



OFFICE OF THE DEPUTY JUDGE PRESIDENT

(HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, JOHANNESBURG)
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NOTICE

TO:

1. Judges of the Gauteng Division, Johannesburg
2. Chief Registrar, Gauteng Division, Johannesburg
3. Legal Practice Council – Gauteng
4. Law Society of South Africa
5. Gauteng Family Law Forum
6. Gauteng Attorneys Association
7. Pretoria Attorneys Association
8. Johannesburg Attorneys Association
9. West Rand Attorneys Association
10. South African Black Women in Law
11. National Association of Democratic Lawyers
12. Black Lawyers Association
13. South African Women Lawyers Association
14. South African Medical Malpractice Lawyers Association
15. Personal Injury Plaintiff Lawyers Association
16. South African Medico-Legal Association
17. Office of the Director of Public Prosecutions, Pretoria and Johannesburg
18. Office of the State Attorneys, Pretoria and Johannesburg
19. Solicitor General
20. Office of the Family Advocate, Pretoria and Johannesburg
21. Legal Aid South Africa
22. Johannesburg Society of Advocates
23. Pretoria Society of Advocates
24. Gauteng Society of Advocates
25. Pan African Bar Association of South Africa
26. General Council of the Bar of South Africa
27. National Bar Council of South Africa

28. South African Bar Association
29. National Forum of Advocates
30. North Gauteng Association of Advocates
31. Church Square Association of Advocates
32. Advocates for Transformation
33. Legal Division of the Department of Health: Gauteng
34. Legal Division of the Department of Sport, Arts, Culture and Recreation
35. Gauteng Department of Agriculture and Rural Development
36. Legal Services - Gauteng Provincial Department of Education
37. Gauteng Society of Advocates
38. Tshwane Society of Advocates

DATE : 31 July 2023

RE : ORGANISATION OF THE ROLL AND LEAD TIMES IN THE JOHANNESBURG HIGH COURT AS AT 31 JULY 2023

The following information is published to the Profession to inform litigation lawyers about the state of the court roll.

1. The complement of the court is 40 permanent judges. In the third term, eleven of these judges are absent, having been redeployed or on long leave: five judges are in the SCA; two judges are in the LAC; one judge is in the LCC; one judge is in the SIU special Tribunal; three judges are on long leave.
2. Six Judges are presiding over Criminal trials together with four acting judges. The rest of the judges are engaged in civil matters. 29 practitioners have been appointed to act in stipendiary capacities to substitute for absent judges.
3. 46 practitioners have volunteered to serve pro bono as acting judges. The maximum capacity of the Bench, on this expanded basis, ranges from 44 to 48 judges in any week.
4. In the opposed motion court 50 cases per week are heard by five judges. 24 Special opposed motions are set down. In the unopposed motion court, 600

cases per week are heard by six judges. In the Dedicated RAF DJ Court, 200 cases are heard per week by four Acting Judges.

5. The Special Interlocutory Court comprising one judge hears an uncapped number of matters. The family Court comprising two judges hears an uncapped number of cases. The Urgent Motion Court comprising two judges hears an uncapped number of matters, often as many as 60 cases per week.
6. 11 civil trials of longer than 5 days' duration and 10 Commercial Court trials are set down. The general civil trial roll ranges between 10 to 16 cases per day, Mondays to Thursdays. Four to six judges are available to be allocated to hear these trials.
7. 19 Appeals from the Magistrates' Courts are set down. 14 Full court appeals are set Down. 15 Special Tax Court cases are set down.
8. The lead times from date of request for a set down date and date of a hearing, *as at 31 July 2023*, for the various rolls is as follows:
 9. Unopposed Motion Court – 6 weeks.
 10. Opposed Motion Court – 12 weeks.
 11. Special Motion Roll – variable, usually 1 term. (approx. 3 months)
 12. Family Court – 3 weeks.
 13. Special Interlocutory court – 3 weeks.
 14. Dedicated RAF DJ court – 5 Months (excluding recesses)
 15. RAF trials (i.e. with opposition by RAF) – approx. 9 Months
 16. Minister of Police Trials – 5 Months.
 17. General Civil Trials - 8 months.
 18. Appeals – 1 term.

19. In general, the lead times are satisfactory save for the lead times for trials and the RAF DJ roll, Under ideal circumstances, a trial-date lead time should be about 12 -16 weeks at most. At present, the predicament of long lead times for trials cannot be ameliorated. The rest of the rolls are in any event stressed because the workload ratio to a single judge is extremely onerous. An important factor not always appreciated is that no time is allocated for a judge to prepare a case or to write a judgment. The practice directives which impose on practitioners the obligation to compose succinct practice notes and adhere strictly to the filing of heads argument may seem unduly burdensome but are necessary to enable a judge to plan a sensible advance work programme in order to be ready at the hearing. The efficacy of our litigation model is heavily dependent on an awareness of these dynamics and a fully cooperative attitude from practitioners.

20. The assistance of those members of the Profession who serve as acting judges pro bono to expand our capacity beyond the number of established posts has been crucial to our efforts to cope with the ever swelling volume of cases. Until such time as the Executive Government applies its mind to these stresses under which the High Court endeavors to function, the Courts shall be relying on your commitment and support.

Yours faithfully

*Dictated by the Deputy Judge President
Electronically transmitted, therefore no signature*

**ROLAND SUTHERLAND
DEPUTY JUDGE PRESIDENT**