



## **LAW DEVELOPMENT CENTRE**

### **RULES GOVERNING THE BAR COURSE, 2020**

#### **(UNDER SECTION 8(1) OF THE LAW DEVELOPMENT CENTRE ACT, CAP 132)**

### **ARRANGEMENT OF RULES**

#### **Rule**

1. Citation
2. Interpretation
3. Open, Distance and E-learning
4. Types of Assessment
5. Attendance
6. Clinical Legal Education (CLE)
7. Individual Assessment (IA)
8. Clerkship
9. Research Project
10. Clerkship Placement
11. Examinations (Compulsory Subjects Category A)
12. Cumulative Assessment (Compulsory Subjects Category A)
13. Examinations (Compulsory Subjects Category B)
14. Examinations (Elective Subjects Category C)
15. Examination Questions Bank
16. Use of Index Numbers
17. Special Examinations and Special Clerkship Placement
18. Supplementary Examinations and Repeating a Subject
19. Time Limit for Completing the Bar Course
20. Extension of Time

## **Rule**

21. Time Limit for Repeating Clerkship or Subject
22. Passing the Bar Course
23. Special Needs
24. Examination Malpractice
25. Prohibited Items During Examination
26. Failure to Pay Special or Supplementary Examination Fees
27. Verification Committee
28. Functions of the Verification Committee
29. Right of Appeal
30. Verification by Student Before Appeal
31. Appeals
32. The Board of Examiners
33. Powers and Duties of the Board of Examiners
34. Examination Appeals Committee
35. Functions and Powers of the Examination Appeals Committee
36. Approval and Publication of Final Results
37. Powers of the Management Committee to Approve and Publish Results
38. Prizes
39. Award and Classification of Diploma in Legal Practice
40. Signing by Student
41. Commencement

'Schedule 1' Guidelines for Open, Distance and E-learning

'Schedule 2' LDC Dress Code for Bar Course Students

'Schedule 3' Conduct and/or Activities Deemed to be Examination Malpractices

'Schedule 4' Classification of Postgraduate Diploma in Legal Practice based on Cumulative Grade Point Average (CGPA)

'Schedule 5' Acknowledgment of Receipt and Undertaking to be Bound by Rules Governing the Bar Course, 2020

## **RULES GOVERNING THE BAR COURSE, 2020**

### **1. Citation**

These Rules made by the Management Committee LDC under section 8(1) of the Law Development Centre Act, Cap. 132, may be cited as the '**Rules Governing the Bar Course, 2020**'.

### **2. Interpretation**

In these Rules, unless the context otherwise requires:-

- (1) "academic activity" means lecture, guest lecture, firm discussion, workshop, clinical legal education/legal aid activity, site/field visit, moots, Clerkship Placement and the Bar Course Professional Dinner;
- (2) "attendance register" means a document or documents or electronic device used for recording attendance of academic activities by a Bar Course student and includes physical registers or electronic attendance recording systems using scanners or fingerprint or voice or face recognition or remote/online recording of attendance or any other ICT tool;
- (3) "Bar Course" means the postgraduate course at LDC leading to the award of the Postgraduate Diploma in Legal Practice;
- (4) "Centre" or "LDC" means the Law Development Centre;
- (5) "Chief Examiner" means the Director LDC;
- (6) "CLE" means Clinical Legal Education;
- (7) "Director" means the Director of the Law Development Centre;
- (8) "Head Bar Course" means Head of the Department responsible for conducting the Bar Course;
- (9) "lecturer" means the Director, Deputy Director, Assistant Director, head or deputy head of a teaching department, head or assistant head of subject, lecturer, consultant lecturer, part-time lecturer, LDC staff member participating in teaching on the Bar Course or guest speaker;
- (10) "legal practitioner" means a Judicial Officer of the Courts of Judicature (Judge, Registrar, Deputy Registrar, Assistant Registrar, Chief Magistrate or Magistrate Grade 1), a State Attorney of whatever rank, an advocate in private legal practice in chambers approved by the Law Council, an advocate or lawyer duly authorized to practice law in Government employment or an advocate in a legal department of a statutory or other legal corporation or advocate in a non-governmental organization (NGO);

- (11) “registrar” means the Academic Registrar or person performing functions of the Academic Registrar of the Law Development Centre.
- (12) “research supervisor” means a lecturer, university law lecturer, advocate, judicial officer or other legal practitioner with demonstrated research skills.

### **3. Open, Distance and E-learning**

- (1) The Bar Course and the different types of assessment under these Rules or any part thereof may be conducted using open, distance and e-learning.
- (2) An academic activity may be conducted physically or through open, distance and e-learning or a combination of both.
- (3) The Bar Course Advisory Board shall determine the aspects of the course and assessment to be conducted physically and those to be conducted remotely or online using open, distance and e-learning.
- (4) Open, distance and e-learning shall be governed by these Rules and Guidelines for Open, Distance and E-Learning (**‘Schedule 1’**).
- (5) The guidelines referred to in Rule 3 (4) may be amended by the Bar Course Advisory Board.

### **4. Types of Assessment**

- (1) A student undertaking the Bar Course shall be subjected to the following mandatory assessments as provided for in these Rules:
  - (a) Attendance
  - (b) Individual Assessment (IA)
  - (c) Clerkship
    - i. Research Project
    - ii. Clerkship Placement
  - (d) Examinations (written and oral)
- (2) Assessment may be conducted physically or remotely (using open, distance and e-learning).
- (3) Physical assessment shall be conducted at any of the LDC campuses at Kampala, Lira, Mbarara (and/or any other campus established by the Management Committee) and at an approved Clerkship Placement institution.

### **5. Attendance**

- (1) Attendance of all academic activities is compulsory and shall be recorded and monitored.
- (2) A student is required to attend all lectures, guest lectures/speakers, firm discussions, workshops, clinical legal education/legal aid activities, site/field visits, moots, Clerkship Placement and the Bar Course Professional Dinner.

- (3) A student attending an academic activity shall at all times conduct himself or herself professionally including:
  - (a) Active and disciplined participation in the academic activity;
  - (b) Strict timekeeping;
  - (c) Dressing in compliance with the LDC Dress Code for Bar Course Students (**'Schedule 2'**);
  - (d) Conducting himself or herself in compliance with any approved LDC code of conduct;
  - (e) Conducting himself or herself in a dignified manner befitting of a Bar Course student.
- (4) A lecturer may exclude a student from an academic activity for unprofessional conduct and report the unprofessional conduct to the Head Bar Course.
- (5) A student excluded from an academic activity for unprofessional conduct shall be deemed to have not attended the academic activity. A signature signifying his or her attendance of the activity shall be expunged from the record.
- (6) The Department of Post Graduate Legal Studies and Legal Aid shall maintain an attendance register – manual or electronic – for every academic activity to be signed by a student in person physically or remotely.
- (7) An attendance register shall include an electronic systems generated attendance register.
- (8) A student shall sign the attendance register in person using a unique signature consistent with the signature used in his or her application to join the Bar Course and other records with the Academic Registrar's office or using an electronic means of registering attendance including swipe cards, fingerprints, voice recognition, face recognition or other form of bio-metric identification or other mechanism approved by LDC. Use of initials or other mark, especially one that is not unique or is easy to replicate, is prohibited.
- (9) A student who signs the attendance register on behalf of another student or signs into a remote academic activity or attends a remote academic activity in the place of or using the credentials of another student shall be deemed to have failed attendance for the entire week in which he or she signed in or attended an academic activity for another student.
- (10) A student who damages, destroys or in any way tampers with equipment used to record and monitor attendance or attempts to damage, destroy or in any way tamper with the same shall be subjected to disciplinary proceedings.
- (11) A lecturer may conduct roll call as a means of verifying and monitoring attendance and detecting fraudulent signing of the attendance register.

