

OFFICE OF THE DEPUTY JUDGE PRESIDENT

(HIGH COURT OF SOUTH AFRICA, GAUTENG LOCAL DIVISION)
OFFICE 1210

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N O T I C E

TO

1. **Chief Registrar - Gauteng Division of the High Court, Pretoria and Johannesburg**
2. **Secretariat – Judicial Case Flow Management, Office of the Chief Justice**
3. **Registrars - Gauteng Division of the High Court, Johannesburg and Pretoria**
4. **Legal Practice Council – Gauteng**
5. **Law Society of South Africa**
6. **Johannesburg Society of Advocates**
7. **Pan African Bar Association of South Africa**
8. **Gauteng Family Law Forum**
9. **Gauteng Attorneys Association**
10. **Pretoria Attorneys Association**
11. **Johannesburg Attorneys Association**
12. **West Rand Attorneys Association**
13. **South African Black Women in Law**
14. **South African Women Lawyers Association**
15. **General Council of the Bar of South Africa**
16. **National Bar Council of South Africa**
17. **South African Bar Association**
18. **National Forum of Advocates**
19. **Pretoria Society of Advocates**
20. **North Gauteng Association of Advocates**
21. **Church Square Association of Advocates**
22. **Advocates for Transformation**
23. **Black Lawyers Association**
24. **South African Medical Malpractice Lawyers Association**
25. **Personal Injury Plaintiff Lawyers Association**

26. National Association of Democratic Lawyers
27. Office of the Director of Public Prosecutions, Pretoria and Johannesburg
28. Office of the State Attorneys, Pretoria and Johannesburg
29. CEO – Legal Aid South Africa
30. CEO – Road Accident Fund
31. CEO – PRASA
32. Director General – Gauteng Province
33. Head of Legal Department – Department of Health – Gauteng Province
34. South African Medico-Legal Association
35. Solicitor General :

DATE : 03 December 2021

RE : **NOTICE TO ALL LITIGATION ATTORNEYS IN GAUTENG in re MATTERS AGAINST THE ROAD ACCIDENT FUND ADDITIONAL PROCEDURES TO THE ENROLLING OF ROAD ACCIDENT FUND MATTERS**

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1. As a result of an interaction with the newly appointed litigation manager of the Road Accident Fund (the Fund), Johannesburg Branch, Adv B Kingsley Phillips, and a request for certain procedures to be introduced to assist the Fund in responding more rapidly than hitherto to engage and settle cases, the following procedures shall be introduced with immediate effect. It is envisaged that these steps will enable the Fund to engage earlier, and meaningfully, with plaintiff's attorneys to achieve settlements.

2. This shall be especially relevant to the many matters which, owing to no involvement by the RAF during trial preparation, orders referring the matters for default judgments have been made.

3. At the stage of a request by a plaintiff for an enrolment in the Case Management Court or the Trial Interlocutory Court or the Settlement Court or the Civil Trial Court:
    2.1 The form used to request a date for enrolment shall require the plaintiff to state the Road Accident Fund LINK number in addition to the case number.

2.2 The relevant registrar, when compiling the roll, shall state that number next to the case number.

2.3 In addition, the link number must be posted on the electronic file on CaseLines as a note for all participants viewing.

2.4 These steps will make it easier to quickly access the file in the Fund's database.

4. Because the trial roll has already been enrolled throughout the first term of 2022, the Registrar has not captured the link number in those matters and cannot state it on those rolls. In order to assist the Fund, plaintiffs' attorneys should include the link number in their practice notes so that it can be stated on the final published roll

5. Copies of the amplified forms are attached which should be used in future.

6. As to the publication of rolls of the Case Management Court, the Trial Interlocutory Court, the Settlement Court and Civil Trial Court:

5.1 The relevant registrar shall, as soon as the draft roll is prepared, routinely send a copy to a designated e-mail address of the Fund.

5.2 This is usually about a week to two weeks before the enrolment date.

7. These adjustments are part of a wider fresh approach to the management of Road Accident Fund litigation. Practitioners are encouraged to give support to the Road Accident Fund management to achieve the best outcomes.

