



OFFICE OF THE DEPUTY JUDGE PRESIDENT

(HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, JOHANNESBURG)
OFFICE 1210

Telephone number: 010 494 8491

e-mail address: Secretarydjp@judiciary.org.za / LTulleken@judiciary.org.za

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**