

## **9.6 CALLING OF THE ROLL OF UNOPPOSED MATTERS IN COURTS 2 AND 3**

1. Courts 2 and 3 commence sitting at 09h30 on the Tuesday of each week during the court term for the hearing of the matters referred to in paragraph 2 below.
2. Counsel who are briefed in matters enrolled to be heard in courts 1, 4, 5 and 6 on the Tuesday at 10h00 may call their motion matters in court 2 and court 3 from 09h30 on the Tuesday. To this end, prior to the commencement of court 2 and court 3 at 09h30, those counsel are to hand to the clerks of the judges presiding in the relevant court a list reflecting -
  - 2.1 counsel's name;
  - 2.2 the name and number of the matters counsel wishes to have called in that court;
  - 2.3 the number of the other court or courts in which counsel is to appear on the Tuesday at 10h00 as well as the name and roll number of the matters in the other courts.

As soon as practicable after their use, the clerks of the judges presiding in courts 2 and court 3, must hand the list to the clerk of the senior motion court judge.

3. From 10h00, and after the matters referred to in paragraph 2 have been completed, the calling of the roll in court 2 and court 3 will commence.
4. Prior to the calling of the roll as set out in paragraph 3 above, the secretary of the presiding judge will invite counsel to call matters which are to be removed from the roll or postponed, including applications in which rule nisi's have been granted and in which the return date is to be extended, to be called.
5. Thereafter the roll will be called in each court. In court 2 matters will be called consecutively according to their number on the roll. In court 3 the roll will be called page by page and counsel may call the matters in which they appear, which are reflected on the relevant page.
6. It is emphasised that court 2 has precedence over court 3. Counsel must ensure that all their matters in court 2 have been called before attending court 3.
7. Accordingly, if a matter is called in court 2 and there is no appearance, the presiding judge may there and then strike the matter from the roll.
8. Once court 2 has completed its roll, the clerk of the presiding judge of court 2 will inform the clerk of the presiding judge in court 3 thereof. Thereafter the matters in court 3 will be called consecutively according to their number on the roll. If a matter is called in court 3 after court 2 has completed its roll and there is no appearance, the presiding judge may there and then strike the matter from the roll.

9. If a matter has to stand down after it has been called, it must stand down until the roll has been called once, unless the presiding judge indicates otherwise.