

Lead city university, Ibadan
Faculty of law
COURSE PARTICULAR

Course Code: PIL 212

Course Title: Nigerian legal system II

No of Units: 4

Status: COMPULSORY

LECTURERS' DETAILS

Name: PROF ADEYEMO

Qualifications: PhD, LLM, BL, LLB

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Qualifications: PhD, LLM, BL, LLB

Area of Specialization: Private and Business Law

Course Assessment –C/A= 35marks, Attendance= 5marks, exam=60 marks

LECTURE PLAN

WEEK 1	Internal conflicts of law
WEEK 2	Internal conflicts of law (cont'd)
WEEK 3	Judicial Institutions
WEEK 4	Judicial institutions(cont'd)
WEEK 5	Types and jurisdictions of courts
WEEK 6	Types and jurisdictions of courts(cont'd)
WEEK 7	Types and jurisdictions of courts(cont'd)
WEEK 8	Judicial personnel (appointment and tenure)
WEEK 9	Judicial personnel(appointment and tenure)cont'd
WEEK 10	Outline of civil procedure
WEEK 11	Outline of criminal procedure
WEEK 12	Outline of criminal procedure
WEEK 13	Organization of Legal Education And Legal profession In Nigeria
WEEK 14	Organization of Legal profession and Legal education in Nigeria(cont'd)
WEEK 15	Continuous Assessment

TUTORIAL QUESTIONS

1(a) The office of the chief justice of the federation was declared vacant sometime late last year. This called for the need to appoint another person to fill the position. Mr. Ajanaku Olowokere, a renowned legal writer who has published many articles in different learned journals has been recommended by the association of legal writers of Nigeria to the national president of the association for his appointment to fill the said vacant position. Upon his recommendation to the said National President, the latter swung in to action by appointing Mr. Ajanaku as the chief justice of the federation. Aggrieved by the procedure for the appointment, a publicly acclaimed human right activist challenging the procedure for the appointment contending inter-alia that the procedure adopted is unconstitutional and therefore void. Prepare your legal opinions.

b.) briefly explain those circumstances under which the supreme court can exercise both original and appellate jurisdictions.

2.) The issue of Jurisdiction of court is fundamental to the proceeding and therefore the court shall determine this issue prior to entertaining any matter brought before it. Discuss, bringing out those criteria to be considered by the court before assuming jurisdiction on any matter including the effects of want of jurisdiction. Support your answer with relevant authorities.

3.) In compliance with the central Bank directive of Recapitalization policy, the Board of Directors of Intercontinental Bank PLC in their meeting of 30th day of February, 2015 resolved to merge with Access Bank Plc to form a Mega Bank and in the process, executed a memorandum of understanding governing the proposed merger. Dispute ensued between the two banks in the process of implementing the contents of the memo. Aggrieved by the undue delay in the merging process at the instance of intercontinental Bank plc, Access Bank is therefore contemplating to file an action before the high court of Oyo state for necessary reliefs joining corporate affair Commission as a party for being privy to the execution of the instrument of merger. Give your legal opinions.

4.) Mr. Ejiogbe Odaran was found at about 9:30 pm on 1st July, 2015 burgling professor Odunayo Akeredolu's house at No2 Ibikunle crescent, Akobo, Ibadan. Also in the process, he damaged some properties belonging to the professor. The professor as a private person effected the arrest of Mr. Ejiogbe and handed him over to corporal Ajakaye attached to Sanyo police station. Corporal Ajakaye in perfecting the arrest handcuffed Ejiogbe, tortured and subjected him to unwarranted restraint after the latter has submitted to the custody of the corporal Ajakaye by words of mouth. While the arrester was taking the suspect to the police station, he caught Holakaz red handed carting away saloon car belonging to Ojuawo and arrested him on the spot and took him to the police station along with Ejiogbe. On the basis of these alleged offences, a charge was preferred against the two suspects before the Federal High Court sitting in Ibadan, Oyo state. The procedure adopted in effecting the arrest has been challenged been procedurally defective and that a preliminary objection has also been filed challenging the jurisdiction of the court. Write your legal opinions on this.

5.) Discuss the jurisdictions of Magistrate courts.

6.) Customary or native court administers only customary law of different communities that make up Nigeria. do you agree with this assertion?

7.) Write short notes on any three of the following

- a.) Arrest
- b.) Bail
- c.) Trial
- d.) Conviction/Sentencing

8. (a) Enumerate the formal requirements of pleadings

(b) Prepare a specimen Affidavit and Writ of Summon.

(c.) Briefly discuss facts that need to be specifically pleaded

9.) Council of legal education is one of the governing bodies regulating legal profession in Nigeria. Discuss this statement with respect to the statutory responsibilities of the council and the way and manner by which these duties are discharged including the composition of the body.

10(a) Discuss the functions and composition of Body of Benchers.

(b) what are the qualifications that an aspiring legal practitioner must possess prior to been called to the Nigerian Bar. Also, what are the categories of persons entitled to practice as legal practitioner in Nigeria?

11 (a) What do you understand by the term conflict of laws in Nigeria?

(b) What are the factors responsible for conflict of laws in Nigeria?

(c) Discuss the Ratio-Decidendi in the case of Adesubokan v Yinusa (1971) All NLR 97

12.) Moses Adagunodo, an Ijesha man from Osun State, Nigeria, an ethnic group from Yoruba tribe spent most of his life in Benin City, Edo State. He married Edo women namely Rita OkpeahahahoirAdagunodo, EruteyaAdagunodo and OkobohAdagunodo respectively. They all begot fifteen children to their husband. Adagunodo acquired haren of properties both real and personal estates in Benin City. Having settled and domiciled in Benin for a long time, he applied to the Oba Ereluawa, the Oba of Benin to be an Indigene of Benin. Accordingly, the Oba of Benin granted him the indigeneship of Benin by way of naturalization and therefore became an indigene of Benin.

He subsequently died intestate. The widows of the deceased and the issues of the marriage applied for a Letter of Administration for the purpose of distributing the estate of the deceased. Letter of Administration having being obtained, controversy ensued between the beneficiaries of the estates of the deceased as to the applicable law to govern succession to the properties of the deceased. Some of the beneficiaries are contemplating legal action and they have contacted you for appropriate legal opinions on this issue. **ADVISE THEM.**