

TWO-WEEK VOCATIONAL TRAINING PROGRAM FOR LAW GRADUATES (20 JUNE – 08 JULY 2023, BATCH-07)



Background Context

❖ The Hon'ble Supreme Court of Pakistan decided in its judgment [*Pakistan Bar Council through Chairman & others Vs. Federal Government through Establishment Division & others (2018 SCMR 1891)*] that the Provincial/Islamabad Bar Councils may introduce a "Two Week Bar Vocational course" during the six months training/pupillage period that a law graduate intending to join the legal profession must undergo for being enrolled as an advocate for practicing law. The Provincial/Islamabad Bar Councils may, however, consider and decide modalities for introducing the said course through respective Federal/Provincial Judicial Academies.

Brief Introduction to Training

❖ In the context above, a Two-Week Vocational Training Program for Law Graduates on procedural laws was arranged from 20 June to 08 July 2023 (**Batch-07**) at Jinnah Auditorium, District Court Karachi. In this interactive/practical training program, a total of 369 Law Graduates attended.

Salient Proceedings

- On Day-01, in the Inaugural Session, **Mr. Muhammad Murtaza Khan** (I.T Expert/Faculty Member, Sindh Judicial Academy) started the session with the recitation of the selected verses from The Holy Quran. He also supervised the registration and attendance of participants' activities.

❖ Further, **Mrs. Munawwar Sultana** (District & Sessions Judge / Senior Faculty Member, Sindh Judicial Academy), described the aims and objectives of the training and shared the training format. A pre-assessment was also conducted.

❖ First, Second and Third sessions were conducted by **Mrs. Munawwar Sultana** (D&SJ / SFM, SJA) on the following subjects:



- Introduction of Family Laws applicable in Pakistan
- Drafting of plaint for family dispute
 - Suit for dissolution of marriage by way of *Khullah* and recovery of dowry articles etc.
 - Suit for maintenance and custody of minor children
- Drafting of a written statement
 - Suit for dissolution of marriage by way of *Khullah* and recovery of dowry articles etc.
 - Suit for maintenance and custody of minor children

❖ She also elaborated on the following topics using the PowerPoint presentation:

- Dissolution of Marriage
- Dower
- Dowry Article
- Maintenance
- Restriction of Conjugal Right
- Custody of Children
- Guardianship
- Jactitation of Marriage

- Conjugal Right
- Personal Properties and belonging of wife.

❖ On Day-02, the first session was conducted by **Mrs. Munawwar Sultana** (D&SJ / SFM, SJA) on the subject of “Family Law”. In this session, she discussed Pre-trial including “Role of Advocates during pre-trial”, “Issues”, and “Drafting affidavit-in-evidence”.

❖ Second session was conducted by **Mr. Nizamuddin** (Librarian, SJA) on the subject of “How to use Law Library?”. In this session, he discussed the following topics:



- Importance of legal research for lawyers
- How to find out case law offline and online

❖ On Day-03, the first, second, and third sessions were conducted by **Mrs. Munawwar Sultana** on the subject of “Trial in Magisterial Courts”. In these sessions, she covered the following topics:

- Recording of evidence plaintiff/defendant in family matters
- Examination-in-chief of a plaintiff in family
- Drafting of application for interim maintenance
- Preparing arguments by referring to law and case law
- Preparing written arguments
- Advancing final argument Mock-Trial



❖ On Day-04, the first and second sessions were conducted by **Mr. Faheem Ahmed Khan** (District & Sessions Judge) on the subject of “Personality development and managing stress”. He also discussed “Communication skills”.



