



REPUBLIC OF KENYA



# Council of Legal Education

## STUDENTS' GUIDE TO ATP EXAMINATION

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## 1.0 Forward

The Council of Legal Education (hereinafter the CLE) is established by the Legal Education Act, Cap 16B. Its mandate includes regulating, supervising and licensing legal education providers and Law programmes in Kenya and conducting the ATP Examination. In its current form, the CLE has only been in existence since 2012, having been segregated from the Kenya School of Law (hereinafter the KSL) and re-established in 2013.

By dint of the Statute Law (Miscellaneous Amendments) Act, 2014, the Council of Legal Education's mandate was extended under Section 8(1)(f) to include the administration of professional examinations as prescribed under Section 13 of the Advocates Act, Cap 16 Laws of Kenya. This is the legal predicate on which the Council of Legal Education administers the ATP Examination.

Council has institutionalized structures, procedures and mechanisms to ensure that its commitment to deliver credible, reliable, verifiable and defensible ATP Examination is not only realized but enhanced.

Candidates with further enquiries are welcome to contact CLE through the contacts provided in the information pack.

  
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COUNCIL OF LEGAL EDUCATION**

## 2.0 The ATP Examination

2.1 A student becomes eligible to sit the written ATP Examination upon successful completion of the training component of the ATP at the Kenya School of Law and taken the Oral examination and the Project.

2.2 Council examines the three (3) components of the ATP Examination as has been the case as follows:

2.2.1 Oral Examination which is weighted at **20%**

2.2.2 Project which is weighted at **20%**

2.2.3 Written Examination which is weighted at **60%**

2.3 Project Work and Oral Examination:

2.3.1 Since the Oral Examination and Project are critical components of the ATP Examination, the KSL conducts them as an agent under the supervision of Council. The results are submitted to Council for final compilation alongside the written examination results. Both the Oral Examination and Project are **COMPULSORY** ingredients of the ATP Examination and must be completed before taking the written examination as per Council Examination policy **Clause 8.1.1**.

2.3.2 If a candidate fails to take part in either of these components of the ATP Examination, they should liaise with the KSL to ensure compliance prior to sitting the written examination. A candidate is ineligible to sit the written ATP Examination if they have not taken the Oral Examination and/or completed the Project.

2.3.3 If a candidate's marks for the Oral and/or Project are missing for any reason, the final computation in the particular unit will appear in the provisional transcript as *(/)* indicating that the mark is *incomplete* until the missing mark is accounted for.

2.3.4 Candidates are cautioned that missing Project and Oral examination marks cannot be redressed by resitting the written ATP Examination even if the written examination mark alone is a score above fifty (50), which is the pass mark. The two components of the ATP examination must be examined and graded accordingly.

2.3.5 It is the duty of every candidate to ensure that the other components of the ATP Examination are satisfactorily concluded. In order to avoid delay in releasing examination results, candidates are advised to confirm that their **Project and Oral examination marks** have been

recorded and forwarded to CLE prior to the commencement of the Written examination.

**NB: A candidate is ineligible to sit the written ATP Examination if they have not taken the Oral Examination and/or completed the Project.**

#### **2.4 Pupillage:**

2.4.1 In addition to the ATP Examination, all candidates are required to undertake Pupillage for six (6) months. This is a **MANDATORY** component of the ATP programme, and its completion and passing of the examination renders the candidate eligible for the issuance of a Certificate of Compliance.

2.4.2 Candidates are advised to liaise with the KSL on this matter. After pupillage, the KSL forwards the Certificate of Completion of Pupillage to Council to initiate the Clearance and Gazettement. ATP Candidates are advised not to submit the Certificate of Completion of Pupillage to Council.

#### **2.5 Written ATP Examination:**

2.5.1 Council will continue to offer two (2) examination series per year. In the past, Council has administered the examination continuously for nine (9) days. The examination dates are **NOTIFIED** to candidates and the public through Council's website.

2.5.2 A student is at liberty to register for the examination in any of the series as may be convenient as long as one is within the qualification period.

