



ZIMBABWE EZEKIEL GUTI UNIVERSITY

FACULTY OF LAW, BUSINESS INTELLIGENCE AND ECONOMICS

DEPARTMENT OF LAW AND LEGAL SERVICES

EXAMINATION PAPER

MODULE CODE : LLB522

MODULE TITLE : PROFESSIONAL LEGAL ETHICS

DURATION : 3 HOURS

LEVEL : 5:2

DATE : 26 SEP 2025

INSTRUCTIONS TO CANDIDATES:

1. This paper contains 7 Questions.
2. Answer Any 4 questions.
3. Each Question carries 25 Marks.
4. Start each question on a new page.
5. This paper consists of THREE (3) pages.
6. Number of marks for part questions are shown in brackets.

QUESTION 1

Discuss the desirable attributes and attitude of prosecutors in the context of the following statement:-

“The object of the criminal justice system is to achieve justice.” 25 marks

QUESTION 2

a) Discuss the independence of the legal profession (including the judiciary and State counsel and its importance to both the profession and the public.

15 marks

b) Identify and explain the provisions of the Legal Practitioners Act [Chapter 27:07] that underpin the independence of registered legal practitioners.

10 marks

QUESTION 3

a) What is the rationale for the prohibition against touting, advertising and tendering to provide legal services by legal practitioners? 15 marks

b) So how may a legal practitioner market his/her services? 10 marks

QUESTION 4

“By knowing the conduct required of him or her as a member of the profession and acting according to it, the legal practitioner begins to know himself or herself as a member of the honourable profession proud to espouse its values in all his or her dealings with the public, courts, colleagues and staff”.

Per Mr Justice L. Malaba, DCJ (as he then was) : Foreword to ‘Ethics, The Legal Profession and Practice Management’ by P.T. Gambe

Discuss the statement in relation to ethics and values of the legal profession.

25 marks

QUESTION 5

- a) Define "legal ethics". 10 marks
- b) Explain the rationale for recusal by a judicial officer. 6 marks
- c) What is a courtesy call? 5 marks
- d) How would a legal practitioner address:
- i. A female judge during court proceedings? 1 mark
 - ii. A judge he/she has met in a supermarket? 1 mark
 - iii. A fellow legal practitioner during court proceedings? 1 mark
- e) What is the dress code for counsel appearing before a judge at a pre-trial conference? 1 mark

QUESTION 6

Discuss the essential characteristics of the code of ethics for legal practitioners.

25 marks

QUESTION 7

Discuss the following in the context of the ethics of the legal profession:-

- a) Professional negligence; 5 marks
- b) The sub-judice rule; 5 marks
- c) Fiduciary duty; 5 marks
- d) Abuse of court process; and 5 marks
- e) Scandalising the court. 5 marks