- (12) A student shall attend at least 90% of all academic activities in a teaching week failure of which the student shall not be allowed to sit examinations in the term in which minimum attendance has not been met in any teaching week in the term.
- (13) A lecturer responsible for an academic activity shall submit a report on each student's attendance (consisting of the signed attendance register for the academic activity and any relevant comments by a lecturer) to the Head Bar Course at the end of each academic activity. A report on attendance shall include a systems generated electronic attendance report.
- (14) A student who fails to attend an academic activity due to any justifiable cause shall notify the Academic Registrar through the Head Bar Course in writing within one week after his or her failure to attend.
- (15) The Head Bar Course shall compile a summary of student attendance of academic activities and submit the summary to the Registrar.
- (16) The Registrar shall prepare a list of students eligible to sit examinations as submitted to him or her by the Head Bar Course and pin their names on the students' notice-board and LDC website before the start of the examinations.
- (17) A student passes attendance if he or she meets attendance requirements of 90% in all academic activities in every teaching week in a term.
- (18) A student who fails to meet attendance requirements in any teaching week of a term fails the term and shall not be allowed to undertake any assessment in the term including examinations nor to progress to the next term.
- (19) A student dissatisfied with the list prepared by the Registrar under Rule 5 (16) above or who has good cause for failing to meet the attendance requirement may petition the Board of Examiners for appropriate redress.
- (20) The Board of Examiners may, for good cause, permit a student who has not met the 90% attendance requirements to sit an examination or a special examination.
- (21) Good cause for purposes of sub-rule (18) includes illness, pregnancy, detention, technological or power failure or any other good cause as may be determined by the Board.
- (22) A student may petition the Board of Examiners against his or her attendance records compiled, computed and submitted by the Head Bar Course.

- (23) The Board of Examiners may allow a student to sit examinations pending the determination of the petition in Rule 5 (20) above but the student's examination script shall not be marked until the petition is determined.
- (24) A student who fails a term by reason of failing to meet attendance requirements shall not proceed to the next term. A student may, on application, be permitted by the Board of Examiners to repeat the term failed in a subsequent academic year and thereafter proceed to the next term.

## **6. Clinical Legal Education (CLE)**

- (1) A student shall attend Clinical Legal Education (CLE) training to enhance practical legal skills.
- (2) CLE training shall include:
  - (a) Attendance of court proceedings
  - (b) Student legal practice
  - (c) Internship placement in an institution or law firm
  - (d) Alternative Dispute Resolution
  - (e) Site/field visits
  - (f) Any other CLE activity organized by the Bar Course Department
- (3) The LDC Legal Aid Clinic (LAC) shall support CLE training generally.
- (4) The LDC Legal Aid Clinic (LAC) shall operate a student practice programme to operationalize the student legal practice provided for in Rule (2)(b) above.
- (5) The Head Bar Course with the approval of the Director shall set the criteria for selection and admission of students onto the LDC Legal Aid Clinic (LAC) student practice programme

## **7. Individual Assessment (IA)**

- (1) Individual Assessment (IA) is done weekly over three terms.
- (2) Individual Assessment (IA) in the five (5) Compulsory Subjects Category A comprises of a weekly;
  - (a) individual written test of not more than two (2) hours; or
  - (b) written 'take home' coursework assignment; or
  - (c) any other form of assessment approved by the Bar Course Advisory Board

Where an IA is written remotely or online, the Chief Examiner may extend the time for completing the IA.

- (3) Individual Assessment (IA) in First Term shall be for practice, revision and feedback only. The First Term IA tests shall be marked, assessed and results returned to a student but shall not form part of the final results of a student. An IA test in First Term may be marked by a lecturer or by peers (Bar Course students) with guidance from a lecturer.
- (4) Individual Assessment (IA) in Second Term and Third Term shall form part of the final assessment of a student and shall be marked by a lecturer.
- (5) The Bar Course Advisory Board shall determine the content, format, length and student instructions of an IA test.

## 8. Clerkship

- (1) Clerkship is conducted in two parts – Research Project and Clerkship Placement.
- (2) A student's Clerkship performance shall be assessed on four criteria that shall be graded according to the following allocation of marks:

(a) Research Project Report	40%
(b) Clerkship Placement Journal	20%
(c) Clerkship Placement Internal Supervisor's report	20%
(d) Clerkship Placement External supervisor's report	<u>20%</u>
<b>TOTAL</b>	<b><u>100%</u></b>
- (3) A student passes Clerkship when he or she gets a total of at least 50% (C grade, GP 2.0) in the four criteria assessed.
- (4) For avoidance of doubt a student who is not assessed on any of the four (4) criteria/components of Clerkship shall fail Clerkship even if his or her aggregate marks in other components assessed is 50% (C grade, GP 2.0) or above.
- (5) If a student does not satisfy the requirements for passing Clerkship, he or she shall fail Clerkship and may be allowed by the Board of Examiners to undertake supplementary clerkship in a subsequent academic year.
- (6) A student who fails supplementary Clerkship may be allowed by the Board of Examiners to repeat Clerkship in a subsequent year (subject to the 3 year rule for completing the course) upon payment of a repeating fee.
- (7) The Head Bar Course with the approval of the Chief Examiner shall determine the form of the clerkship journal and of the reports referred to in Rule 9 (16).



## **9. Research Project**

- (1) The Head Bar Course shall within 21 days of the commencement of an Academic Year provide a list of research topics from which a student shall select one in which to undertake research.
- (2) The Head Bar Course with the approval of the Chief Examiner shall provide guidelines for the research project including the form (physical or electronic), format and length of the research project draft and final report.
- (3) A student shall submit a research proposal to the Head Bar Course before the end of the 6<sup>th</sup> week of First Term.
- (4) The Head Bar Course shall assign to each student a Research Supervisor who will guide the student in formulation of the research topic and refining the research proposal.
- (5) The Research Supervisor shall approve the research proposal before end of First Term. A student shall not undertake research without written approval of his or her proposal by his or her Research Supervisor.
- (6) A Research Supervisor may supervise more than one student.
- (7) A student shall submit to his or her Research Supervisor various chapters as may be required by the supervisor from time to time and shall submit periodic reports as follows:
  - (a) Research Project Report – 1<sup>st</sup> Draft by end of Second Term
  - (b) Research Project Report – 2<sup>nd</sup> Draft by end of Third Term
  - (c) Research Project Final Report submitted to the Head Bar Course within fourteen (14) days of completion of Clerkship Placement.
- (8) A student's research project report shall be marked and graded by his or her Research Supervisor who shall not be the student's Clerkship Placement Internal Supervisor or External Supervisor.

## **10. Clerkship placement**

- (1) Clerkship Placement shall be undertaken physically or remotely during the Fourth Term of each Academic Year for a period of twelve (12) weeks.
- (2) During Clerkship Placement, a student is attached to a placement institution (private law firm, court, Legal Aid Clinic, Directorate of Public Prosecutions, Justice Law & Order Sector (JLOS) Institution, Department in the Ministry of Justice and Constitutional Affairs or Legal Department in other bodies or other institution designated by the Chief Examiner).

- (3) The Chief Examiner shall approve clerkship placement institutions and avail to the Head Bar Course a list of approved institutions within six (6) weeks of the commencement of an Academic Year.
- (4) A list of approved Clerkship placement institutions shall be given to students by the Head Bar Course before the end of First Term so that each student selects where he or she wishes to undertake Clerkship Placement.
- (5) A student shall be posted for Clerkship Placement, in writing, after payment of all fees due by end of third term.
- (6) A student shall present the posting letter to the External Supervisor before being accepted for Clerkship Placement.
- (7) Any student who undertakes Clerkship Placement without the written authority of LDC shall be deemed not to have undertaken Clerkship Placement and shall not be assessed.
- (8) A student undertakes Clerkship Placement under the supervision of a legal practitioner of at least 3 years' experience.
- (9) A student shall within fourteen (14) days of commencing Clerkship Placement inform the Head Bar Course by email or formal letter or other form of communication authorized by the Head Bar Course of his or her designated External Supervisor.
- (10) The Clerkship Placement period runs from Monday to Friday during working hours of the placement institution and a student must be present at his or her Clerkship Placement station throughout this practical training period.
- (11) A student shall not engage in any employment during Clerkship Placement as the training is a full time part of the Bar Course.
- (12) The External Supervisor or Head Bar Course may, in writing and where there is sufficient cause, give a student permission for time off during Clerkship Placement for a period of not more than three days.
- (13) The Director may, in writing and where there is sufficient cause, give a student permission for time off during Clerkship Placement for three or more days.
- (14) Where the Director or Head Bar Course gives a student permission for time off during Clerkship Placement they shall notify the External Supervisor.
- (15) The External Supervisor at the placement institution and Internal Supervisor (a lecturer at LDC) shall towards the end of the Clerkship Placement period conduct a visit to assess the performance of the student through interview, observation and perusal of documents drafted (kept in a clerkship file).

- (16) The External Supervisor and Internal Supervisor shall each submit a separate report of their assessment and grading of the student's performance as provided for in these Rules.
- (17) The Internal Supervisor shall assess and grade the Clerkship journal.
- (18) The Internal Supervisor's report, in addition to assessment of a student, shall indicate their general assessment of the placements institution supervised and any matters that impact on the quality of the clerkship experience.

