

Civil Procedures tailored for Ugandan students, focusing on key areas of civil litigation as practiced in Uganda:

Course Title: Civil Procedure

Target Audience: Law Students (Undergraduate)

Course Duration: 12 weeks (1 Semester)

Credits: 3

Prerequisites: Introduction to Law, Constitutional Law

Week 1: Introduction to Civil Procedure

Overview of Civil Litigation

Key Terminology in Civil Procedure

Sources of Civil Procedure in Uganda

- Constitution of Uganda (1995)
- The Civil Procedure Act (Cap 71)
- Civil Procedure Rules (S.I. 71-1)

**The Structure of Ugandan Courts**

- Hierarchy of Courts
- Jurisdiction and Roles of Each Court

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## **Week 2: Court Jurisdiction**

Subject Matter Jurisdiction

Territorial Jurisdiction

Pecuniary Jurisdiction

Exclusive and Concurrent Jurisdiction

Transfer of Cases Between Courts

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## **Week 3: Parties to a Suit**

Who Can Sue and Be Sued

Joinder of Parties

Representative Suits

Intervention and Substitution of Parties

## **Week 4: Institution of a Suit**

Drafting and Filing of Pleadings

- **Plaint**

- Written Statement of Defence (WSD)
- Counterclaims

Requirements of a Valid Plaintiff (Order 7 of CPR)

Service of Summons (Order 5 of CPR)

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### **Week 5: Pleadings and Defenses**

- Importance of Pleadings
- Form of Pleadings
- Admissions and Denials
- Preliminary Objections and Their Purpose
- Striking Out Pleadings

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### **Week 6: Amendment of Pleadings**

- When and How to Amend Pleadings
- Legal Consequences of Amending Pleadings
- Case Law on Amendments

- Judicial Discretion in Granting Amendments

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### **Week 7: Pre-Trial Procedures**

- Discovery and Inspection of Documents
- Interrogatories
- Pre-Trial Conference
- Setting Down for Hearing

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### **Week 8: Trials**

- Framing of Issues
- Examination of Witnesses
  - Examination-in-Chief
  - Cross-Examination
  - Re-Examination
- **Burden of Proof and Standard of Proof**
- Role of the Judge in Trials

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### **Week 9: Judgments and Decrees**

- Difference Between Judgment and Decree
- Contents of a Judgment
- Pronouncement of Judgments
- Execution of Decrees
  - Attachment of Property
  - Arrest and Detention
  - Garnishee Orders

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### **Week 10: Appeals and Reviews**

- Right of Appeal
- Procedure for Filing an Appeal
- Grounds for Review
- **Appellate Jurisdiction of High Courts and the Court of Appeal**

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### **Week 11: Special Procedures**

- Summary Suits (Order 36 of CPR)
- Injunctions and Interlocutory Applications
- Execution Proceedings (Order 22 of CPR)
- Judicial Review and Administrative Law Procedures

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### **Week 12: Alternative Dispute Resolution (ADR)**

- **Types of ADR**
  - Mediation
  - Arbitration
  - Negotiation
- Role of Courts in ADR
- ADR in Ugandan Civil Procedure
- Benefits and Challenges of ADR in Uganda

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## Assessment and Evaluation

- Mid-Semester Exam (20%)
- Case Briefing and Analysis Assignments (20%)
- Final Exam (60%)

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## Recommended Readings

### - Primary Texts:

- The Civil Procedure Act, Cap 71
- The Civil Procedure Rules (S.I. 71-1)

### - **Supplementary Texts:**

- Balunywa, J. Civil Procedure in Uganda
- The Constitution of Uganda (1995)
- Case Law (e.g., Zziwa v KCCA, Kisekka v Sekitoleko)

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## **Learning Outcomes**

By the end of the course, students should be able to:

1. Understand and apply the Civil Procedure Act and Rules in Uganda.
2. Draft key civil litigation documents like complaints and defenses.
3. Navigate court processes including filing suits, hearings, and appeals.
4. Utilize ADR in civil disputes to avoid protracted litigation.
5. Execute judgments and decrees effectively according to Ugandan law.

This structure provides a comprehensive guide for law students to understand civil litigation processes in Uganda.