❖ On Day-05, Mrs. Munawwar Sultana (D&SJ / SFM, SJA) conducted the first and second sessions on the subject of “Family Law”. In these sessions, she discussed the “Recording of evidence of parties”. He elaborated on the subject with the following topics:

- Drafting affidavit-in-evidence
- Production of documents
- Cross-examination
- Examination-in-chief of a plaintiff/defendant in the family suit

❖ On Day-06, the first, second, third, and fourth sessions were conducted by **Mr. Muhammad Shahid Shafiq** (D&SJ / SFM, SJA) on the subject of “Pleading and Conveyancing”. In this subject, the following topics were taught (subjects and topics):



Pleadings:

- Drafting rules
- Concept of pleadings
- Object of the pleadings
- Fundamental rules of pleadings

Plaint and written statement:

- Specimen of the plaint
- Specimen of applications
- Specimen of a written statement

Conveyancing:

- Definition of conveyancing
- History of conveyancing
- Type of conveyancing

Specimen:

- Deed component
- Power of attorney
- Sale agreement, sale deed, lease deed, etc.

❖ On Day-07, the first and second sessions were continued by **Mr. Muhammad Shahid Shafiq** on the subject of “Civil Law”. He covered the subject with the following topics with practical exercises:

- How to draft a plaint in a civil suit?

- How to draft a written statement in a civil suit?
- Necessary parties
- How to draft miscellaneous applications in a civil suit?

❖ On Day-08, the First session was conducted by **Mr. Javed Ahmed Keerio** (District & Sessions Judge) on the subject of “Criminal Court Trial”. In this subject, the following topics were taught:

- FIR 154 or direct complaint 200
- Investigation 156 or Inquiry 202
- Recording of statement and confession 161,164
- Physical or police remand 167/344
- Quashing of FIR ... 561 a
- Taking cognizance 190
- Issue of process 204
- Bailable offense 496
- Non-bailable 497
- 241a. supply of statements and documents to the accused
- 265c. supply of statements and documents to the accused
- Pleading guilty... 243,,,,, 265e
- Beginning of prosecution evidence ...
- Examination of accused 342 Cr.P.C
- Beginning of defense evidence.340
- Summoning up evidence
- Judgment ... acquittal 245/ 265h or conviction 245(2), 265h(2)

❖ Second session was conducted by **Mr. Badar Alam** (Advocate Supreme Court of Pakistan) on the subject of “Civil Law”. He covered the subject with the following topics:



- Trial procedure followed in a civil court
 - How to draft an application under Order VII Rule 11 CPC and counter affidavit on it
- Temporary and permanent injunction
 - Draft an application under Order XXXIX Rules 1 & 2 CPC
- Court fees
 - How to determine pecuniary jurisdiction of a civil court
 - Procedure to purchase court fees in a different civil suit

❖ On Day-09, the first session was conducted by **Mr. Javed Ahmed Keerio** on the subject of “Criminal Law”. The following topics were taught:



- Bailable and non-bailable offenses
- 496 Cr.P.C. In what cases is bail to be taken
- 497 Cr.P.C. When bail may be taken in cases of a non-bailable offense
- 498 Cr.P.C. Power to direct admission to bail or reduction of bail
- Practice the final argument
- Take notes throughout the trial
- You must know your case
- Start with great confidence
- Be very energetic
- Grab the attention of the judge
- Have a copy of all the relevant documents
- Make points for your arguments in sequence
- While referencing any piece of evidence, highlight it in your copy. Also, make a copy for the judge duly highlighted
- Use simple language
- You should know the strength of the case
- You should also know the weaknesses of your case
- Keep in mind the defense and its weaknesses
- Support your arguments with case laws preferably of the Supreme Court and your own High Court
- Try to explain legal or factual flaws with sound reasoning
- Do not fire in the air

❖ Second session was conducted by **Mrs. Munawwar Sultana** on the subject of “Rent Law”. In this session, she discussed:

- Introduction to rent law
- Procedure to deposit rent
- Fair rent and its determination
- Eviction under section 14 of the Sindh Rented Premises Ordinance, 1979

❖ On Day-10, the First session was conducted by **Mr. Javed Ahmed Keerio** discussed “How to draft counter affidavit on application under Order VII Rule 11 CPC?”.

