

**BQA NCQF Qualification Template**

DNCQF.FDMD.GD04

Issue No.: 01

QUALIFICATION SPECIFICATION						SECTION A
<b>QUALIFICATION DEVELOPER</b>	BA ISAGO UNIVERSITY					
<b>TITLE</b>	Diploma in Court Administration			<b>NCQF LEVEL</b>	6	
<b>FIELD</b>	Law and Security	<b>SUB-FIELD</b>	Law			
New qualification	✓	Review of existing qualification				
<b>SUB-FRAMEWORK</b>	General Education		TVET		Higher Education	✓
<b>QUALIFICATION TYPE</b>	Certificate		Diploma	✓	Bachelor	
	Bachelor Honours		Master		Doctor	
<b>CREDIT VALUE</b>	269					
<b>RATIONALE AND PURPOSE OF THE QUALIFICATION</b>						
<p><b>Rationale</b></p> <p>The Administration of Justice (AOJ) acknowledges that there is a rise in the complexity of life in Botswana and the extent of litigation have formed an administrative load on the courts that the judges cannot handle alone (AOJ, 2018). The National Development Plan (NDP) 11 highlights a need to empower administrators with necessary knowledge and skills to carry out their functions. NDP 11 provides that "Government will activate some modules in the Court Records Management System (CRMS) to improve on the Judiciary's service delivery. Pillar 4 of Botswana's Vision 2036 maintains that students should be empowered with a</p>						

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legal background in order to be able to operate in Government quasi-judicial supporting roles, or the legal practice as clerks or support staff. The qualification has been identified under the spotlight in the National Development Plan 11 (2016-2023) as a key developmental priority. Lack of legal theoretical knowledge on law and administration in the Department of Justice can lead to an inefficient court system. The Administration of Justice has a dire need for legal training and has often liaised with BA ISAGO University to establish edifying Certificate and Diploma courses to augment the inadequacies in clerical Staff.

The Administration of Justice needs court administrators to organize and process court cases. The field of court administration originated from the growing need to professionally manage internal operations, large workloads, performance, and accountability of the Administration of Justice. Court administrators should be thoroughly trained in judicial procedures and modern administrative practices. The Diploma in Court Administration is a qualification developed especially for court administrators involved in the preparation and processing of cases. This qualification will give students a background in the workings of the legal justice systems, as well as the day-to-day operations of the court. It offers an in-depth look at the court systems and fills the existing gap in the administration within the court system. This qualification is designed to provide the training pathway needed by people wishing to enter, develop additional skills or pursue a long-term career within the legal justice system. It also enables graduates to develop appropriate knowledge, skills and management and coordination of the court system. Students would develop sound principles, practices and knowledge which will enable them to deal with clients in a legal environment.

**Purpose**

This qualification will:

- Result in the attainment of knowledge of procedural rules and application of skills necessary to those who would like to perform orders of the court,

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- Ascertain a safe environment in which the court can function so that it effectively offers service to the patrons and stakeholders.
- Empower individuals who exercise legal elements or functions in their everyday work-roles to effectively manage records.
- Equip graduates with necessary legal and administrative theoretical knowledge and skills such as information technology application to address practical everyday functions.
- Provide a broadened knowledge base and a cross-disciplinary approach to solving problems involving the intersection of law, policy, administration, and management.

**ENTRY REQUIREMENTS (including access and inclusion)**

- i. Certificate IV (NCQF level 4) (General Education or TVET) or equivalent qualification.  
OR
- ii. Applicants who do not meet the requirements above may be considered through the institutional RPL and CAT policies for access and inclusion as per BQA/ national policy.

**QUALIFICATION SPECIFICATION**

**SECTION B**

**GRADUATE PROFILE (LEARNING OUTCOMES)**

**ASSESSMENT CRITERIA**

- |  |   |
|--|---|
| 1. Demonstrate advanced knowledge of the application of procedural rules in both civil and criminal litigation | 1.1 Compare the classifications of law for purposes of solving legal issues<br>1.2 Examine the jurisdiction of courts in Botswana<br>1.3 Analyse sources of law and their application in legal practice |
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	<p>1.4 Assess the national legal framework, national constitution and domestic laws</p> <p>1.5 Examine the role and functions of the arms of government</p> <p>1.6 Apply relevant legal principles and instrument used to resolve legal issues</p>
2. Apply rules, policies, procedures, practices and guidelines for the case processing of attorney disciplinary and regulatory cases.	<p>2.1 Plan court events in compliance with judicial calendaring guidelines.</p> <p>2.2 Develop procedures or guidelines for preparing court orders and notices.</p> <p>2.3 Use procedural rules, general orders regarding compliance to provide information, documents, correspondence and/or referrals.</p> <p>2.4 Compose audio records proceedings. supported by appropriate written records</p> <p>2.5 Generate notices and orders set by the judge and initiates orders for the judge's signature.</p> <p>2.6 Monitor the development and implementation of new procedures to improve court operations.</p>
3. Manage all financial transactions to execute all court operations.	<p>3.1 Select the resource requirements for effective court operations</p> <p>3.2 Prepare annual budgets of the court system aligned to court activities and operations</p>

