OFFICE OF THE JUDGE PRESIDENT
GAUTENG DIVISION AND LOCAL DIVISION OF THE HIGH COURT OF SOUTH AFRICA

DIRECTIVE: PART-HEARD CIVIL MATTERS

1. This Directive is intended to regulate the enrolment of part heard Civil matters and the accommodation thereof in the Duty Roster where this is warranted.
2. In the event that a matter becomes part heard Judges are expected to handle the matter in one of the following ways –
   2.1 If the matter will be finalized in less than five (5) court days the Judge must postpone the matter, for completion, to the last week of term and/or recess for finalisation;
   2.2 The Offices of the Deputy Judge President and Chief Registrar must be notified of such enrolments to ensure courtroom availability and other necessary support resources;
   2.3 If the matter will require five (5) days or longer to complete, the Judge must refer the matter to the Office of the Deputy Judge President for allocation purposes.
   2.4 The Deputy Judge President will, taking account of the availability of the Judge, determine the dates during which the matter is to be enrolled and will issue a note to the Judge and Parties in this regard.

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2.5 Without derogating from the contents of paragraphs 2.3 and 2.4 above, it is permissible for a Judge, when it becomes clear that a matter will become part heard, to determine the availability of the parties' legal representatives, and consult the Office of the Deputy Judge President, in this regard.

2.6 In the event that the Office of the Deputy Judge President confirms that the matter can be accommodated in the Duty Roster in line with the availability of the parties' legal representatives, the Judge must postpone the matter to the dates concerned and for the duration determined by the Office of the Deputy Judge President.

2.7 The directives in paragraphs 2.3 to 2.6 above do not apply to Acting Judges, who must postpone all part heard matters before them to the recess, for completion irrespective of the duration necessary to complete the matter.

2.8 Under no circumstances are Acting Judges permitted to postpone matters to a period falling within Term.

2.9 This Notice is issued having taken account of the provisions of Section 8 (2), (4) (a) and (b) and Section 9 (2) of the Superior Courts Act 2013, Act 10 of 2013. Section 9 (2) provides –

"(2) Superior Courts may have such recess periods as may be determined by the Chief Justice in consultation with the heads of court and the Minister in order to enable judges to do research and to attend to outstanding or prospective judicial functions that may be assigned to them."



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JUDGE PRESIDENT
GAUTENG LOCAL DIVISION OF THE HIGH COURT OF SA
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