❖ Second session was conducted by **Mr. Hamid Saeed** (Image Consultant) delivered a presentation on “Dressing Etiquettes for Lawyers”. In this subject, the following topics were covered:



- Importance
- Elegance with Economy
- Dressing and appearance
- Dining etiquettes
- Table setting
- Dining protocol
- Purpose of dressing according to Holy Quran
- Stakeholders in your dressing
- Four stakeholders who affect our dressing
- What is the formula for proper dressing
- The look of a judge
- Attention Vs. Distraction
- Do's and Don'ts

❖ On Day-11, the First and second sessions were conducted by **Mr. Sardar Ali Shah** (Assistant Professor, Law, University of Sindh Jamshoro) delivered a presentation on the “Code of Conduct and Legal Ethics”. He shared that the guidelines for advocates include upholding dignity and high standing, refraining from soliciting employment through advertisements or other means, not assisting unlicensed individuals to practice law or receive compensation, avoiding communication with parties represented by other advocates, and refraining from personal clashes. He also shared that during the trial, mentioning the personal history or issues of opposing advocates is deemed indecent. He also added that the junior members must show respect to seniors, and in cases with multiple advocates, the senior member has the right to lead while juniors assist.



Further, Dr. Shah shared the “Conduct of the Court” that the advocate is required to maintain a respectful demeanor towards the Judge and refrain from advising a witness whose testimony could impact a significant

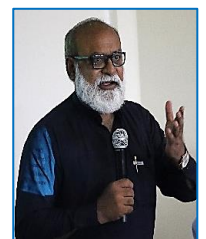
fact. He also shared that misquoting a judge intentionally is prohibited, and advocates should avoid private communication or arguments with the judge. Additionally, he added, advocates must work towards ensuring that political factors do not overshadow the importance of judicial competence in appointing and selecting judges.

Discussing the “Conduct about Clients” Dr. Shah shared that an advocate must avoid acquiring conflicting interests with their clients concerning the property involved in the case and should disclose any such relationships before accepting professional employment. He also shared that the advocates must refrain from purchasing property in probate, foreclosure, or judicial sales in their name or through *Benami* transactions. He emphasized that the advocates should also avoid mixing their client's property with their own. He pointed out that when determining fees, advocates should be fair, avoiding both overestimating and undervaluing their services. He also shared that it is considered improper for an advocate to express personal beliefs in the client's innocence or the justice of their cause during arguments.

Further, Dr. Sardar Ali Shah discussed the “Conduct of the Public” generally:

- An advocate should always treat adverse witnesses and parties with fairness
- No advocate is obliged to act either as an adviser or advocate for every person who may wish to become his client
- No Advocate will use his previous designation or post such as "Retired Justice", "Ex-Judge", "Retired General", "Ex Attorney-General", "Ex Advocate-General"
- No Advocate shall display outside his office or anywhere else his name on the nameplate or Board of the size of more than 1½' x 2'.

❖ On Day-12, the First and Second sessions were conducted by **Mr. Arshad Hussain Soomro** (District Attorney, Law Department) on the subject of “Qanun-e-Shahadat, 1984”. In this subject, the following topics were taught:



Part-1

- introduction Article 1 to 2
- About witness Article 3 to 17
- Relevancy of facts Article 18 to 69
- Oral Evidence Articles 70 to 71
- Documentary evidence Article 72 to 101
- Execution of oral by documentary evidence Article 102 to 110

Part-II

- Fact need not be proved Articles 111 to 113
- Estoppel Article 114 to 116

Part-III

- Burden of proof Article 117 to 129
- Examination of witness Article 130 to 161
- Improper evidence Article 162
- Oath Article 163
- Misc. (Evidence through modern devices Article 164 to 166

❖ The final day of the training program started with the recitation of the selected verses from The Holy Quran. Mr. Mohammad Murtaza Khan (I.T Expert/Faculty Member, SJA) delivered a presentation on the subject of Communication Skills. He shared that Verbal and Non-Verbal communication are two primary forms of human communication to convey messages, express emotions, and exchange information. He also shared an overview of both types and explained that Verbal Communication involves using spoken or written words to transmit information from one person to another using Spoken Language, Written Language, Tone & Pitch, Vocabulary & Grammar, etc. Mr. Khan explained that Non-Verbal communication refers to the transmission of messages without the use of words utilizing Facial Expressions, Eye Contact, Proximity, Touch, Appearance, etc. He added that according to the experts, only 7% of communication is done through actual words, and the rest of 93% is done by non-verbal communication. He also explained Body Language and shared that gestures, postures, and movements of the body, including hand gestures, nodding, crossing arms, or leaning forward, are used to communicate messages. Later, he showed and explained a cinematic



presentation on "The Secret of Body Language".