## **11. Examinations (Compulsory Subjects Category A)**

- (1) A student shall sit examinations in five (5) Compulsory Subjects (Category A) physically or remotely namely:
  - (a) Civil Litigation
  - (b) Corporate and Commercial Practice
  - (c) Criminal Proceedings
  - (d) Family Law Practice; and
  - (e) Land Transactions
  
- (2) Oral Examinations
  - (a) A student shall sit an oral examination in each of the five (5) Compulsory Subjects (Category A) physically or remotely at the end of Second Term.
  - (b) A student sits an Oral Examination before a panel of three or more examiners for each of the five (5) Compulsory Subjects (Category A).
  - (c) A panel of examiners must include at least one Internal Examiner (lecturer).
  - (d) A student shall be asked questions relating to the subject and shall be assessed on areas including; knowledge of the law, competence to apply the law in practical situations, procedure, ethics, presentation, composure and dressing.
  - (e) A student may sit more than one subject in a day in oral examinations if the examination timetable so requires.
  - (f) The Head Bar Course with the approval of the Chief of Examiner shall provide guidelines for conducting oral examinations.

- (3) Written Examinations
- (a) A student shall sit a written examination in each of the five (5) Compulsory Subjects (Category A) physically or remotely at the end of Third Term.
  - (b) The examination in each Compulsory Subject (Category A) shall consist of a four (4) hour written examination.
  - (c) The Chief Examiner may extend the time for writing the examination when the examination is written remotely or online.
  - (d) Where the complexity of the examination or volume of supporting documents and attachments or number of documents to be drafted so require, the Chief Examiner may, prior to the commencement of the examination, extend the length of an examination by up to 30 minutes.
  - (e) The Head Bar Course with the approval of the Chief Examiner shall determine the format of the examination and reference materials and lecture notes permitted in each written examination.
  - (f) The Chief Examiner shall determine which materials referred to in (e) above may be brought in by the students and which materials shall be provided by LDC as part of the examination documents and shall notify students accordingly at least 14 days before the examination.

## 12. Cumulative Assessment (Compulsory Subjects Category A)

- (1) A student shall be assessed cumulatively for the various components of the Compulsory Subjects (Category A) as follows:
- |  |   |                    |
|--|---|--------------------|
| (a) Individual Assessment (IA) (Second Term) | - | 10%                |
| (b) Individual Assessment (IA) (Third Term)  | - | 10%                |
| (c) Oral examination                         | - | 30%                |
| (d) Written examination                      | - | <u>50%</u>         |
| <b>Total</b>                                 |   | <b><u>100%</u></b> |
- (2) A student passes a Compulsory Subject (Category A) if he or she attains in the subject a total cumulative mark of at least 50% (C grade, GP 2.0).
- (3) Examination results for Second Term and Third Term shall be released separately at the conclusion of each term to enable tracking of a student's academic performance and progress.

### 13. Examinations (Compulsory Subjects Category B)

- (1) At the end of the second term, a student shall sit examinations physically or remotely consisting of a written examination in each of three Compulsory Subjects (Category B) namely:
- (a) Legal Practice Skills I
  - (b) Legal Practice Skills II
  - (c) Trial Advocacy
- (2) The three subjects shall have components as follows:
- (a) Legal Practice Skills I
    - i. Legal Writing
    - ii. Professional Conduct
  - (b) Legal Practice Skills II
    - i. Accounting
    - ii. Management Skills
    - iii. Tax Practice
  - (c) Trial Advocacy
    - i. Written examination
    - ii. Moots
- (3) The written examination for the subjects in Rule 13 (1)(a) and (b) shall be a four (4) hour examination marked out of 100%. The Chief Examiner may extend the time for writing the examination when the examination is written remotely or online.
- (4) The marks for the subject components shall be combined as follows:
- (a) Legal Practice Skills I
    - i. Legal Writing 50%
    - ii. Professional Conduct 50%
    - Total** **100%**
  - (b) Legal Practice Skills II
    - i. Management Skills 40%
    - ii. Accounting 30%
    - iii. Tax Practice 30%
    - Total** **100%**

- (5) Trial Advocacy shall be examined physically or remotely as follows:
  - (a) A two (2) hour\_written examination at the end of second term marked out of 40%. The Chief Examiner may extend the time for writing the examination when the examination is written remotely or online.
  - (b) A practical examination as counsel during moots or other practical exercise in second term or, for any students not examined in second term, in Third Term marked out of 60%.
  - (c) The marks for the written examination and the practical examination shall be added and constitute a student's final examination mark for Trial Advocacy.
- (6) The Head Bar Course with the approval of the Chief Examiner shall determine the format of the examination and reference materials and lecture notes if any permitted in each written examination.
- (7) The Chief Examiner may designate a lead examiner for each subject for purposes of coordinating the setting of the examination and compilation of the different components of each examination paper.
- (8) A student passes the Final Examinations (Compulsory Subjects Category B) if he or she passes the subjects at a mark of at least 50% (C grade, GP 2.0) in each subject.

#### **14. Examinations (Elective Subjects Category C)**

- (1) The Elective Subjects Category C are;
  - a. Corporate Governance
  - b. Judicial Practice
  - c. Legal Aid and Pro bono Practice
  - d. Legislative Drafting
  - e. Public Legal Practice
- (2) At least three (3) of the elective subjects shall be offered as elective options in any academic year.
- (3) A student is required to select only one elective subject.
- (4) The Head Bar Course shall determine the maximum number of places available for each elective subject and communicate the same to the Bar Course students and places on the elective subjects shall be allocated on a first come first served basis.

- (5) The Head Bar Course may give priority on the Legal Aid and Pro Bono Practice elective to students who have participated in the student practice programme of the LDC Legal Aid Clinic.
- (6) At the end of the Third Term, a student shall sit a three (3) hour written examination physically or remotely in one subject selected from the Elective Subjects (Category C). The Chief Examiner may extend the time for writing the examination when the examination is written remotely or online.
- (7) The Head Bar Course with the approval of the Chief Examiner shall determine the format of the examination and reference materials and lecture notes permitted in each written examination.
- (8) A student passes the Final Examination (Elective Subjects Category C) if he or she passes the subject selected with a mark of at least 50% (C grade, GP 2.0).

#### **15. Examination Questions Bank**

- (1) There shall be an Examination Questions Bank for compilation and safe custody of Bar Course examination questions in the various subject categories as determined by the Chief Examiner.
- (2) The Examination Questions Bank shall be under the control and management of the Chief Examiner.
- (3) The Chief Examiner shall develop guidelines for the proper management of the Examination Questions Bank. The guidelines shall provide for *inter alia*:
  - (a) Management structure.
  - (b) Selection of examiners.
  - (c) Form of examinations.
  - (d) Procedure for selection of examination questions or papers.
  - (e) Security and integrity of examination question papers.
  - (f) Electronic and physical custody of examination questions and papers.
  - (g) Any other matter incidental to the effective functioning of the Bank.

#### **16. Use of Index Numbers**

- (1) A student shall use an Index Number issued by the Registrar.
- (2) A student shall sign for the Index Number at the time of its issuance.
- (3) A student shall carry an examinations card with the index number and an identification card to the examination room and display them.
- (4) A student who fails to comply with sub-rule (3) of this rule shall be excluded from the examination.

- (5) A student who sits an examination and
  - (a) Uses a non-existent index number; or
  - (b) Uses a wrong index number; or
  - (c) Omits to state the index number; or
  - (d) Uses another candidate's index number; or
  - (e) Writes the index number ineligibly on the answer booklet,shall have his or her results withheld pending verification.
- (6) A verification fee prescribed by the Centre Administration shall be paid by the student whose results need verification under sub-rule (5) of this rule.

### **17. Special Examinations and Special Clerkship Placement**

- (1) Where a student fails to sit an examination, the student may on application in writing be allowed to sit a Special Examination.
- (2) Where a student fails to undertake Clerkship Placement, the student may on application in writing be allowed to undertake Special Clerkship Placement.
- (3) A student shall address a request to sit Special Examinations or undertake Special Clerkship Placement with an explanation why the student is or was unable to sit examinations or undertake Clerkship Placement to the Registrar and copied to the Director and Head Bar Course; and the Registrar shall forward the request to the Board of Examiners for a decision.
- (4) The reasons for failure to do examinations or undertake Clerkship Placement include illness, pregnancy, detention, pursuit of further studies or failure to gain admission to a Clerkship Placement institution or any other justifiable cause as may be determined by the Board of Examiners.
- (5) The student shall, at the time of the examinations or Clerkship Placement or soon thereafter, submit documentary or other sufficient proof to support the reason for failure to sit an examination or undertake Clerkship placement.
- (6) A student shall not sit a Special Examination or Special Clerkship unless the student pays the prescribed special examination fee or special clerkship fee.
- (7) A student who fails a Special Examination or Special Clerkship placement may sit a supplementary examination or undertake supplementary Clerkship Placement in accordance with these Rules.



