally innovatively ties to plead that he will not have a fair trial in his home country due to its human rights record

pleads for asylum and the United States State Department dismisses his application. Wally is sent back to Zimbabwe and is immediately remanded in prison.

Finney ask you to represent him before the Legal Practitioners Disciplinary Tribunal on charges of theft and misappropriation of trust funds charges.

Prepare a legal opinion for Finney. [20 marks]

****END OF PAPER****

2/2 (am)