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	<p>3.3 Analyze court financial data and spending against budget.</p> <p>3.4 Execute court fines, compensation and maintenance payments.</p> <p>3.5 Monitor payment for subscriptions and other purchases</p>
4. Apply information technology to operate court computerized systems for effective case management and processing.	<p>4.1 Create records on a computerized court system</p> <p>4.2 Prepare court rolls electronically.</p> <p>4.3 Search files, databases or reference materials to obtain needed information on cases.</p> <p>4.4 Monitor progress on trial dates to ensure compliance with time frames</p> <p>4.5 Prepare reports on completed and pending cases from computerized systems</p> <p>4.6 Analyze reports to offer recommendations to improve court administration.</p>
5. Manage records to maintain documented information that captures all the administrative and clerical duties relating to court correspondences and proceedings.	<p>5.1 Plan for legal matters, appointments and meetings on the Court calendar.</p> <p>5.2 Organize mail and correspondences received by the Court.</p> <p>5.3 Organize schedules to allocate cases to courtrooms</p> <p>5.4 Prepare correspondence, dockets, reports and legal forms on own initiative or under general instruction from the Judge</p>

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	<p>5.5 Prepare jury instructions and verdict forms for jury trials.</p> <p>5.6 Generate memorandum decisions and other documents necessitated by courtroom decisions</p> <p>5.7 Prepare court minutes, issue letters, order reports and file processes or complaints</p> <p>5.8 Monitor court records with confidentiality and approved code of conduct</p> <p>5.9 Draft pleadings and discovery document in proper court format</p>
<p>6. Utilize appropriate legal materials such as statutes, court decisions and litigation documents in relation to court procedures.</p>	<p>6.1 Examine legal documents submitted to courts for adherence to laws or court procedures.</p> <p>6.2 Administer oaths or affirmations to parties involved</p> <p>6.3 Examine exhibits and determine the appropriate level of security</p> <p>6.4 Prepare applicable court exhibits or evidence</p> <p>6.5 Mark applicable court exhibits or evidence during the trial</p> <p>6.6 Summarize the regulations, policies, or procedures to the general public or parties in cases.</p>

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<b>QUALIFICATION STRUCTURE</b>			
<b>SECTION C</b>			
<b>FUNDAMENTAL COMPONENT</b>	<b>Title</b>	<b>Level</b>	<b>Credits</b>
Subjects / Units / Modules /Courses	Computing and Information Skills	5	12
	Fundamentals of Accounting	5	12
	Customer Care	6	12
	Records Management	6	15
<b>CORE COMPONENT</b>			
Subjects / Units / Modules /Courses	Introduction to Law	5	12
	Foundation in Legal Research	5	14
	Civil Procedure, Evidence and Case Flow Management	6	12
	English Communication for Law	6	12
	Family Law	7	12
	Introduction to Public Administration	7	12
	Criminal Procedure	6	15
	Industrial Attachment	6	60
	Administrative Law	6	15
	Constitutional Law	6	12
	Administration of Estates	6	15
	Human Resources Management	6	12
	Human Rights Law	7	15

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<b>ELECTIVE COMPONENT</b>  <b>Subjects / Units / Modules /Courses</b>	<i>Not applicable</i>				
<b>Rules of combinations, Credit distribution</b> (where applicable):					
Level 5 consists of 50 credits					
Level 6 consists of 180 credits					
Level 7 consists of 39 credits					
<b>Total credits = 269</b>					
The credit combination is made up of 51 credits from the fundamental component and 218 credits from the core component.					

<b>ASSESSMENT &amp; MODERATION ARRANGEMENTS</b>	
<p>Assessment and Moderation are conducted by Assessors and Moderators who have been registered and accredited with the Botswana Qualifications Authority (BQA).</p> <p><b>Assessment</b></p> <p>All assessments which are leading to the award of the qualification should be based on learning outcomes and associated assessment criteria as stipulated for the qualification.</p>	



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**i. Formative assessment**

The weighting of formative assessment is 60 % of the Final assessment mark.

**ii. Summative assessment**

The weighting of summative assessment is 40 % of the Final assessment mark.

**Internal and External Moderation Requirements**

Both internal and external moderation will be done in-line with the Moderation policy of the Institution.

**RECOGNITION OF PRIOR LEARNING (if applicable)**

Recognition of Prior Learning (RPL) is a form of assessment for eligibility into the qualification. It allows recognition of skills and knowledge acquired through informal learning such as work or life experience. RPL is granted where the candidate can provide sufficient evidence of their competence in a module as determined by the institutional policies.

Credit transfer will also be applied in line with National CAT Policy.