## 18. Supplementary Examinations and Repeating a Subject

- (1) A student may, upon payment of a Supplementary Examination fee, sit a Supplementary Examination in the subject or subjects he or she has failed at a time convenient to the Centre.
- (2) If a student fails not more than two (2) Compulsory Subjects (Category A) the Board of Examiners may allow him or her to sit a Supplementary Examination in the subject or subjects failed at a time convenient to the Centre.
- (3) A Supplementary Examination for a Category A subject shall consist of two parts:

(a) Oral examination	-	50%
(b) Written examination	-	<u>50%</u>
<b>Total</b>	-	<b><u>100%</u></b>
- (4) A student who fails a subject or subjects in the Examinations (Compulsory Subjects Category B) may sit a Supplementary Examination in the subject or subjects failed at a time convenient to the Centre.
- (5) A student who fails examinations in an Elective Subject in Category C may sit a Supplementary Examination in the subject failed at a time convenient to the Centre.
- (6) A student shall sit a Supplementary Examination only once.
- (7) Notwithstanding the provisions of Rule 18 (6) above, a student repeating a subject or subjects may sit a supplementary examination if he or she fails the repeated subject or subjects.
- (8) The Result of a supplementary examination shall only be used for purposes of enabling a student pass the subject. It shall not affect a student's CGPA or the classification of Diploma to be awarded to a student.
- (9) If a student fails a Supplementary Examination, he or she shall fail the subject and may repeat the subject in a subsequent academic year convenient to the centre upon payment of a repetition fee determined by the Management Committee.
- (10) A student repeating a subject shall be required to attend at least 90% of all academic activities relating to the subject being repeated.

- (11) A student repeating a Category A subject shall re-join the Bar Course in Second Term of the Academic Year in which he or she is repeating the subject.
- (12) A student repeating a Category B or Category C subject shall re-join the Bar Course in the term in which the subject is taught.
- (13) A student repeating a Category A subject shall be required to repeat all the components of the subjects namely:
  - Individual Assessment (Second Term)
  - Individual Assessment (Third Term)
  - Oral Examination
  - Written Examination
- (14) A student shall repeat a subject only once. A student who fails a repeated subject and fails a supplementary examination therein shall fail the Bar Course

#### **19. Time Limit for Completing the Bar Course**

- (1) A student shall complete the Bar Course – including Clerkship, examinations, supplementary and special examinations – within a period of three years.
- (2) The three years is inclusive of the year of admission onto the Bar Course.
- (3) Where a student does not complete the Bar Course within the three year period he or she shall be deemed to have failed the Course but he or she may;
  - (a) apply to the Board of Examiners for extension of time under Rule 20 of these Rules, or
  - (b) apply for re-admission to the entire Bar Course.

#### **20. Extension of Time**

- (1) A student who does not complete the course within three (3) years may apply to the Board of Examiners for extension of time on grounds that he or she was prevented from completing the Course on time due to any sufficient cause.
- (2) Where the Board of Examiners allows an application under sub-rule (1) of this rule, the extension of time shall not exceed five years from the time the student started the Course.
- (3) Sufficient cause shall include pregnancy, serious illness, further studies, detention, financial constraints, domestic and family circumstances and any other sufficient cause as the Board shall deem fit.

## **21. Time Limit for Repeating Clerkship or Subject**

- (1) The time limit within which to repeat Clerkship Placement or a subject shall be two years from the time of release of the results in question.
- (2) Time may be extended by the Board of Examiners for good cause but shall not exceed an additional two years.
- (3) Repeating of Clerkship or a subject is subject to the three (3) year time limit for completing the Bar Course provided for under Rule 19.

## **22. Passing the Bar Course**

- (1) A student passes the Bar Course if he or she passes Attendance, Clerkship and Examinations (including Individual Assessment (IA)).
- (2) If a student fails Attendance, Clerkship or Examinations (including Individual Assessment (IA)) he or she shall fail the assessment or subject.
- (3) If a student fails a supplementary examination or supplementary Clerkship the student shall fail the subject or supplementary Clerkship as the case might be.
- (4) In order to pass the course the student may repeat the assessment or subject failed in a subsequent academic year upon paying a repeating fee.
- (5) If a student fails three (3) or more Compulsory Subjects (Category A), he or she shall fail the Bar Course.
- (6) A student who fails the Bar Course as provided for in Rule 22 (5) above may repeat the entire Bar Course including all terms and types of assessments provided for in Rule 4 (1) of these Rules.

## **23. Special Needs**

- (1) A student with special needs as a result of disability or for any other reason shall, not less than two weeks before the examination, notify the Director of his or her special need and request the Director for special consideration during the examination.
- (2) A student with a special need shall present to the Director a certification of the special need by a medical practitioner or other relevant specialist employed in a Government hospital or institution or facility.

- (3) Where the Director is satisfied that the student has established a special need that warrants special consideration the Director may:
  - (a) authorize an invigilator or other staff of LDC to accord the student the special consideration required,
  - (b) allow the student to enter the examination room with a helper appropriate to the special need to assist the student do the examination,
  - (c) allow the student to bring into the examination a mechanical aid approved by the Director,
  - (d) authorize the examination invigilator to allocate specified extra time within which to complete the examination, or
  - (e) take such actions and give such directions as are deemed necessary.

#### **24. Examination Malpractice**

- (1) In this rule, unless the context otherwise requires, “examination malpractice” means a student engaging in any one of the conduct or activities set out in ‘**Schedule 3**’ of these Rules.
- (2) In determining what amounts to an examination malpractice the Board of Examiners shall take into account advances in information and communication technology (ICT).
- (3) An examination malpractice in any paper may be committed before, during or after the examination.
- (4) There shall be an Examination Malpractice Committee appointed by the Chief Examiner to investigate allegations of examination malpractices.
- (5) An examination invigilator or other person with relevant knowledge shall make a report on the particulars of an examination malpractice and forward it to the Chief Examiner who shall communicate to the student or students suspected of an examination malpractice to write an explanation about the allegation.
- (6) The student or students suspected of examination malpractice shall give a written response to the alleged examination malpractice within 24 hours (excluding weekends and public holidays) of receiving the Director’s communication requiring a written explanation.
- (7) The Chief Examiner shall submit the malpractice report and materials related to the examination malpractice to the Examination Malpractice Committee that shall investigate the examination malpractice.

- (8) The Committee shall observe rules of natural justice including:
  - (a) Fair and equal treatment of all students/candidates.
  - (b) Fair hearing.
  - (c) Right of the student/candidate to defend themselves.
  - (d) Staff not to sit in judgment in their own cause.
  - (e) Consistency in recommended punishments.
- (9) The Examination Malpractice Committee shall give a report in writing to the Board of Examiners.
- (10) The Board of Examiners shall make appropriate orders.
- (11) Where, as a result of an allegation of examination malpractice, for which the student is absolved, the student is required to sit a special examination he or she shall do so without payment of a special examination fee.
- (12) A student who is found guilty of an examination malpractice shall be dismissed from the Bar Course and shall not be eligible for readmission for any course at LDC.
- (13) A student dismissed from the Bar Course under sub-rules (10 and 12) of this rule may, within 30 days of that decision, petition the Management Committee for readmission and the Management Committee may allow or dismiss the petition and make necessary orders.
- (14) Where the commission of an examination malpractice is established after the student has been awarded the Post Graduate Diploma in Legal Practice the award may be cancelled and the diploma certificate recalled by the Management Committee.

## **25. Prohibited Items During Examinations**

- (1) A student shall not be in possession of or use during a physical examination a watch, mobile phone or other electronic equipment for storing or retrieving information or materials not expressly allowed during an examination.
- (2) The Head Bar Course, with the approval of the Chief Examiner, shall determine prohibited materials for a distance or virtual examination.
- (3) A student shall not bring any prohibited materials in an examination room. Prohibited materials shall be determined by the Head Bar Course with the approval of the Chief Examiner in accordance with these Rules.

- (4) Where a student intends to use an electronic or mechanical gadget during an examination or assessment, he or she shall first declare the equipment and seek written approval from the Director.

