



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

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MAIN EXAMINATION

SEPTEMBER – DECEMBER 2019 TRIMESTER

INSTITUTE OF CANON LAW

REGULAR PROGRAMME

JC-L 203: PROCESSES II

Date: DECEMBER 2019

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and any other TWO Questions

- Q1. a) A trial goes through many phases before it is concluded and a definitive sentence is issued, briefly explain these phases
b) Mention the 4 ways by which a sentence can be challenged
- Q2. What do you understand by incidental matter? describe two examples of incidental matters
- Q3. What are the essential elements of a libellus? What are the scenarios in which a libellus can be rejected by the judge?
- Q4. What is moral certitude? Explain how the judge arrives at moral certitude before pronouncing judgment.
- Q5. In order for the Judge to reach the certainty of the matter under trial, he requires proofs. Briefly explain the 5 kinds of proofs specified in the Code.
- Q6. Explain the following terminologies:
i) Abatement
ii) Renunciation
iii) *Contestatio litis*
iv) *Res iudicata*
v) *Restitutio in integrum*
vi) Rogatorial commission

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