**PROGRESSION PATHWAYS (LEARNING AND EMPLOYMENT)**

**Learning Pathways**

***Horizontal Articulation:***

- Diploma in Law (NCQF Level 6)
- Diploma in Public Policy and Administration (NCQF Level 6)

***Vertical Articulation***

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- Bachelor of Arts in Law and Public Administration (NCQF Level 7)
- Bachelor of Laws (NCQF Level 7)
- Bachelor of Arts in Criminal Justice (NCQF Level 7)
- Bachelor of Arts in Legal Interpretation (NCQF Level 7)

**Employment Pathways**

- Court clerk
- Court Administrators
- Administrator/ Clerk Department of Justice
- Law firm office assistant Administrator Land Boards officials
- Administrator the Ombudsman Offices
- Prosecutors

**QUALIFICATION AWARD AND CERTIFICATION**

Upon successful completion, the candidate will be awarded a Diploma Certificate in Court Administration in accordance with the qualification composition rules and applicable policies. For a candidate to be awarded the qualification, he/she must have accumulated a total of 269 credits.

**REGIONAL AND INTERNATIONAL COMPARABILITY**

**1. University of Johannesburg (South Africa) – Diploma in Law (Paralegal Studies)**

Benchmarked against the Diploma in Law (Paralegal Studies) offered by the University of Johannesburg, the two qualifications are placed at NQF level 6, have a duration of 2 years and share common modules such as Family Law, Introduction to Law and Criminal Procedure just to name a few. However, several differences can also be noted. The proposed qualification is worth 269 while the University of Johannesburg qualification

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is worth 240 credits. At the University of Johannesburg, the learners are exposed to modules such as Labour Law, Business Law and Communication Skills, and a 4-day compulsory workshop. The learners under the proposed qualification are exposed to modules such as Administration of Estates, Fundamentals of Accounting, Records Management, Human Rights, English Communication for Law, Constitutional Law, Administrative Law, Introduction to Public Administration and Industrial Attachment unlike those at the University of Johannesburg. The University of Johannesburg presents the qualification by distance learning (limited contact) while the mode of delivery under this qualification is on a full-time and part-time basis. While exams under this qualification will be written at the end of each semester those of the University of Johannesburg are written at the end of each academic year.

## **2. Tshwane University of Technology (South Africa) – National Diploma: Legal Assistance**

Compared to National Diploma: Legal Assistance offered by Tshwane University of Technology; the two qualifications are placed at NCQF level 6 for 2 years. The two institutions offer Computing and Communication Skills as a common module. However, the following differences can be noted among the two qualifications, Tshwane University of Technology offers modules that are not offered by the proposed qualification like Mercantile Law for Paralegals, Dispute Resolution I, Legal Practice for Paralegals, Legal Research and Writing I, Practical Law: Procedure and Small Business Management I to name but a few. The learners under this qualification are exposed to modules such as Administrative Law, Constitutional Law, Family Law, English Communication for Law and Industrial Attachment just to name a few which is not the case with those at Tshwane University of Technology. Moreover, the credits for the proposed are 269 while the Tshwane University of Technology has 3 credits.

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**3. National Association of Licensed Paralegals (United Kingdom) – Diploma in Paralegal Studies**

At the international level, the qualification was benchmarked with the Diploma in Paralegal Studies offered by National Association of Licensed Paralegals. Similarities are that both institutions are at NCQF Level 6 and offer Criminal Procedure and Civil Litigation as common modules. However, a number of differences were also noted among the two qualifications. The National Association of Licensed Paralegals offers the qualification for a total number of 150 hours whereas this qualification is offered for 2 years. The National Association of Licensed Paralegals offers modules such as Wills, Probate and Family Provision, Matrimonial and Civil Partnership Disputes, Conveyancing, and Succession to name but a few which are not offered under this qualification. Also, learners under this qualification are exposed to modules such as English communication for Law, Fundamentals Of Accounting, Administrative Law, Constitutional Law and Industrial Attachment among others which is not the case with those of the National Association of Licensed Paralegals. The assessment strategies for the proposed qualification include final examinations unlike that of the National Association of Licensed Paralegals which include only assignments and course work. The National Association of Licensed Paralegals has no official guided learning but allows learners to get tutorial support upon request to their provider unlike under this qualification which is offered on an official guided learning that is, through lecturers and tutorials.

**4. Centennial College (Canada) – Diploma in Law Clerk**

The qualification was also compared to Diploma in Law Clerk offered by Centennial College. Similarities are that the qualifications are at NCQF Level 6 for a duration of 2 years. Both qualifications offer modules such as Introduction to Law, Family Law and Civil Litigation. However, a number of differences were also noted among the two qualifications. Centennial College offers modules such as Keyboarding, Real Estate, Corporate Law, Debtor-Creditor, and Government Boards and Agencies among others which are not offered

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by this qualification. The proposed qualification exposes learners to modules such as English Communication for Law, Fundamentals of Accounting, Administrative Law, Constitutional Law and Industrial Attachment among others which is not the case with that of Centennial College. The proposed qualification uses examinations as part of its assessment strategies unlike the qualification for Centennial College which doesn't.

In general, this qualification compares well with its regional and international counterparts. The only major differences are in the mode of study and scope of coverage or focus offered by the universities. This qualification is presented in the form of both full time and part-time basis for learners and is therefore in line with the requirements and objective of providing access, mobility, and progression for learners.

**REVIEW PERIOD**

This qualification will be reviewed after 5 years upon registration.