### **3.0 Structure of the ATP Examination**

3.1 Candidates are tested in the nine (9) units studied under the ATP as follows:

3.1.1	ATP 100	Civil Litigation
3.1.2	ATP 101	Criminal Litigation
3.1.3	ATP 102	Probate and Administration
3.1.4	ATP 103	Legal Writing and Drafting
3.1.5	ATP 104	Trial Advocacy
3.1.6	ATP 105	Professional Ethics
3.1.7	ATP 106	Legal Practice Management
3.1.8	ATP 107	Conveyancing
3.1.9	ATP 108	Commercial Transactions

3.2 The structure of the examination will be as follows:

- 3.2.1 Candidates will have three (3) hours to take each examination paper;
- 3.2.2 Candidates will be required to answer five (5) questions from a possible six (6);
- 3.2.3 QUESTION ONE (1) is compulsory and carries 20 marks;
- 3.2.4 All other questions carry ten (10) marks each.

3.3 The structure in 3.2 above is slightly modified for **ATP 106 - Legal Practice Management**, where candidates are required to answer five (5) questions out of a possible seven (7) questions. QUESTION ONE (1) of the paper is **COMPULSORY**. This examination paper has three sections; Accounting, Human Resource Management and Office Practice. Candidates are required to attempt at least ONE (1) question from EACH section and the final question from ANY of the sections.

3.4 These instructions are reproduced on the cover page of the question paper. It is the responsibility of candidates to read and understand examination instructions.

3.5 The written ATP Examination is a **CLOSED BOOK** examination with the exception of ATP 101 - Criminal Litigation, where candidates may bring **CLEAN** copies of the Penal Code and ATP 106 - Legal Practice Management, where candidates are allowed to use **scientific calculators**.

#### 4.0 Registration

4.1 Admission to the ATP does not *ipso facto* guarantee a student the right to sit the ATP Examination.

4.2 A candidate must register for the ATP Examination with the CLE, independently from registration at KSL. Registration for the ATP Examination is online through the student portal. A candidate must key in the correct data and ensure that the attached documents are authentic and complete.

4.3 As a regulator of legal education and training in Kenya, CLE is obligated to ensure that all relevant laws are complied with unconditionally.

4.4 Some candidates may be sitting for some units as a **first sitting** and other units as a **re-sit**. Whatever the case candidates can register for both online.

#### 4.5 Requirements for First-Time Candidates

- 4.5.1 Digital passport photo (soft copy)
- 4.5.2 Scanned documents of;

- 4.5.2.1 Kenya School of Law Admission letter (all pages)
  - 4.5.2.2 University certificate
  - 4.5.2.3 University transcripts (all four years scanned as one document)
  - 4.5.2.4 High School Certificate
  - 4.5.2.5 National Identification Card/passport (both sides)
- 4.5.3 Where applicable;
- 4.5.3.1 Letter of equation from Kenya National Qualification Authority
  - 4.5.3.2 Pre-Bar Certificate (Kenya School of Law)
  - 4.5.3.3 Clearance by Council of Legal Education

**NB: Scan the original documents not copies in pdf before uploading.**

4.6 The application for registration shall be declined if:

- 4.6.1 Candidate does not attach all the required documents in proper format
- 4.6.2 Candidate attaches incorrect and /or incomplete documents.

#### 4.7 Dates for the November 2024 ATP Examination

ACTIVITY	DATE
Registration for November 2024 examination	Monday, 2 <sup>nd</sup> September 2024 to Tuesday 1 <sup>st</sup> October 2024
Application for deferral	Friday, 1 <sup>st</sup> November to Thursday, 7 <sup>th</sup> November 2024
Activation of examination cards for download by candidates	Friday, 8 <sup>th</sup> November 2024
November 2024 ATP Examination	Thursday, 14 <sup>th</sup> to Tuesday, 26 <sup>th</sup> November 2024

4.8 Regrettably, there is NO provision for late registration.

4.9 Since the Council operates under exceedingly strict timelines on matters of ATP examination, candidates are cautioned that there will be **NO extension of time** for any scheduled activity beyond the dates herein or and in subsequent Notices issued by Council.



4.10 Candidates are implored to note that strict timelines are fixed to ensure that internal examination processes proceed without compromising the professionalism and integrity of the examination.

## 5.0 Examination Dates and Timetable

5.1 Council publishes dates and venues for the written ATP examination at least fourteen (14) days before the commencement of the examination. The dates are published on the Council's Website.

