MEASURES THAT WILL BE IMPLEMENTED IN THE CERTIFICATION / PRETRIAL COURT AT THE GAUTENG LOCAL DIVISION OF THE HIGH COURT OF SOUTH AFRICA WITH IMMEDIATE EFFECT [i.e. 09.12.15]

Dear colleagues,

We have been informed by the office of DJP Mojapelo that the following measures will be implemented in the Certification / Pre-trial Court with immediate effect:

1. ***Order***
   - 1.1 The certification conference will in future sit with all the formalities of a court hearing. If it becomes necessary in the future, the Rules will be invoked to make it sit as a court of law.
   - 1.2 A court orderly will be placed in the court to help the judge keep the requisite decorum.

2. ***Appearances***
   - 2.1 Only counsel or attorneys with the right of appearance in the High Court will be able to appear and represent parties at the conference hearing and they will have to be fully robed.
   - 2.2 The Counsel attending the conference must be the one briefed for trial or the one that has prepared an advice on evidence.
   - 2.3 The attorney appearing must be the one handling the matter or the one already instructed for trial.
   - 2.4 The attorney or counsel attending the conference hearing will have to be fully conversant with the matter and prepared: otherwise he or she will not be heard.

3. ***Judges***
   - 3.1 The number of judges sitting in the certification conferences will be increased to two, with each judge doing no more than thirty (30) matters per day.
   - 3.2 The first judge will sit as per the existing Practice Directive (i.e. Trial Interlocutories on Tuesdays and conferences on Wednesdays, Thursdays and Fridays) and the additional judge will sit on Mondays, Wednesdays and Fridays.

3.3 The Registrar will not enrol matters for certification if they do not comply with the Practice Directive. The presiding judge will, without compromise, strike off from his/her roll matters which do not comply and refuse to re-enrol the matters.

3.4 Judges will enforce the Practice Directive firmly, especially paragraph 8, and insist that parties comply therewith.

4. ***Trial Roll***

4.1 Matters enrolled on the civil trial roll will be retained at a maximum of eighty (80) per day until the judges are satisfied that there are many matters on the trial roll which are actually ready (not just certified ready).

4.2 Of those matters, those that will seek certification must not be more than 40 (forty) per day.

4.3 To fill the gap, in all matters where you have already applied for trial dates and have been allocated dates with a waiting period of more than 12 months, such matters will be given new and earlier trial dates.

4.4 The waiting time for trial dates (from application to hearing) will henceforth be managed and kept at 12 months or less, in order to achieve the eventual objective of not more than 12 months from summons to finalisation.

5. ***Recess***

5.1 The certification conference court and the Trial Interlocutory Motion Court will sit throughout the recess period except between the 15th December and 2nd January.

Kind regards,

JACQUES TARICA

Chairperson
Johannesburg Attorneys Association