



**BUSINESS LAW CLINIC**  
**DEPARTMENT OF COMMERCIAL LAW**  
**SCHOOL OF LAW**  
**MAKERERE UNIVERSITY**

**CALL FOR INDIVIDUAL CONSULTANT**  
**TRANSACTIONAL LAW CLINIC PILOT PROJECT**

**TERMS OF REFERENCE**

**1. Introduction**

Legal education and practice in Uganda continues to be challenged by the realities of the high levels of unmet justice needs of indigent individuals and communities. Even with a marked increase in the number of law schools in the country, the use of clinical methods of teaching remains novel and limited. At the same time, there are many individuals and communities that need legal services to facilitate small business processes. Uganda has been named as one of the most entrepreneurial countries in the world. However, many business startups have no access to legal services and subsequently fail within the first six years of having been started. The existing legal aid services substantially concentrate on human rights matters and social justice for vulnerable groups. As a result, commercial legal services remain inaccessible for small businesses, which are typically set up by indigent individuals and communities. This denies such businesses equitable access to the drivers of economic development.

As a response to this challenge, the Department of Commercial Law at the School of Law Makerere University set out to innovate with teaching commercial law subjects and supporting indigent communities. Even though the term 'innovation' has continuously been associated with science-based learning and not the humanities, the Department set up a Transactional Law Clinic (“TLC”) pilot project in September 2019 to bring on board the use of clinical methods of teaching and learning commercial law subjects. In November, 2019, the pilot project received funding for one financial year from the Research and Innovation Fund Phase I (2019-2020). Designed as a three-year pilot project, it is hoped that the TLC pilot project will at once enhance the teaching of commercial law subjects to address the lived realities of indigent individuals; and provide a path to legal aid services for entrepreneurs emerging from these communities.

A number of universities on the globe have embarked on establishing University-Based Legal Aid Clinics (UBLACs). The precise objectives of UBLACs include ensuring both an all-round practical education for law students, inculcating in them social consciousness; and enhancing access to justice. In addition to equipping law students with the skills of social justice lawyering and provision of pro bono legal services, the UBLACs also provide legal services to the indigent, hence enhancing their ability to access justice, build their legal literacy and access legal service. This is especially crucial in the Ugandan context, where legal aid systems are weak and many law school graduates are insensitive to societal needs

It is against this background that the TLC pilot project seeks to develop a Clinic Manual to guide establishment and running of UBLACs for commercial subjects. The Manual is intended to be a practical guide to provide support and practical ideas of things to consider when establishing and manning a model for clinical legal education programme.

## **2. The Individual Consultant's Role**

As one of the outputs of the pilot project, it is envisaged that there will be learnings relating to students participating in the pilot project as well as academic staff of the School of Law. The TLC therefore seeks an independent Consultant to support the Clinic in designing a Clinic Manual which can be adaptable manual tailored to suit commercial law lecturers in various faculties of law in Uganda.

## **3. Task Description**

The Individual Consultant will be required to review reports from various workshops; teaching plans designed by staff; review of current teaching methodologies adopted by commercial law lecturers within Makerere University and other law faculties in Uganda; review materials from other jurisdictions which have implemented transactional/business law clinics, particularly in Commonwealth jurisdictions and identify best practices. Design an adaptable manual tailored to suit commercial law lecturers in various Faculties of Law in Uganda.

## **4. Expected outputs and Timelines**

| <b>No.</b> | <b>Deliverables / Outputs</b>         | <b>Estimated Duration</b> | <b>Timelines</b>            |
|------------|---------------------------------------|---------------------------|-----------------------------|
| 1.         | Notification of Successful Consultant | 1 week                    | 29 <sup>th</sup> April 2020 |
| 2.         | Inception meeting with the Consultant | 1 week                    | 30 <sup>th</sup> April 2020 |

|    |  |         |   |
|----|--|---------|---|
| 3. | Execution of Consultancy               | 30 days | 1 <sup>st</sup> May – 31 <sup>st</sup> May    |
| 4. | Furnishing of 1st draft of the Manual  |         | 1 <sup>st</sup> June 2020                     |
| 5. | Validation of draft Manual             |         | 11 <sup>th</sup> June 2020                    |
| 6. | Incorporating comments                 | 2 weeks | 12 <sup>th</sup> - 24 <sup>th</sup> June 2020 |
| 7. | Submission of revised and final Manual |         | 25 <sup>th</sup> June 2020                    |

## **5. Expected Deliverables:**

- (a) Inception report;
- (b) Draft manual;
- (c) A revised manual.

## **6. Required skills:**

The Individual Consultant is expected to hold a minimum of an honours degree in law and to demonstrate the following strengths:

- (a) Expertise in legal writing;
- (b) Excellent command of the English language;
- (c) Excellent research, analytical and report writing skills;
- (d) Extensive knowledge of subject matter under consideration in the report.

## **7. REPORTING RELATIONSHIPS**

The Consultant will report to the Principal Investigator at the Department of Commercial Law, School of Law, Makerere University.

## **8. DURATION OF THE WORK**

30 consultancy days

## **9. REMUNERATION**

The TLC Pilot Project will remunerate the Individual Consultant for the services rendered as follows: -

- (a) The first installment of 40% will be paid to the Individual Consultant upon submitting to the Principal Investigator the first proposed draft of the manual.
- (b) The second installment of 60% will be paid after submission of the final manual with the accepted changes.

#### **10. APPLICATION INSTRUCTION**

Interested Individual Consultants are asked to submit a proposal that constitutes both a technical and financial component by email to Dr. Phiona Muhwezi Mpanga at [pmuhwezi@law.mak.ac.ug](mailto:pmuhwezi@law.mak.ac.ug)

Documents Required: The proposal, CV, plus samples of previous work engagement shall be submitted by Thursday 23<sup>rd</sup> April 2020.