## **26. Failure to Pay Special or Supplementary Examination Fees**

- (1) A student who fails to pay Special or Supplementary examination fees, unless authorised by the Director, shall not be allowed to sit the Special or Supplementary examinations.
- (2) A student who fails to pay Special or Supplementary examination fees may, upon subsequent application to the Board of Examiners, be allowed upon payment of the fees, to sit the Special or Supplementary examination on a later date within the period allowed for completion of the Course.
- (3) A student who fails to comply with sub-rules (1) and (2) of this rule shall be deemed to have failed the Course.
- (4) A student who fails the Course under this rule may re-apply for admission.
- (5) The decision of the Board of Examiners under this rule shall be communicated to the student by email or letter or by posting a notice on the Centre's Notice Board or on the Centre's website.

## **27. Verification Committee**

- (1) The Director shall appoint a Verification Committee comprising:
  - (a) a Chairperson who shall be a person with experience in examinations management in an institution of higher learning;
  - (b) not more than three senior administrative staff of the Centre;
  - (c) one professional teaching/legal staff.
- (2) The Secretary of the Verification Committee shall be one of the persons mentioned in sub-rule (1) (b) of this rule.

## **28. Functions of the Verification Committee**

- (1) The Verification Committee shall
  - (a) tally marks on an examination script;
  - (b) ascertain whether questions required to be answered were marked and assessed;
  - (c) ascertain whether the marks were properly computed;

- (d) ascertain whether the necessary assessments for passing the Course were considered; and
  - (e) do any other act connected to the above functions.
- (2) The Verification Committee shall not have the powers to re-mark an examination script.

## **29. Right of Appeal**

- (1) A student may appeal the results of a written examination where:
- (a) he or she has attained a mark of not less than 45% in the examination.
  - (b) he or she has failed only one subject in any of the three subject groupings they intend to appeal namely:
    - i. Category A
    - ii. Category B
    - iii. Category C
- (2) A student who scores less than 45% in a written examination has no right of appeal.
- (3) A student who fails more than one subject in any of the subject groupings (A, B or C) has no right of appeal in respect of any subject in the subject grouping in which the student has failed more than one subject.

## **30. Verification by Student Before Appeal**

- (1) After publication of the final results, a student who is dissatisfied with his or her result in a written examination and has a right of appeal under these Rules may within 7 days of publication and upon payment of a verification fee, apply to the Academic Registrar to be allowed to verify his or her examination script.
- (2) The Academic Registrar shall appoint a time and place within 14 days of receipt of the application for the student to verify his or her examination script.
- (3) Verification by the student shall be conducted in the following manner:
- (a) Verification shall be at a venue and time designated by the Academic Registrar.
  - (b) A student shall not take an examination script outside of the designated verification venue.

- (c) Verification shall be by a student in the physical presence of the Academic Registrar or a member of staff assigned by the Academic Registrar.
- (d) A student shall not carry any item into the verification venue – bag, wallet, mobile phone, pen *etcetera* – and shall not make any recording of the script or verification process.
- (e) A student shall not make any mark or alteration in the examination script nor damage or destroy the script in any way.
- (f) The Academic Registrar shall avail the student with a pen and paper/notepad to make notes.
- (g) A student shall be given 30 minutes within which to verify his or her script.

### **31. Appeals**

- (1) After verification of his or her examination script as provided for by Rules 30 and paying an appeal fee, a student may appeal against the result of a written examination as provided for in these Rules.
- (2) A student may within 7 days of verification of his or her script appeal to the Examinations Appeals Committee against his or her results on the grounds that;
  - (a) in his or her opinion the mark awarded of 45% to 49% is not the mark deserved; or
  - (b) these Rules were not followed; or
  - (c) the interest of justice so requires.
- (3) An appeal shall be addressed to the Secretary of the Examination Appeals Committee who shall convene a meeting of the Committee.
- (4) The Examination Appeals Committee shall, within thirty days after the expiry of the period of lodging an appeal, hear and dispose of an appeal.
- (5) The Committee may for good cause extend the period for disposing of an appeal.
- (6) Where a student's appeal under these Rules is determined, the Examinations Appeals Committee may:
  - (a) confirm the decision of the Board of Examiners; or
  - (b) direct the Board of Examiners to review its decision; or



- (c) revise the decision of the Board of Examiners; or
  - (d) direct for a remark of an examination script; or
  - (e) make any other decision in the interest of justice.
- (7) Where a remark has been ordered by the Examinations Appeals Committee, the Chief Examiner shall cause a remark of the script by an examiner other than the internal or external examiner who marked the script in the first instance.
  - (8) The Secretary of the Examination Appeals Committee shall, within seven working days from the date of disposal of an appeal communicate the decision of the Committee decision to the appellant.
  - (9) The decision of the Committee and the result of any remark is final and shall not be subject to appeal.
  - (10) The Committee shall report its decision to the Management Committee.

### **32. The Board of Examiners**

- (1) The Board of Examiners for the Bar Course shall be constituted as follows;
 

(a) The Director/Chief Examiner	Chairperson
(b) The Deputy Director	Member
(c) Head Bar Course	Member
(d) Deputy Head Bar Course	Member
(e) Heads of Subject (Bar Course)	Member
(f) Academic Registrar	Secretary
  
- (2) The Board of Examiners shall confirm;
  - (a) Attendance;
  - (b) Examinations results;
  - (c) Individual Assessment (IA) results; and
  - (d) Clerkship results,

and recommend results of the Bar Course to the Management Committee for approval.
  
- (3) Where the Board considers it necessary to satisfy itself on any fact or matter relating to the passing or failing of any student, it may call evidence to prove such fact or matter.

### **33. Powers and Duties of the Board of Examiners**

- (1) The Board of Examiners shall consider examination results and recommend them for approval by the Management Committee.
- (2) Where there is no duly constituted Management Committee the Board of Examiners may release provisional results subject to retrospective approval by the Management Committee when duly constituted.
- (3) The Board of Examiners may, on application by a student and subject to the provisions of these Rules, order Special Examinations for any student where the circumstances warrant it.
- (4) Subject to the provisions of these Rules, the Board shall have inherent powers to make such decisions or orders as may be necessary for the ends of justice in order to ensure a just and fair disposal of all matters or issues before it.

### **34. Examination Appeals Committee**

- (1) There shall be an Examination Appeals Committee which shall be a sub-committee of the LDC Management Committee appointed by the Management Committee.
- (2) The Examination Appeals Committee shall comprise of not more than four members one of whom shall be the Chairperson of the Committee appointed by the LDC Management Committee.
- (3) The Registrar of the Centre shall be the secretary to the Examination Appeals Committee.

### **35. Functions and Powers of the Examination Appeals Committee**

- (1) The Examination Appeals Committee shall hear any appeal made under these Rules.
- (2) The Examination Appeals Committee may, if reasonable cause is shown by an appellant, extend the period for lodging an appeal under Rule 31.

### **36. Approval and Publication of Final Results**

- (1) The Management Committee shall, within two weeks of consideration of results by the Board of Examiners hold a meeting to consider the recommendations of the Board of Examiners and approve the results.

- (2) After the meeting of the Management Committee, the Academic Registrar, shall, within three working days, publish the final results.
- (3) The Academic Registrar shall publish the final results by displaying them on notice boards at the Centre and/or through the Centre's website.

### **37. Powers of the Management Committee to Approve and Publish Results**

- (1) The powers to approve and publish final results are vested in the Management Committee. No other person or organ of LDC or outside of LDC shall approve or publish final results.
- (2) The Management Committee shall exercise its powers judiciously.
- (3) Nothing in these Rules shall be taken to limit or affect the inherent powers of the Management Committee to make such orders as may be necessary to achieve the ends of justice or to prevent abuse of process.

### **38. Prizes**

- (1) The Board of Examiners shall declare the four (4) overall best students on the Bar Course for the award of the following prizes:
  - (a) Best Overall Student - The Chief Justice's Prize
  - (b) Second Overall Student - The Attorney General's Prize
  - (c) Third Overall Student - The Principal Judge's Prize
  - (d) Fourth Overall Student - The Uganda Law Society's Prize
- (2) Best in Criminal Proceedings - Director of Public Prosecution's Prize
- (3) Best in Trial Advocacy - Inspector General of Government's (IGG) Prize
- (4) Prizes for best student in individual subjects and professional ethics to be named after the individual, law firm or organization sponsoring the prize.
- (5) The Management Committee may approve other prizes.

### **39. Award and Classification of Diploma in Legal Practice**

- (1) A student who passes the Bar Course shall be awarded the Post Graduate Diploma in Legal Practice that shall be in four (4) classes:
  - (a) Distinction (First Class)
  - (b) Merit (Second Class Upper)
  - (c) Second Class Lower
  - (d) Pass
- (2) The classification of the Diploma shall be based on a Cumulative Grade Point Average (CGPA) system attached hereto ('**Schedule 4**').

