Room 028
High Court Building
Prichard/Von Brandis Streets
Johannesburg, 2001

VAT No: 4680128560
Tel: 010 449-3023
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www.jaa.org.za

THE JOHANNESBURG
ATTORNEYS ASSOCIATION

9 NOVEMBER 2023

Dear Members,

1. Following on the Magistrates Court liaison meeting on 9 November 2023, we wish to bring the following to our members' attention:-

    a. Email address to insert in summonses for Johannesburg District Court: msishange@justice.gov.za.

    Continue to use UNKNOWN for Regional Court until further advices.

    b. Magistrate Chaitram has raised the issue in terms whereof the State Attorney's Office places itself on record in RAF matters but fails to attend court hearings, including trials. The court will be considering costs orders *de bonis propriis* against the responsible officials.

    Members are requested to ensure to comply with due process i.e. proper service of notices and that service is effected on the responsible person at the RAF head office and not at the local office.

    Once the State Attorney is on record and documents are served at the State Attorney's Office, ensure that someone signs for the document in an identifiable signature and not just to stamp the document.

    c. Members who are serving as Small Claims Court Commissioners are obliged, in terms of the Act, once judgment is granted to make an enquiry in terms of the debtor's affordability to pay the debt in instalments. Should agreement be reached an order can there and then be made to this effect instead of having to bring this matter to Section 65 court.

    The Clerks of the Small Claims Courts were also requested to properly explain the process and cost implications, especially sheriff's fees, to the plaintiffs as it would seem that the sheriffs are experiencing problems in executing writs, especially where the capital is less than a R1,000.00, sometimes even as little as R400.00. The sheriffs indicated that they, in any event, very often act *pro bono* in these matters.

    d. The condition of the bathrooms was referred to the Facilities Manager to address.

    e. Debt Review Guidelines are available from the Clerk of the Court and also from the DOJ website.

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f. The various sheriffs have made a request that we please address our members with regards to long overdue outstanding accounts and that our members timeously effect payment of sheriffs' charges.

g. Sheriff Johannesburg South is now also Acting Sheriff for Johannesburg East (from 1 November 2023) with address details at 61 Van Riebeeck Street, Alberton North, Docex 1040, Johannesburg, contact number: 010 598-2435/6/7/8 and email: info@sheriffjhbeast.co.za.

2. We want to encourage our members to kindly engage with our office on problems experienced / issues to be addressed to ensure that all stakeholders work together to improve the system.

Regards,
JOHANNESBURG ATTORNEYS ASSOCIATION