



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. Secretariat – Judicial Case Flow Management, Office of the Chief Justice
4. Registrars – Gauteng Division of the High Court, Johannesburg
5. Legal Practice Council – Gauteng
6. Law Society of South Africa
7. Gauteng Family Law Forum
8. Gauteng Attorneys Association
9. Pretoria Attorneys Association
10. Johannesburg Attorneys Association
11. West Rand Attorneys Association
12. South African Black Women in Law
13. National Association of Democratic Lawyers
14. Black Lawyers Association
15. South African Women Lawyers Association
16. South African Medical Malpractice Lawyers Association
17. Personal Injury Plaintiff Lawyers Association
18. South African Medico-Legal Association
19. Office of the Director of Public Prosecutions, Pretoria and Johannesburg
20. Office of the State Attorneys, Pretoria and Johannesburg
21. Solicitor General
22. Office of the Family Advocate, Pretoria and Johannesburg
23. Legal Aid South Africa
24. Johannesburg Society of Advocates
25. Pretoria Society of Advocates

26. **Gauteng Society of Advocates**
27. **Tshwane Society of Advocates**
28. **Pan African Bar Association of South Africa**
29. **General Council of the Bar of South Africa**
30. **National Bar Council of South Africa**
31. **South African Bar Association**
32. **National Forum of Advocates**
33. **North Gauteng Association of Advocates**
34. **Church Square Association of Advocates**
35. **Advocates for Transformation**
36. **Legal Division of the Department of Health: Gauteng**
37. **Legal Division of the Department of Sport, Arts, Culture and Recreation**
38. **Gauteng Department of Agriculture and Rural Development**
39. **Legal Services - Gauteng Provincial Department of Education**
40. **South African Board of Sheriffs**
41. **South African Sheriff Society**
42. **Road Accident Fund**

DATE : 26 JULY 2024

OUR REF : DJP/21/2012/jb

RE : **BULLETIN OF LEAD TIMES FOR SET-DOWN DATES IN JOHANNESBURG AS AT 26 JULY 2024**

1. The latest lead time bulletin is attached to this memo.
2. The crisis of unacceptably long lead times continues to be exacerbated.
3. During the recess, engagements took place involving the bench and the legal profession. No new ideas that could have an immediate effect were ventilated. Proposals which might have longer term positive impact were advanced. One concrete idea is that volume of litigious matters could be reduced, if diverted from the State Court system where appropriate. The utilisation of mediation is still, where it is suitable, insufficiently employed. One reason is that too many litigation attorneys are not confident to use this means to settle disputes. An earnest effort

to develop a pool of credible expertise readily available is urgently needed. Steps are in progress to achieve this pool of expertise and I urge the profession to embrace these developments. Another innovation is to expand the market for arbitrations beyond the commercial sector and for legislative action be taken to facilitate the exploitation of the private sector resources to supply what, at present, the State cannot supply.

4. There was also an engagement with the management of the RAF. Regrettably, the RAF was not able to state unequivocally that every summons served on it is now being addressed and responded to; when that is the essential condition that will signal an end to the deluge of default judgments. The response to service of summons' has apparently improved, but given the dynamics inherent in the process, that improvement shall not be visible for at least another two years.

5. The significant reduction in RAF DJ cases from 200 per week to 50 per week has had the direct result of pushing the lead time out for a considerable period. To alleviate that outcome, a special RAF DJ roll in each of the two weeks of the September/October recess has been organised. 500 plus cases shall be enrolled and heard by 10 pro bono acting judges in each week. This shall truncate the galloping lead time. I thank all of those practitioners who have agreed to serve in that recess. If this model works and is supported by members of the profession volunteering to serve pro bono, it shall be repeated in the last week of the 4th term and the first week of the December recess.

6. The general civil trial roll for RAF cases has reached a staggering 4 years and 9 months lead time. For this I apologise on behalf of the Court. I regret that I have no immediate concrete solution to offer. The only way forward, in the absence of intervention by the Executive Government giving genuine and concrete attention to the problem, is to appeal to the generosity of the Legal Profession to serve pro bono to shore up the apparatus of the Legal System.

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

**ROLAND SUTHERLAND
DEPUTY JUDGE PRESIDENT**