- (3) The said schedule may from time to time be amended by the Board of Examiners.
- (4) Any amendment to the Diploma in Legal Practice classification system shall be effected and communicated to the affected students and teaching staff before the commencement of an academic year.

#### **40. Signing by Student**

- (1) A student admitted to the Postgraduate Course leading to award of the Postgraduate Diploma in Legal Practice shall be availed a copy of these Rules in a form convenient to LDC including soft copies on the LDC website and be required to sign an acknowledgement of receipt and undertaking to be bound by these Rules as set out in '**Schedule 5**' to these Rules.
- (2) A student shall submit the signed acknowledgement and undertaking referred to in (1) above to the Academic Registrar as part of the registration process as part of the registration process.
- (3) A student who fails or refuses to sign and submit to the Academic Registrar the acknowledgement and undertaking referred to is (a) shall not be eligible to commence the Bar Course and shall be deemed to have rejected his or her offer of admission to the Bar Course.

#### **41. Commencement**

These Rules shall come into force effective Academic Year 2020/21.

Approved and signed this 2<sup>nd</sup> day of October 2020.



---

Hon. Mr. Justice Paul Mugamba (J.S.C)  
Chairperson  
Management Committee of the Law Development Centre

## **THE LAW DEVELOPMENT CENTRE GUIDELINES FOR OPEN, DISTANCE AND E-LEARNING**

The Lecturers and Students in the Bar Course Department are hereby guided as hereunder;

### **1. General Guideline(s)**

The Law Development Centre (Bar Course Department) shall conduct academic activities and examinations using open, distance and e-learning in accordance with the Rules Governing the Bar Course and Guidelines issued by the National Council for Higher Education (NCHE).

### **2. Attendance**

- (a) In accordance with Rule 5 of the Rules Governing the Bar Course 2020, attendance of all the Academic Activities is compulsory and shall be electronically recorded and monitored.
- (b) A student shall use his or her official LDC email account and the name with which he or she is registered for the Bar Course to access the LDC official platforms for online academic sessions.
- (c) Lecturers shall take a roll call using the official firm lists at the beginning and end of each session.
- (d) Any student who for sufficient cause is unable to participate in any online Academic Activity must, before or immediately after the activity, write to the Academic Registrar/Secretary Board of Examiners through the Head Bar Course, clearly specifying the reasons for such inability.

### **3. Platforms for online academic sessions**

- (a) The following online platforms shall be used in conducting Academic Activities; Zoom cloud meetings, zoom webinars, Moodle platform, emails and any other platform that may be adopted from time to time by LDC.
- (b) Students and Lecturers shall download and install the Zoom Application and any other adopted application on their preferred electronic devices.
- (c) The sessions' invitation links shall be sent to the respective LDC email accounts of the Lecturers and the students and may be circulated on social media platforms.
- (d) Students shall log into the scheduled online platforms using their LDC official email addresses and the names they used while registering for the Bar Course.
- (e) In order to ensure a conducive learning environment and minimise disruptions, a student attending an online session shall;
  - i. Find a quiet place without interruptions/background noise.
  - ii. Mute his/her microphone when not speaking.
  - iii. Disable the video feature unless requested to enable it by the Host or Co-Host.

- iv. Raise his/her hand using the “Raise Hand” feature when he/she wishes to speak.
  - v. Unmute his/her microphone only when given permission to speak by the Host or Co-host of the session.
  - vi. Avoid speaking over or at the same time as other participants speaking.
  - vii. Use the chat feature to make a contribution and ask questions during a presentation by another student of a Professional Advisor.
- (f) All sessions shall be recorded and uploaded on the Moodle platform and may be accessed by all students at a time of their convenience.

#### **4. Preparation for teaching and use of teaching materials**

- (a) Teaching material in respect of all the academic activities shall be availed to the students and Lecturers by the respective Heads of Subject/Team Leaders at least two (2) days before the scheduled session.
- (b) Students shall adequately prepare for the workshops/lectures in advance of the sessions and ensure active participation during the session. In particular students shall undertake tasks assigned to them and prepare presentations accordingly.
- (c) Lecturers shall, prior to commencement of each teaching week, hold an online pre-teaching meeting for the Category A subjects to be taught chaired by the respective Head of Subject.
- (d) Lecturers must ensure uniformity in the scope of coverage.
- (e) All workshop discussions shall be student centred and the Lecturers shall encourage all students to participate by demonstrations.

#### **5. Role of the Heads of Subject/Team Leaders**

- (a) Heads of Subject/Team Leaders shall prepare workshops, hand-outs or slides and upload them on the Moodle platform at least two (2) days prior to the class/session to enable the students adequately prepare for the session.
- (b) Convene and chair weekly pre- teaching meeting for Category A Subjects.
- (c) Prepare and submit weekly after action reports to the Head Bar course.

#### **6. Role of Scheduled Professional Advisor**

- (a) Each online academic activity/class shall be facilitated by a Professional Advisor scheduled as the Host.
- (b) The Scheduled Professional Advisor shall;
  - i. attend the week’s pre-teaching meeting as a prerequisite for participation in the week’s teaching;
  - ii. issue out invitations to his/her respective class/firm in accordance with the week’s timetable and copy in the Head and Deputy Head Bar course as well as the ICT support team;
  - iii. ensure that the session starts at least fifteen (15) minutes before the class/session time and admit students;

- iv. ensure that a roll call of all the students is conducted using the official firm list(s);
- v. oversee and guide the students during the workshop presentations or any other scheduled activity;
- vi. in case of a lecture, share with the students, presentation slides;
- vii. in the case of a Category A subject shall report to the Head of Subject any unresolved issues that arose in course of the workshop that may require harmonisation during the follow up sessions;
- viii. be responsible for the successful conduct of an academic activity/session.

## **7. Role of the Co-host**

- (a) Every Academic Activity conducted online shall have a co-host who must have attended the week's pre-teaching meeting in the case of Category A subjects.
- (b) The co-host shall perform the following roles;
  - i. Assist the scheduled Professional Advisor in admitting students and taking the roll call.
  - ii. Share the presentation slides or any other relevant material by document or screen share.
  - iii. Take over presentation/facilitation in case the Scheduled Professional Advisor suffers loss of connectivity or by any reason is unable to facilitate.
  - iv. Perform such role as the Scheduled Professional Advisor may request him/her to perform.
  - v. Moderate the question and answer session at the end of the activity/session.

## **8. Role of firm leaders**

For the successful conduct of online classes firm leaders shall do the following;

- (a) Mobilise students for Saturday firm discussions and all the other Academic Activities.
- (b) Schedule online preparatory meetings and ensure that the students prepare for the tasks assigned by the Head of Subject.
- (c) Compile a list of students who attend the Saturday online preparatory meetings and submit an electronic copy to the Department immediately after the meeting.
- (d) Disseminate official information to all students in their respective firms.
- (e) Report any technical issues relating to online classes being faced by students to the Department and the ICT team.
- (f) Help the Professional Advisor and the Co- host in verifying the identity of students seeking to join online sessions.
- (g) Compile a list of any unresolved issues and bring them to the attention of the Head of Subject/Team Leader for harmonisation.
- (h) Any other duty that may from time to time be assigned to them by the Head/ Deputy Head Bar course.

## **9. Time management**

- (a) All sessions shall be open fifteen (15) minutes before start time to enable both the students and the Lecturers settle in and handle any technical/preliminary aspects before the session starts.
- (b) The Professional Advisor shall in addition to conducting a roll call communicate all the ground rules applicable before the session starts.
- (c) A student who joins an academic session late may be excluded from the session by the Scheduled Professional Advisor.
- (d) An academic activity shall be conducted and concluded within the time allocated by the Bar Course Department.

## **10. Professional Conduct**

- (a) The LDC Dress Code for Bar Course students as contained in Schedule 2 to the Rules Governing the Bar Course, 2020 shall apply to all online classes.
- (b) Students shall observe courtesy and professionalism that is expected of all other professional events of LDC and in accordance with the Rules Governing the Bar Course.
- (c) Abusive language or rude/disruptive behaviour, use of indecent profile pictures, use of pseudo names, offending etiquette, abuse and misuse of the chat feature shall not be tolerated and the offending student shall be removed from the session and he/she shall be deemed to have failed that Academic Activity. The offending student may also face disciplinary action.
- (d) Students should use as their Zoom and other online applications profile picture a photo of themselves dressed in accordance with the LDC dress code and clearly indicate their official names and Firms.

