



OFFICE OF THE DEPUTY JUDGE PRESIDENT

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

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NOTICE

TO

1. **Chief Registrar - Gauteng Division of the High Court, Pretoria and Johannesburg**
2. **Secretariat – Judicial Case Flow Management, Office of the Chief Justice**
3. **Registrars - Gauteng Division of the High Court, Johannesburg and Pretoria**
4. **Legal Practice Council – Gauteng**
5. **Law Society of South Africa**
6. **Johannesburg Society of Advocates**
7. **Pan African Bar Association of South Africa**
8. **Gauteng Family Law Forum**
9. **Gauteng Attorneys Association**
10. **Pretoria Attorneys Association**
11. **Johannesburg Attorneys Association**
12. **West Rand Attorneys Association**
13. **South African Black Women in Law**
14. **South African Women Lawyers Association**
15. **General Council of the Bar of South Africa**
16. **National Bar Council of South Africa**
17. **South African Bar Association**
18. **National Forum for Advocates**
19. **Pretoria Society of Advocates**
20. **North Gauteng Association of Advocates**
21. **Church Square Association of Advocates**
22. **Advocates for Transformation**
23. **Black Lawyers Association**
24. **South African Medical Malpractice Lawyers Association**
25. **Personal Injury Plaintiff Lawyers Association**
26. **National Association of Democratic Lawyers**

27. Office of the Director of Public Prosecutions, Pretoria and Johannesburg
28. Office of the State Attorneys, Pretoria and Johannesburg
29. CEO – Legal Aid South Africa
30. CEO – Road Accident Fund
31. CEO – PRASA
32. Director General – Gauteng Province
33. Head of Legal Department – Department of Health – Gauteng Province
34. South African Medico-Legal Association
35. Solicitor General :

DATE : 29 November 2021

RE : NOTICE TO ALL LITIGATION ATTORNEYS IN GAUTENG
in re INNOVATIONS IN THE ORGANISATION OF THE
MOTION COURT IN JOHANNESBURG
A: NEW CLASSIFICATION OF APPLICATIONS
B: FOUR JUDGES TO SIT IN UNOPPOSED MOTION
COURT

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1. With effect from **01 January 2022** a new set of categorisation of applications will be in place for all applications filed in the High Court in Johannesburg. When enrolling an application from that date, you should use the new system. A copy of the new category template is attached. The procedure remains unchanged in other respects.
 2. The old system categorised applications into several familiar types, but regrettably, that exercise had become a mere ritual and the information was not used for anything. The point of gathering data about the several different types of cases ought to be about the capture information that can be used to manage the process. This is what shall occur in future. The new system shall categorise the matters at a level of detail that can inform us of the profile of the cases and the scale of certain types of matters so that we can consider differential treatment to meet appropriate needs, where feasible.
 - a. A prime example is interlocutory applications that need to be expedited and, if feasible, can enjoy preference in the allocation of earlier dates.
 - b. A further example is family law matters. At present the prospect of streaming family law matters to a dedicated court that might deal with

them expeditiously is being assessed with a view to introducing an innovation in the second term 2022.

c. Axiomatically, once we have better data the prospects of other opportunities for enhanced efficiency may reveal themselves.

3. We are also monitoring other data that impacts on the lead time for a final set down. The reasonable caseload per Judge per day in the Unopposed Motion court is capped at 40 matters. However, a substantially greater number of matters is provisionally enrolled than is persisted with for a final enrolment. In order to pitch the provisional enrolments at a number that will result in a manageable 40 matters on final enrolment, it is necessary to monitor the trend in the fall-off and adjust accordingly from time to time.
4. The current lead time from first enrolment to final set down date is about 10 weeks. We regard this as unacceptable. Under ideal circumstances a four-week lead time would be satisfactory. The lead time in the unopposed and opposed motion courts has a direct correlation with the caseload in the urgent motion court.
5. The most obvious way to reduce lead times is to have more judges rostered. This is not always a straightforward option owing to capacity constraints. I however are pleased to give notice that in the first term of 2022 four judges instead of two, will preside over unopposed applications.
6. The full effects of this increase should be felt quite quickly. The provisional roll for the first term shall be re-opened to take advantage of the doubling in judicial capacity and preference will be given to matters already on the roll in March 2022 in the interlocutory, ex parte and interdict type categories, should such acceleration be requested. Such requests should be made by email to Jhbmotionenquiries@judiciary.org.za and others by telephone where practical on 011 335 0491.
7. The exact effect on lead times may not be clear until the second term, but we expect that the lead times should be halved from its present times.

