REPORT BACK on the MEETING between MASTER OF THE HIGH COURT, SOUTH GAUTENG and the JAA and other invited interested parties

HELD BY ZOOM

On 12 FEBRUARY 2021
14h30 – 16h00

Attendances :

ADV L PULE -	(LP)	MASTER OF THE HIGH COURT, JOHANNESBURG
K SEPHAKA -	(KS)	MASTER'S OFFICE - EXAMINATIONS
N MASINA –	(NM)	MASTER'S OFFICE – APPOINTMENTS 5th Floor, Trusts & Curatorships
K GASCOIGNE	(KG)	JAA & GAA
A THERON	(AT)	JAA , PAA & GAA
Y WADEE	(YW)	JAA & GAA
N DE KLERK	(NdK)	JAA & GAA
JACQUES TARICA	(JT)	JAA & GAA
J STEENKAMP	(JS)	SAICA (invited by JAA)
TRACY HILL	(TH)	SARIPA – Northern Region (invited by JAA)
MONICA COWAN	(MC)	SARIPA – Northern Region (invited by JAA)
L ELLIOTT	(LE)	Gascoigne Randon & Associates (invited by JAA)
A RAMAROPE	(AR)	Gascoigne Randon & Associates (invited by JAA)
L MUSAKA	(LM)	Gascoigne Randon & Associates (invited by JAA)

KG welcomed everyone to the meeting and thanked the Master of the South Gauteng and his office staff for attending. The JAA emphasized that the purpose of the meeting was not to raise individual issues or to fight with the Master's Office, but to try to resolve the service delivery issues that the Master's Office is facing due to the current COVID situation.

LP thanked JAA for aranging meeting and provided the following background to the service delivery issues .

1. the Jhb Master's Office, in respect of deceased estates, is the busiest in the country with regard to people coming to the office and estates within its office. Pretoria is the next busiest.

2. During November the office worked on overtime and managed to catch up a lot of the backlog. The extent of backlog – 578 accounts still to be examined, 77 outstanding s42(2) and 17 348 items of post to be attended to. Looking at complaints – basically made up of these 3 areas. There was significant improvement, but when the second wave hit in December, 5 COVID positive cases were reported and the offices had to be closed for decontamination. In

January there were 2 positive cases and then the Adjusted level 3 regulations were issued.

3. In terms of the Protocol for Adjusted level 3, all offices were required to reduce capacity to 50% - no more than 50 officials in the office per day. Rotations have had to be drafted. 3 days in office and 2 days on standby.

4.

Access is the a big challenge for the Master's Office. In line with office space, the office has to determine how many people should be allowed into the office at any one time. Currently the average is - Walk in public – 250 per day – both testate and intestate – and does not include stakeholders who are reporting estates and following up. New restrictions for access –

Walk in public – intestate 120 per day testate 45 per day. Stakeholders – JAA, Banks, etc – only with appointments at discretion of group. Not allowing "runners" into building – they are risk factors.

Follow ups should be made in terms of e-mails. Allow access in order to collect with MO boxes and appointments and confirmation to collect. Purpose to control number of people in the building.

KG advised that NO Protocol has been seen by stakeholders. Protocol only signed on 10 February and LP will share with us.

KG proposed that the Master's Office communicate closures with the stakeholders so that they can notify members in order that staff do not get sent to Master's Office.

JT raised issue that security are not aware that there is a difference between getting access to the Office and to serving and filing of documents.
TH mentioned that practitioners are not even able to access the MO boxes.
Process in place from filing of documents is problematic and documents are going missing

Security need to be educated regarding the differences and LP agreed that he would ensure that security were understanding of the differences.

AT raised the issue of MO Boxes. Members have been waiting over a year for boxes. LP advised that there is a shortage of MO boxes and that during COVID no procurements (except for PPE) were effected.

AT also requested clarity on why there are difference access protocols to different state departments, such as Deeds Office. LP advised that each department decides on services to be rendered and guidelines are issued, but the

Minister determines what services are to be rendered. The reason that the Deeds Office is different as it has a different Minister.

JS raised issue of making an appointment and following up regarding email. How must this be dealt with?

KG proposed that the Master's Office consider having 2 points of access for the Office – One for filing of documents, which must be handled properly and with a stamp of acknowledgment being received, and one for people to get access to office. KG also proposed that the Master notify the stakeholders when the office was to be closed or when the limit of people in the office was reached.

LP agreed that he would like to be a part of a Whatsapp group with a view to communicate issues of interest regarding JAA and members in terms of happenings in the office – strengthen communication. KG suggested that the rotation schedule be shared with the JAA.

Treatment of clients –

For intestate estates everybody, including attorneys, to get a LA on same day, only issue is for that person to queue on the 250 line until assisted.

Lodgment is dealt with at back office – correspondence and wills, including attending to compliance with query sheets, new matters and interview of clients reporting new estates. – limited to 45 per day so that correspondence can also be attended to.

Acknowledgement – immediately when protocols were issued that 10 February all correspodence must be acknowledged, but can only take place inside the building at the entrance with a stamp. – Centred around the handling of paper and limiting infection.

LP confirmed that his teams' emails are his biggest challenge. They are extremely behind. In January there were server issues. LP advised that this is worsended by the rotation periods. There is currently overtime in place until the end of the month and he hopes to focus on emails.

KG asked what staff on rotation do. LP confirmed that they are on standby.

LP advised that when an email is sent to him with an official in copy, he does not address the official again as it is deemed to have been received by the official. He also advised that if a follow up email is addressed and then a further email 2 days later, an email clogging is caused. LP suggested that a reasonable time to expect a response is 7 days. KG suggested that the staff, at least, acknowledge the emails, even if they are not being dealt with. Then, if a response is not received within 7 days that it could be escalated.

LE raised the issue if staff are off and their services cannot be attended to, then standby staff should be stepping into their function. LP agreed that this was unacceptable and that Section Heads should ensure that there is always staff available to assist. KG suggested that as LP could not be aware of every staff member not being available that the JAA could escalate this to the Master's Office for resolution.

JT suggested that the staff rotation be notified to the JAA. LP will let the JAA have the rotational schedule.
TH required clarity that the rotation affected the entire office and not just deceased estates and insolvency being aware of the rotations.

KS proposed monthly meetings and required clarity regarding of the stakeholders. He oversees the Examinations Section and advised that his email inbox is clogged due to him being unnecessarily copied on most emails.

NM advised that there is no preference being given to new matters and amendments. She confirmed that her department is heavily reliant on admin to draw the files and bring it to her to make the amendments.

LP explained that the amendment of assets on a Letter of Authority, unless it is cash, is not deemed to be urgent and he advised that the walk-in clients come in for urgent appointment and fail to fully disclose assets.

TH raised the important issue that funds are being held in trust accounts and due to delays in the Master's Office these funds are not being distributed and placed back into the economy and that it is imperative that the service delivery issues be resolved and improved.

All agreed that Friday is a suitable, with time to be arranged. TH requested that the representatives of the Master's Office include insolvencies and trusts and LP agreed that as the meeting was about service delivery issues this was in order.

The JAA thanked the Master's Office staff .

NEXT MEETING

Last Friday of every month.

Meeting adjourned at 16h00.