## **11. Forum shopping**

Every student must strictly attend the sessions designated for his or her firm/group. Forum shopping is hereby prohibited and any offending student shall be discontinued from the session for unprofessional conduct and shall be deemed to have failed the academic activity.

## **12. ICT Assistance**

- a) The ICT team shall remain on standby in all cases to offer support on any ICT related issues.
- b) The ICT team shall share a telephone contact accessible to both students and Lecturers on which any ICT related issues shall be raised immediately.



### **13. Role of the Head / Deputy Head Bar course**

The Head and Deputy Head Bar course shall;

- (a) Closely monitor all the weekly academic activities and ensure that they are successfully conducted in accordance with the Bar Course Curriculum and Rules Governing the Bar Course.
- (b) Convene and chair after action weekly review meetings.
- (c) Prepare and submit action reports to the Director.

### **14. Security and Confidentiality**

To secure the online classes and experiences of the entire LDC community,

- (a) all online activities/sessions shall be accessed through use of LDC assigned email addresses.
- (b) all students and Lecturers shall activate both their email addresses and Zoom accounts.
- (c) Students and Lecturers shall ensure security and confidentiality are maintained.

### **15. Teaching Time-Table**

The Bar Course Department will issue a weekly teaching time table to govern academic activities for the week.

### **16. Examinations**

All the components of examinations, that is; oral and written examinations, Individual Assessment and moot (examinations) shall be conducted in accordance with these guidelines.

## **THE LAW DEVELOPMENT CENTRE**

### **LDC DRESS CODE FOR BAR COURSE STUDENTS**

This dress code (hereinafter referred to as ‘the Code’) is enacted and approved by the Board of Examiners, Law Development Centre

#### **1.0 Application**

- 1.1 The Code shall govern and apply to students of the Bar Course of the Law Development Centre.
- 1.2 The Code shall apply to dressing for purposes of participation in LDC academic activities and Clerkship.
- 1.3 The Code is not an exhaustive treatise and shall be supplemented with common sense and good judgment.
- 1.4 Any dispute arising from the application or interpretation of the Code shall be referred to the Deputy Director.
- 1.5 Any person dissatisfied with the decision of the Deputy Director may appeal to the Board of Examiners.

#### **2.0 Interpretation**

In the Code, unless the context otherwise requires:

- 2.1 “academic activity” means lecture, guest lecture, test, class discussion, workshop, moot, academic field trip, continuing legal education (CLE)/legal aid activity, student legal practice and examinations (both written and oral);
- 2.2 “Bar Course” means the post graduate course at LDC leading to the award of the Diploma in Legal Practice;
- 2.3 “Board of Examiners” means the Board of Examiners of the Law Development Centre;
- 2.4 “clerkship” means the practical field placement and training provided for in the Rules Governing the Bar Course;
- 2.5 “Centre” means the Law Development Centre;
- 2.6 “Director” means the Director of the Law Development Centre;
- 2.7 “lecturer” means the Director, Deputy Director, head of a teaching department, head of subject, Manager or Senior Legal Officer or Legal Officer of the LDC Legal Aid Clinic or part-time lecturer;
- 2.8 “registrar” means the Academic Registrar or person performing functions of Registrar of the Law Development Centre;
- 2.9 “Rules’ means the Rules Governing the Bar Course;
- 2.10 “student’ means a person undertaking the Bar Course.

### **3.0 General Provisions**

- 3.1 All dress must be modest and of a nature that lends itself to the dignity of the legal profession. All manner of flamboyance and garishness shall be avoided.
- 3.2 A student shall maintain a neat appearance and shall avoid appearing unkempt and untidy.
- 3.3 A student shall refrain from wearing revealing or ill-fitting or skimpy clothing. Indecent exposure of any kind is prohibited. Shirts and blouses shall be properly buttoned up. Common sense and modesty shall be applied in this regard.
- 3.4 A student shall not remove his or her jacket in class except with the permission of the facilitating lecturer and this permission shall not be unreasonably denied when it is obviously hot and stuffy.
- 3.5 Shorts, *culottes*, knickerbockers, dungarees and jeans are not allowed.
- 3.6 All undergarments shall be fully covered at all times.

### **4.0 Suits**

- 4.1 A student shall wear a formal business suit at all times.
- 4.2 A suit for a male student shall consist of a jacket and a trouser.
- 4.3 A suit for a female student shall consist of either a jacket and a skirt or a jacket and a trouser.
- 4.4 A male student's trouser must be long enough to cover his socks when standing upright. A short or ill-fitting trouser is prohibited.
- 4.5 A female student's skirt must be at least knee length when standing upright. A mini skirt is prohibited.
- 4.6 A jacket and trouser or a jacket and skirt as the case may be must be of the same colour and texture (avoid shiny or unusual materials). 'Mix and matching' different colours is prohibited.
- 4.7 A student shall not wear a blazer or waist coat or jumper.

### **5.0 Shirts, Blouses, Ties and Scarves**

- 5.1 A male student shall wear a long sleeved shirt.
- 5.2 A female student shall wear a long or short sleeved blouse.
- 5.3 A male student shall wear a long tie at all times and shall wear a shirt with a collar designed for a tie.
- 5.4 A male student must button up his shirt all the way to the top.
- 5.5 There shall be no indecent exposure of skin.
- 5.6 A tie shall be of a reasonable and decent length. A tie shall end no more than two (2) inches higher or lower than the waist of the trouser.
- 5.7 A female student may wear a scarf.
- 5.8 A bow tie or cravat is prohibited.

- 5.9 The design for a blouse must be simple and minimalist. Frills, lacing and other adornments shall not stand out prominently.

## 6.0 Shoes

- 6.1 Shoes for both male and female students should be black or dark brown.
- 6.2 Shoes must be covered. Shoes that expose the toes are prohibited.
- 6.3 A male student shall wear dark coloured socks with his shoes
- 6.4 Shoes shall be of a design that is simple and height that is comfortable to walk in.
- 6.5 Shoes must be made from leather (genuine or imitation). Shoes made of plastic and other materials are prohibited.

## 7.0 Colours and Fit

- 7.1 Suits are limited to the following colours:
- (a) Black;
  - (b) Charcoal;
  - (c) Grey; or
  - (d) Navy blue.
- 7.2 A students may wear a pin striped or plaid suit as long as the predominant colour is black or charcoal or grey or navy blue in combination with white or cream or light blue stripes.
- 7.3 Shirts and blouses are limited to the following colours:
- (a) White;
  - (b) Cream;
  - (c) Light blue; or
  - (d) Striped (black and white or blue and white).
- 7.4 Ties, scarves and socks shall be in soft and muted colours and should not be flamboyant. Common sense shall be applied in this regard. Bright coloured socks (white, pink, red, yellow, orange etc) are specifically prohibited.
- 7.5 A tie or scarf shall be either plain coloured or have a combination of not more than three (3) colours.
- 7.6 Clothing shall have a comfortable fit. Exceptionally tight and revealing clothes are prohibited.

## 8.0 Moots

- 8.1 A student appearing as counsel in *intra firm moots* may wear advocates flaps which shall be white or cream. He or she is not required to wear a professional gown.
- 8.2 A student appearing as counsel in *inter firm moots* shall wear advocates' flaps which must be white or cream and a black professional gown.
- 8.3 A student shall acquire a formal dinner shirt or blouse with a winged collar to wear with advocates' flaps.
- 8.4 The Centre shall provide professional gowns for inter firm moots.

## **9.0 LDC Corporate Wear**

- 9.1 The Director may designate a day or days or period or activity for which a student may 'dress down' in LDC corporate wear.
- 9.2 Corporate wear shall consist of a shirt or blouse with the LDC brand identity worn with or without a jacket.
- 9.3 To ensure uniformity, corporate wear shall be procured and sold by the Centre either directly or by licensing arrangements with a service provider and a student 'dressing down' shall only wear official LDC corporate wear.
- 9.4 For avoidance of doubt students shall not 'dress down' on any day or for any academic activity or during Clerkship other than as approved and designated by the Director under this Code.
- 9.5 A counsel for moots shall not dress down during 'court' appearance.

## **10.0 Religious, Traditional and Cultural Dress**

- 10.1 A student shall not wear religious, traditional or cultural dress.
- 10.2 A male student shall not wear a kanzu, kofia, fedora, cap or hat.
- 10.3 A student whose faiths requires him or her to wear religious head gear may wear the same so long as the colour of the head gear is black, white, charcoal, grey or navy blue.