5.2 Candidates will be required to download and print examination cards from their portal. In addition to the Examination Card, candidates will download written instructions on matters germane to the examination.

5.3 Candidates are implored to familiarize themselves with the instructions on the administration of ATP examination.

### 5.4 November 2024 ATP Examination

5.4.1 The dates for the November 2024 ATP Examination are 14<sup>th</sup> to 26<sup>th</sup> November 2024

5.4.2 Timetable for the November 2024 ATP Examination

DAY	DATE	UNIT
Thursday	14 <sup>th</sup> November 2024	ATP 100 Civil Litigation
Friday	15 <sup>th</sup> November 2024	ATP 105 Professional Ethics
Monday	18 <sup>th</sup> November 2024	ATP 101 Criminal Litigation
Tuesday	19 <sup>th</sup> November 2024	ATP 104 Trial Advocacy
Wednesday	20 <sup>th</sup> November 2024	ATP 107 Conveyancing
Thursday	21 <sup>st</sup> November 2024	ATP 103 Legal Writing and Drafting
Friday	22 <sup>nd</sup> November 2024	ATP 108 Commercial Transactions
Monday	25 <sup>th</sup> November 2024	ATP 102 Probate and Administration
Tuesday	26 <sup>th</sup> November 2024	ATP 106 Legal Practice Management

## 6.0 Examination Centres

6.1 On registration to sit the ATP Examination, candidates are assigned examination centres. The location and number of examination centres depend on the number of candidates, logistics and availability.

6.2 On closure of the registration process, examination centres for the ATP Examination shall be posted on the CLE's website and candidates will be notified of their specific centre. CLE does not allow candidates to choose their preferred



centres. However, candidates with special needs are at liberty to make specific requests for facilitation.

## 7.0 Deferrals

- 7.1 Candidates who meet the threshold for registration and are registered for the ATP Examination may be allowed to defer the entire examination or part thereof on furnishing sufficient grounds.
- 7.2 Application for deferral must be made online on the candidate's portal and must state the reasons for seeking a deferral. Any supporting documentation must be attached.
- 7.3 The application must be made within the specified period. Where this is not possible, there must be cogent evidence of extenuating circumstances. Applications for deferral are considered on a case-by-case basis and a determination is made on whether there is sufficient justification to grant the application and thereby credit the examination fee to the next ATP Examination series. *Ex post facto* applications for deferral are unacceptable.
- 7.4 If a candidate fails to take an examination unit(s) without deferral, it is considered a **NO SHOW and the output in the provision transcript will be an (x) in the unit(s)**. The amount already paid is expended in the activities preceding the administration of the ATP Examination.
- 7.5 Such a candidate is required to register afresh when the examination is next offered and pay the examination fee.
- 7.6 Even where an application for deferral is successful, a candidate is still required to register when he/she intends to sit the deferred unit(s).

## 8.0 Examination Administration

- 8.1 Candidates are encouraged to visit the venue where they will be taking the examination before the commencement of the examination to familiarize themselves with the location.
- 8.2 Any candidate who turns up at the examination centre **THIRTY (30) MINUTES** late shall not be allowed into the examination room. The candidate will be deemed to be a No-Show.
- 8.3 A Candidate **MUST** present themselves at the centre allocated. Arrangements are made only for the specific number of candidates allocated to each centre. A Candidate must bring a printed Examination Card and a photo identification

document (National ID, Passport or KSL card). Candidates must sit only on the seat allocated to them.

8.4 All Candidates shall be, issued with an examination booklet with adequate spaces provided after each question, for writing answers.

8.5 A candidate shall be at liberty to request an additional booklet to write answers should need arise.

8.6 All Examination booklets are the property of Council of Legal Education and unauthorized possession is prohibited.

#### **9.0 Examination irregularities**

9.1 A candidate shall not carry/bring unauthorized material to the examination room. Any candidate who is found to be in possession of unauthorised material commits an examination irregularity.

9.2 A candidate who commits an examination irregularity shall be subjected to CLE's disciplinary procedures and shall be liable to disciplinary action. The Council shall *inter alia* nullify the mark attained in that unit/paper.

9.3 A candidate who unlawfully solicits confidential information on the ATP Examination from the Council, Council Officers or any person or attempts to influence examination processes whatsoever whether for consideration or otherwise shall be barred from sitting the ATP Examination for a period of up to THREE (3) YEARS.