Yours Faithfully

Dictated by the Deputy Judge President
Electronically transmitted, therefore no signature

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ROLAND SUTHERLAND
DEPUTY JUDGE PRESIDENT

ANNEXURES:-

Date Application Form (Pretoria and Johannesburg):-

UNOPPOSED / OPPOSED MOTION

*		Case Number
*		Link Number (IF RAF matter)
*		Date of Hearing
*		U (unopposed) / OP (Opposed)
*		Case Type (see Options
*		NAMES OF PARTIES
*		Surname, then initials Applicant & 1st Respondent only)
		Pigeon hole number

OPTIONS

FAMILY LAW	**PAYMENT**	**VARIOUS**	**SOLVENCY**
E - DIVORCE	D – DEFAULT JUDGMENT	T - INTERLOCUTORY	R - REHABILITATION
N – RULE 43CX	S – SUMMARY	I - INTERDICT	B - SURRENDER
C - CUSTODY	P – PROVISIONAL JUDGMENT	H - REVIEW	PS – PROV SEQUESTRATION
F - INTERDICT	O – OTHER	V - DECLARATORY	FS – FINAL LIQUIDATION
		O – OTHER (specify)	PL – PROVISIONAL LIQUIDATION
			FL – FINAL LIQUIDATION

TRIAL INTERLOCUTORY CHECKLIST FOR ATTORNEYS

Attorney: _____ Case no:_____
Tel No: _____ Plaintiff:_____
Reference:_____ Defendant_____

DESCRIPTION		CHECK	YES	NO	N/A
Office profile		Invited JHBtrialinterlocutory@judciary.org.za			
Type of matter		Failure to deliver timeously any practice note or heads of argument.			
		Failure to comply with Rule 36			
		Failure to sign a Rule 37 minute promptly			
		Failure to comply timeously with any undertaking given in Rule 37 conference.			
		Failure to secure an expert timeously for an interview with a patient.			
		Failure to secure a meeting of experts for the purposes of preparing joint minutes.			
		Non-compliance with any court rule, provision of the Practice Manual or any provision of Revised – 18 September 2020 consolidated directive.			
		Any other act of non-compliance in respect of an obligation that rests upon a party which may imperil expeditious progress of a matter.			
Application		Correct form (J118)			
		Does case number and names of parties reflect correctly?			
		Is the correct link number filled in, if it is a RAF matter?			
		Does the J118 form correctly indicate that the matter is unopposed or opposed?			
		Is the notice of motion and founding affidavit uploaded?			
Compliance		Is the Directive Compliance certificate/affidavit uploaded in a clearly marked section?			
Other (provide description)					

FORM 6

TRIAL MATTERS CLASSIFIED "Y"
(WHERE THE DEFENDANT IS THE RAF, MEC HEALTH OR PRASA)

CLAIM/LINK NO:_____ CASE NUMBER:_____

APPLICATION FOR A JUDICIAL CASE MANAGEMENT CONFERENCE,
FOR A CERTIFICATE OF TRIAL READINESS
(PARAGRAPH 7.1 OF CHAPTER 4 OF REVISED DIRECTIVE 1 OF 2021)

PLAINTIFF
IS:_____
ATTORNEY:_____
EMAIL:_____
COUNSEL:_____
EMAIL:_____
DEFENDANT
IS:_____
ATTORNEY:_____
EMAIL:_____
COUNSEL:_____
EMAIL:_____

STATEMENT BY ATTORNEY

I, _____, declare that this matter is trial ready and is appropriate to be enrolled for a case management conference to obtain a certificate of readiness to obtain a trial date.

1. A practice note as prescribed in paragraph 7.2 of Chapter 4 of revised Directive 1 of 2021, is attached.
2. A pre-trial conference minute as contemplated in paragraph 8.4.2 of Chapter 4 of revised Directive 1 of 2021, has already been completed, and a copy is attached/will be completed before the case management conference.

Signed_____ Date:_____

REGISTRAR'S ACTION: This matter has been enrolled for a case management conference on_____