

SCENARIO 1

You are approached by new client to take up a civil litigation which is in progress. The client is the plaintiff in the matter.

What questions should you ask at the first meeting?

The next sitting is the day after tomorrow. What considerations are relevant in your assessment of your next steps in the case?

If, after having given the matter due consideration, you decide to appear for the client, what do you do next?

Assuming the judge allows you time to study the case, and you see that your client's case is based on his version of events which looks questionable, what should you do?

If after discussing the matter with your client, it becomes clear that he is lying and prepared to lie to the court in evidence, what is your next move?

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SCENARIO 2

You are approached by a new client to file an appeal in a case in which another advocate had appeared. The other advocate has been paid and given a written receipt in release and the client has the relevant file in her possession.

You do not see that there are any grounds for appeal but the client insists on entering an appeal, telling you that all she wants is to put pressure on the other side to to come to an agreement in a different matter, where another advocate is assisting the client.

What considerations are relevant in your assessment of your next steps?

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SCENARIO 3

You are defending a client in a criminal case in the Magistrates' Court. Your client has opted not to give a statement to the Police and now wishes to raise an alibi, telling you that the person giving the alibi has only now accepted to come forward because he had been worried that his life partner would be angry. You do not find this credible.

What considerations are relevant in your assessment of your next steps?

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SCENARIO 4

You are approached in Court by a relative of a person who is standing accused at that very time and told that the advocate they had approached was unable to attend and the Magistrate was insisting on the case being heard.

What do you do?

The case is put off for defence evidence and the accused wishes you to continue on the matter.

What do you do?

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