❖ In the next session, Mr. Nizamuddin, Librarian, Sindh Judicial Academy delivered his presentation on the Topic "How to Conduct



Legal Research?". He started his presentation with the question that "why legal research is important for lawyers?". He shared a landmark decision of Honorable Justice Nazar Akbar Judge High Court of Sindh that the "inefficiency" of a Judge is curable in an appeal or by a larger bench. It is not fatal, but the inefficiency of a lawyer is neither curable nor anything short of a miscarriage of justice. It is like appointing a blind man as a driver and innocently expecting a safe journey to the ultimate goal of getting justice from a Court of law. Before Nazar Akbar, J, Muhammad Haroon VS. the State 2016 P Cr. L J 700 [Sindh].

He also shared famous quotes from World Known Legal Expert about the Importance of Legal Research.

- "Without Research, A Lawyer Is Just a Fool with A Briefcase." -Paul C. Giannelli
- "Good Legal Research Is the Foundation of Any Successful Legal Action." - Earl Warren
- "Legal Research Is Not a Luxury, It Is an Essential Part of Being a Good Lawyer." - David Frakt
- "Legal Research Is Like a Treasure Hunt. You Need to Be Methodical, Focused, And Determined to Find the Nuggets of Gold Buried Deep Within the Law." - Mary Ann Glendon
- "The Most Important Tool in A Lawyer's Toolbox Is Not Their Knowledge of The Law, But Their Ability to Find It." – Steven Magee

He further elaborated on the presentation and shared techniques about how to conduct Legal Research, online and offline Sources of Legal Research sources. He further shared information about free online laws searching sources of Pakistan and also shared free

online case laws searching sources with detail of searching techniques.

He practically guided the usage of the Pakistan Law Site and other online research sources on legal research. He showed the visuals/pictures of each search option/ method of Legal Research on the Pakistan law site.

Certificate Distribution Ceremony

Mr. Shahid Shafiq, Ld. D&SJ/SFM, SJA and Mrs. Munawwar Sultana, Ld. D&SJ/SFM and SJA jointly conducted the ceremony and delivered the welcome address. The respectable senior members of the Sindh High Court Bar Association and Karachi Bar Association were invited to boost the confidence of young lawyers.

The senior Advocate Naeem Qureshi, Chairman Executive Committee, Karachi Bar Association was invited for his views about the training program. He congratulated the successful candidates and appreciated the discipline maintained by them. Moreover, he also acknowledged the efforts made by the Sindh Judicial Academy and said that without the keen interest of Hon'ble Mr. Justice Nadeem Akhtar, Judge High Court of Sindh and Director General Sindh Judicial Academy, these training programs would not be possible. The senior Advocate Qureshi also distributed honorary shields among the faculty members and presented Sindhi Topi and Ajrak to them. The appreciation certificates were also distributed among the top three participants.

The senior Advocate Mr. Haider Imam Rizvi learned Member of the Sindh High Bar Association expressed his views about Vocational Training, which are as follows:

- He introduced the other members of the Bar.
- He appreciated the efforts of the Faculty Members of Sindh Judicial Academy



and the Sindh Bar Council on the successful arrangement and conduction of consecutive vocational training programs for young lawyers.

- He expressed that young lawyers are the future of the Bar Association.
 - He further expressed his views about the importance of this vocational training program and advised young lawyers to always show their dedication as the same is essential for getting the Bar license.
 - He also shared the good news with the young lawyer's that in the future the Sindh High Court Bar Association is going to issue health cards for all the enrolled Lawyers for the treatment
- Later, the certificates were distributed among three leading candidates.

Conclusion

❖ At the end of the training program, the participants were awarded Certificates.