8. We appeal to practitioners to be supportive of these innovations by assisting the registry staff. Such assistance is effected, principally, in fulfilling the administrative prescripts of the Directives diligently and accurately.

9. Considered suggestions from litigation attorneys about improvements that can be effected to the system and reports of systemic deficiencies with proposed solutions are always welcome and should be sent to me at SecretaryDJP@judiciary.org.za or to the senior Registrar, who heads up the Motion Court Section in the Registry, Mr Mlungisi Mthembu at MMthembu@judiciary.org.za.

Yours faithfully

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

**ROLAND SUTHERLAND
DEPUTY JUDGE PRESIDENT**

UNOPPOSED / OPPOSED MOTION

Case No					
Date of Hearing					
U (unopposed)		OP (opposed)			
Parties: Surname & Initials					
Applicant			(First) Respondent		
Case Type: Make Selection Below					
FAMILY LAW		PAYMENT		FORECLOSURES	
E – Divorce		D - Default Judgment R31(2)		AV – Rule 46	R – Rehabilitation
N – Rule 43		S – Summary Judgment		AD – Rule 46 (11) – Cancellation of Sale	B – Surrender
C – Custody		P – Provisional Judgment		AM – Rule 46A(9)(d) – Reserve Price	PS – Provisional Sequestration
F – Interdict		RM – Restoration of Municipal Services			FS – Final Sequestration
FO – Other Family Law Application		FB – Freezing of Bank Account			PL – Provisional Liquidation
		NB – Perfection of Notarial Bonds			FL – Final Liquidation
		CE – Contract Enforcement			BR – Business Rescue
		SE – Stay of Execution			
VARIOUS				EVICTION	
T - Interlocutory		GF – Curatorship: CURATOR AD LITEM		SP - Spoliation	EV – Eviction (payment)
EP -Ex Parte (General)		GG – Curatorship: CURATOR BONIS		RT – Restraint of Trade	EU – Eviction of Unlawful Occupiers (PIE)
IS – Interdict against Organs of State		SF – De Suspectus Fuga		UC – Unfair Competition	ES – Stay of Eviction Order
ID – Interdict against Defamatory Publication		RI – Refugee / Immigration		CC – Contempt of Court Orders	
I – Interdict (Unspecified)		CP – Prison Complaints		H – Review	
GA – Variation of Court order		TD – Tender Disputes with Organs of State		V – Declaratory	
GB – Application to Compel: Specific Performance		AP – Anton Piller		OTHER: (Provide description below)	
GC – Transfer to another High Court					
GD – Confirmation of Settlement Agreements					

Abbreviated Classifications.

E-Divorce
N-Rule 43
C-Custody
F-Interdict
FO-Other Family Law Application
D-Default Judgment
S-Summary Judgment
P-Provisional Judgment
RM-Restoration of Municipal Services
FB-Freezing Bank Accounts
NB-Perfection of Notarial Bonds
CE-Contract Enforcement
SE-Stay of Execution
AV-Rule 46
AD-Rule 46 (11)- Cancellation of Sale
AM-Rule 46A(9)(d)- Reserve Price
R-Rehabilitation
B-Surrender
PS-Provisional Sequestration
FS-Final Sequestration
PL-Provisional Liquidation
FL-Final Liquidation
BR-Business Rescue
T-Interlocutory
EP-Ex Parte (General)
IS-Interdict against State Organs
ID-Interdict against Defamatory Publication
I-Interdict (unspecified)
GB-Application to Compel; Specific Performance
GC-Transfer to another High Court
GD-Confirmation of Settlement Agreements
GF-Curatorship: Curator Ad Litem
GG-Curatorship: Curator Bonis
SF-De Suspectus Fuga
RF-Refugee/Immigration
CP-Prison Complaints
TD-Tender Disputes with Organs of State
AP-Anton Piller
SP-Spoliation
RT-Restraint of Trade
UC-Unfair Competition
CC-Contempt of Court Orders
H-Review
V-Declaratory
EV-Eviction
EU-Eviction of Unlawful Occupiers
ES-Stay of Eviction Orders.