9.4 Additionally, claiming for results for an examination a candidate did not sit and falsification of documents amounts to an examination irregularity.

#### **10.0 Examination Results**

10.1 Results for the ATP Examination are declared by the Council in the form of P (pass) or F (fail). If for any reason CLE has not received the Oral or Project marks regular candidate results shall indicate incomplete (I). For candidates who did not sit for the written examination, the results will indicate (x). An Asterix (\*) shall be awarded to a candidate with an examination irregularity.

10.2 The pass mark in each unit of the ATP Examination is 50%.

##### **10.3 Computation of the Final Unit Mark for Regular Candidates**

10.3.1 The final results for the Regular Candidate for each unit are computed by adding the mark attained in the Project, Oral and written examinations.

10.3.2 The formula is: Final % unit mark= (Oral score/20) + (Project score/20) + (written exam score/60)

#### 10.4 Computation of the Final Unit Mark for Re-sit Candidates

10.4.1 The written examination is converted to a percentage (%). The Oral and project marks are not included in the computation of the final unit mark.

10.4.2 The formula is: Final % unit mark= (written exam score/60) \* 100

10.5 Examination results will be released within three (3) months after the last day of examination. The results will be available on the candidate's portal upon release of the results.

#### 11.0 After the ATP Examination

11.1 Council releases individual ATP Examination results which shall become accessible from the portal.

11.2 Candidates will view the results for the units done in a particular examination series.

11.3 The ATP examination results shall indicate the total marks in a unit as well as the scores in each of the attempted questions.

11.4 Candidates can also access an updated digital provisional transcript from the portal showing the marks attained in the respective unit(s) taken.

11.5 The system-generated provisional transcript, though not the final academic record, can be printed and certified for official use.

#### 12.0 Remarking Examination

12.1 A candidate who fails to attain the pass mark (see No.10 above) may apply to remark the unit (s) failed. The application must be made online upon payment of the requisite fee.

12.2 The script is forwarded to an independent marker (Remarker) and graded a fresh. The Remark's score is recorded as the candidate's final mark.

12.3 After remark provisional transcripts are updated to reflect the updated results.

12.4 The release of remark results marks the end of an ATP Examination series.

### 13.0 Re-siting Examination

13.1 A candidate is at liberty to re-sit the unit(s) failed in a subsequent examination series. Registration for re-sit is done online upon payment of the requisite fee (See No. 16). Since a re-sit comprises the Written examination only, the mark is converted to percentage (%).

13.2 The Re-sit results can be accessed from the “Re-sit” link in the candidate portal.

### 14.0 Gazettement

14.1 Upon completion of Pupilage, KSL furnishes Council with a Certificate of Completion of Pupilage in the prescribed form for verification and approval for gazettement.

14.2 On successful completion of the ATP Examination and Pupilage, Council issues a Certificate of Compliance and final transcript and causes the names of all candidates who have complied with the law to be published in the Kenya Gazette, thereby rendering them eligible to petition the Honourable Chief Justice of the Republic of Kenya for admission to the Roll of Advocates.

### 15.0 Transcripts and Compliance Certificates

15.1 A candidate can only be processed for gazettement after qualifying in all nine (9) units in addition to satisfying the Pupilage requirement. The final transcript showing that the candidate has qualified in the ATP Examination is issued together with the Certificate of Compliance.

### 16.0 Fees and Charges

16.1 The following fees and charges are payable by candidates taking the ATP Examination;

Examination fees for the first sitting	Kshs. 5,000/= per unit
Examination fees for re-sit	Kshs. 10,000/= per unit
Re-marking fees	Kshs. 15, 000/= per unit
Convenience fee	Kshs. 50/= per transaction

16.2 The fee must be utilised within two (2) years, which is equivalent to four (4) ATP Examination series.

**16.3** Candidates are cautioned that refunds shall only be allowed once a candidate has cleared with Council of Legal Education.

**END**

## Contacts

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Enquiries regarding the ATP Examination should be channelled via email to [examinations@cle.or.ke](mailto:examinations@cle.or.ke) or [info@cle.or.ke](mailto:info@cle.or.ke)

Enquiries will be responded to at the earliest possible opportunity.