

**UNIVERSITY OF FORT HARE  
FACULTY OF LAW  
(East London Campus)**

**LEGAL SKILLS  
LEG113L**

**EXAMINATIONS 2025  
SUPPLEMENTARY EXAMINATION PAPER**

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**Time: 3 hours**  
**Subject: LEGAL SKILLS**  
**Code: LEG113L**  
**Marks: 80**

**EXAMINERS:**

**Internal Examiner:**  
Mrs. Anel Odendaal  
Ms. Alizwa Zisile

**Internal Moderator:**

**INSTRUCTIONS**

1. Answer ALL questions.
2. Substantiate your answers by reference to case law and/or legislation where applicable.

### QUESTION 1

What does FIRAC stand for? Describe what you need to write under each section of the FIRAC method when summarising caselaw.

[15 marks]

### QUESTION 2

Match column A with column B:

A	B
1. <i>stare decisis</i>	a) done afterwards, retroactive
2. <i>status quo</i>	b) a final warning
3. <i>alma mater</i>	c) word for word
4. <i>sine die</i>	d) postponement without naming a specific date
5. <i>verbatim</i>	e) to stand by things decided
6. <i>ultimatum</i>	f) with reference to
7. <i>re</i>	g) incidental remark or observation
8. <i>ex post facto</i>	h) in good faith
9. <i>bona fide</i>	i) the current position
10. <i>obiter dictum</i>	j) the school or university attended

[10 marks]

### QUESTION 3

3.1 Which of the following options would be the correct way to write a heading in line with the *Speculum Juris* style guide? (1)

- a) 1 INTRODUCTION
- b) 1. Introduction
- c) 1. INTRODUCTION

- d) 1 Introduction
- 3.2 Which of the following options is the correct way to write a sub-heading in line with the *Speculum Juris* style guide? (1)
- a) 1.1 Historic Perspective
  - b) 1.1. **Historic Perspective**
  - c) 1 1 **Historic Perspective**
  - d) 1.1 Historic Perspective
- 3.3 Is the following statement regarding quotes in your text True/False? **Double quotation marks should be used.** (1)  
True/False
- 3.4 What is the correct way to refer to the Constitution when you mention it for the first time in your text? (1)
- a) The Constitution of the Republic of South Africa, Act 108 of 1996.
  - b) The Constitution of South Africa.
  - c) The Constitution of the Republic of South Africa, 1996.
  - d) The Constitution, Act 108 of 1996.
- 3.5 Is the following statement regarding citing legislation in line with *Speculum Juris* true/false? **The title and number of the Act must be italicised.** (1)  
True/False

[5 marks]

#### QUESTION 4

STATE PRESIDENT'S OFFICE	KANTOOR VAN DIE STAATSPRESIDENT
No. 1162. 7 July 1993	No. 1162. 7 Julie 1993
It is hereby notified that the State President has assented to the following Act which is hereby published for general information:—	Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—
No. 90 of 1993: Magistrates Act, 1993.	No. 90 van 1993: Wet op Landdroste, 1993.

## GENERAL EXPLANATORY NOTE:

- [ ] Words in bold type in square brackets indicate omissions from existing enactments.
- \_\_\_\_\_ Words underlined with a solid line indicate insertions in existing enactments.

**ACT**

To provide for the establishment, constitution, objects and functions of a Magistrates Commission; to further regulate the appointment and remuneration of, and vacation of office by, magistrates; to provide that certain conditions of service of magistrates and other judicial officers may be determined by regulation; and to provide for matters in connection therewith.

*(Afrikaans text signed by the State President.)*  
*(Assented to 23 June 1993.)*

Please see the above picture of an Act published in the Government Gazette and answer the following questions:

- 4.1 Give the short title of the Act (2)
- 4.2 Give the long title of the Act (2)
- 4.3 On which date did the President sign the Act? (1)

[5 marks]

## QUESTION 5

5.1 Name 5 strategies that you could employ to utilise AI responsibly and ethically in academic writing. (5)

5.2 What elements should be included in your introduction when writing an academic assignment or paper? (5)

5.4 Define plagiarism and mention a few strategies students should employ to avoid plagiarising text.

(10)

**[20 marks]**

## QUESTION 4

Read the attached section (on the next page) of an article published in the De Rebus and discuss five of the valuable skills or qualities needed in the legal profession that are mentioned in this article.

Magistrate Khoele says legal practitioners should have an interest in each other's development

March 6th, 2024

By Kgomotso Ramotsho

Delivering a keynote address at the Pretoria Practice Association's welcoming function for Candidate Attorneys, Magistrate Modise Khoele of the Pretoria Magistrate's Court spoke on ethics. He told attendees about his observations as a magistrate and said it is his hope that what he shares with the candidate legal practitioners as suggested corrective measures, they would take and share with their colleagues, to build on them and together improve the image of the legal profession and ultimately recuperate the rule of law in South Africa.

Mr Khoele started of his topic by addressing the issue of punctuality. He pointed out that irrespective of the explanation that one advances for late arrival, an impression would have already been created. He said one must spare themselves the embarrassment and be on time. Mr Khoele added that in the court system, the embarrassment that legal practitioners are confronted with given the late arrival, by contacting the opponent's colleague to extend an apology to the court for late arrival. 'My observation is this is hard to achieve primarily because colleagues you have no interest in each other. No interest in each other's carrier development,' Mr Khoele said. He pointed out that there are instances that legal practitioners will attempt to approach him in chambers or court and refer to their colleagues on a first name basis. He encouraged that legal practitioners should know each other by surname.

He added that the first rule of thumb is to introduce yourself to your opponent in the morning. He said how one addresses or refers to a colleague, it has always been 'my learned friend'.

Mr Khoele pointed out that another rule of thumb is never to make a client's case your own. 'Do not lose objectivity and emotionally align with your client's case. After all, you have your colleagues for a lifetime and your client for a couple of months,' Mr Khoele said. He said that legal practitioners must do their utmost best not to embarrass their colleagues. Mr Khoele added that legal practitioners must be inclusive, that when they are in a group, they should use a language that everybody will understand. He pointed out that one should be mindful to others about what they say about their colleagues, because it reflects on one's collegiality.

He said that at any given chance before legal practitioners go to court, they ought to make sure they have read the relevant rules. He said it is not an excuse if one is given a file a day or hours before the hearing, or whether the matter is a correspondent matter or the legal practitioner who was given the matter fell ill. He said the only trading commodity legal practitioners have is their wisdom and proper preparation.

He said legal practitioners must introduce themselves and have some form of identity document to indeed confirm they are who they say they are as there are bogus legal practitioners in the courts. He further discussed that the dress code is black and white and should wear dark colours where possible. And legal practitioners should robe before proceedings commence, as it indicates that you are representing a client in a court and know when to take off the robe. He pointed out that if legal practitioners do not adhere to these basics rules it will result in the court not seeing them.

Mr Khoele also said that in court legal practitioners should avoid citing the whole case or lecturing the presiding officer on the law. He said that there is a thin line about emphasis and lecturing presiding officers. Should a legal practitioner make a mistake in court they should own it and apologies for that mistake. He pointed out that legal practitioners have a duty of courtesy towards presiding officers, opponents, and witnesses. He said his lifetime principle he shared is to help legal practitioners not to get in trouble with the LPC. 'If you cannot justify what you are doing, do not do it, Mr Khoele added.

**[10 marks]**

**QUESTION 6**

Name five primary sources of law and describe where and how you would find these sources.

**[15 marks]**

**[Total for this paper: 80 marks]**

**-END OF EXAMINATION PAPER-**