## **11.0 Hair and Personal Grooming**

- 11.1 A student must be clean and tidy at all times and observe the highest possible standards of personal hygiene. Clothes must be neatly and crisply ironed.
- 11.2 Perfumes, deodorants and make up shall be worn in moderation. Flashy make up, strong and/or pungent scents shall be avoided.
- 11.3 A student's hair shall be neatly kept and in a style that lends itself to the dignity of the legal profession. Outlandish haircuts and hairstyles are prohibited.
- 11.4 A female student is allowed to braid or plait her hair as long as the braiding style lends itself to the dignity of the profession.
- 11.5 Braids must be black or a dark shade of brown, neat and held back from the face with a hair band or ribbon or hair grip.
- 11.6 Braids should not be intertwined with other coloured thread and braided hairstyles should not be so untamed and flamboyant as to bring the profession into disrepute.
- 11.7 Jewellery and adornments (bracelets/bangles, rings, anklets, chains etc) shall be modest and minimal. Clutter shall be avoided.
- 11.8 Body modifications and piercings on the body on any part or parts other than the ears are discouraged.
- 11.9 A male student shall not wear earrings or ear pins.
- 11.10 A student shall not wear 'shades' or sunglasses.

- 11.11 A female student should wear no more than two pairs of earrings or ear pins (i.e. a maximum of two (2) rings or pins on each ear).
- 11.12 Where a student has body piercings on part or parts of the body other than the ears, the wearing of a ring or pin (including nose rings and pins) on such part or parts is prohibited.

## **12.0 Penalties**

- 12.1 A student who dresses contrary to this code shall be deemed to be inappropriately dressed for purposes of continuous assessment under the Rules.
- 12.2 A student who breaches this dress code shall be liable to the sanctions set out in the Rules.
- 12.3 Observance of this Code shall be monitored by lecturers and enforced by the Head Bar Course.
- 12.4 A lecturer may exclude from an academic activity he or she is facilitating any student who dresses contrary to this Code.

## **13.0 Exemptions**

- 13.1 The Director may exempt a student from the application of the provisions of this Code or any part thereof on the following grounds:
- (a) Physical or other disability.
  - (b) Pregnancy.
  - (c) Ailment or disease or physical injury certified by a medical practitioner.
  - (d) Any other reasonable grounds.
- 13.2 A student requiring an exemption shall apply for the same in writing to the Director.
- 13.3 An exemption by the Director shall be in writing clearly stating the nature and scope of the exemption.

## **14.0 Amendment**

- 14.1 This Code may be amended by the Board of Examiners.

## **15.0 Commencement**

- 15.1 The Code shall commence operation immediately upon signing by the Chairperson of the Board of Examiners on the date indicated below.

Dated at Kampala this **25<sup>th</sup> day of September 2015.**



---

**Frank Nigel Othembi**  
**Director**  
**Chairperson**  
**Board of Examiners, LDC**

## **THE LAW DEVELOPMENT CENTRE**

### **CONDUCT AND/OR ACTIVITIES DEEMED TO BE EXAMINATION MALPRACTICES**

An examination malpractice may be committed physically or during open, distance and e learning examinations. An examination malpractice may be detected by an invigilator or invigilation software or officer responsible for conduct and/or management of an examination. The following acts and omissions are deemed to be examination malpractices:

1. Cheating including but not limited to;
  - a) copying from the script of another candidate; or
  - b) exchanging answers with another student inside or outside the examination room; or
  - c) bringing into the examination room, in person or by agent, a pre-prepared answer script/booklet; or
  - d) substituting an answer script/booklet illegally prepared outside the examination room for the one already submitted to the invigilator or examiner; or
  - e) falsifying or altering marks awarded on an examination script/booklet; or
  - f) screen mirroring or screen sharing with another person; or
  - g) using a computer or computer software or smart gadget to cheat.
2. Sitting examination without authorization or valid registration or other required documentation or payment of examination fees.
3. Uttering false documents in relation to eligibility to sit an examination at LDC.
4. Hiring or procuring services of another person to sit examinations on the student's behalf or impersonation.
5. Bribing or doing any act likely to compromise an invigilator or examiner.
6. Plagiarism.
7. Fraudulently accessing examination papers/questions or marking guide which have been illegally procured or made available.
8. Fraudulently receiving examination papers/questions before the examination is due.
9. Paying or inducing another person to illegally procure or make available examination questions/papers or marking guide.
10. Use, exchange or receipt of chits, carbons or carbon copies relating to an examination or assignment.
11. Indulging in disruptive or threatening behaviour towards an invigilator or any LDC staff involved in the conduct of examinations or other student or any person including but not limited to, physical assault or threat of physical assault, shouting, using abusive or threatening language, destruction of property or threat to destroy property.

12. Collaborating or using any other means of gaining unfair advantage during an examination.
13. Interfering with conduct of investigations into or hearing of an examination malpractice allegation by the Examinations Malpractice Committee including but not limited to:
  - a) Intimidating members of the committee or other LDC staff or witnesses; or
  - b) Destroying or concealing evidence relating to an alleged examination malpractice; or
  - c) Forging or uttering false evidence relating to an alleged malpractice; or
  - d) Bribing a member of the committee or LDC official or witness or any other person in relation to an alleged examination malpractice; or
  - e) Harassing or procuring others to harass a member of the committee or LDC official or witness or any other person in relation to an alleged examination malpractice; or
  - f) Obstructing the work of the committee.
14. Giving or being in possession of prohibited material.
15. Delivering to the examiner at his or her office or residence or any other place an examination script/booklet outside the time for delivery and without due authority.
16. Breaking the rules in an examination or assignment including but not limited to failure to adhere to prescribed time within which to complete the examination or assignment.
17. Attempting to influence an examiner.
18. Writing or drawing anything on the answer booklet (such as a candidate's name) likely to compromise or influence or prejudice the examiner.
19. Being in possession of prohibited items such as a computer, cell-phone or other prohibited items during the examination.
20. Leaving the examination room (physical or remote/distance) without the authority of the invigilator.
21. Carrying out any form of communication with another student/candidate during an examination.
22. Taking out of the examination room an answer booklet or booklets or any examination materials other than a question paper without express permission from the invigilator.
23. Damaging, altering or destroying a script during verification by student or taking a script outside of the verification venue designated by the Academic Registrar'.
24. Aiding or abetting any person or another candidate to commit an examination malpractice.
25. Attempting to commit an examination malpractice.
26. Any other conduct or act or omission which in the opinion of the Board of Examiners amounts to an examination malpractice.



## THE LAW DEVELOPMENT CENTRE

### CLASSIFICATION OF POSTGRADUATE DIPLOMA IN LEGAL PRACTICE DIPLOMA BASED ON CUMULATIVE GRADE POINT AVERAGE (CGPA)

Subjects/Course Units assessed:

	<u>No.</u>	<u>Name</u>
1.	101	Civil Litigation
2.	102	Corporate and Commercial Practice
3.	103	Criminal Proceedings
4.	104	Family Law Practice
5.	105	Land Transactions
6.	201	Legal Practice Skills I
7.	202	Legal Practice Skills II
8.	203	Trial Advocacy
9.	301	Elective Subject
10.	401	Clerkship

Key:

<u>Mark</u>		<u>Grade</u>		<u>Grade Point (GP)</u>
70%-100%	=	A	=	5.0
65%-69%	=	B+	=	4.0
60%-64%	=	B	=	3.0
55%-59%	=	C+	=	2.5
50%-54%	=	C	=	2.0
45%-49%	=	D	=	1.5
30%-44%	=	E	=	1.0
0%-29%	=	F	=	0.0

CGPA= Total points divide by number of assessments (total point/sum of assessments)

<u>CGPA</u>	<u>Classification of Diploma</u>
4.0 – 5.0	Distinction (First Class)
3.5-3.99	Merit (Second Class Upper)
3.0-3.49	Second Class Lower
2.0-2.99	Pass
0.0-1.99	Fail

**THE LAW DEVELOPMENT CENTRE**

**ACKNOWLEDGMENT OF RECEIPT AND UNDERTAKING TO BE BOUND  
BY THE RULES GOVERNING THE BAR COURSE, 2020**

I \_\_\_\_\_ being a student admitted to the Law Development Centre (LDC) Bar Course in Academic Year \_\_\_\_\_ acknowledge receipt of the Rules Governing the Bar Course, 2020, availed to me by LDC. I undertake to be bound by the said Rules and to comply with all its provisions and be subject to any sanctions therein for breach.

DATED at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

\_\_\_\_\_  
**SIGNATURE**