

6 January 2025

DIRECTIVE FOR THE FAMILY COURT BEFORE MENTZ AJ

13 – 17 JANUARY 2025

1. All matters will be heard in open court starting at 10:00 and matters will be called in order of seniority.
2. Practitioners can introduce themselves in open court when they call their matter.
3. **Unopposed divorces** will be heard on **Monday, 13 January 2025**.
4. Roll call for **all other matters** will be held on **Tuesday, 14 January 2025 at 10h00**.
5. **No papers are to be uploaded** onto Caselines **after Wednesday 8 January 2025** without express permission obtained from Mentz AJ's registrar. Where there is non-compliance matters run the risk of being struck from the roll.
6. If a draft order is to be made an order of court, **one hard copy** must be handed up in court. Draft orders must indicate the name of the Judge, date, number on the roll, and the contact details of the counsel and instructing attorney.
7. In every matter proof must be provided that the notice of set down was served on the defendant/respondent and that the defendant/respondent is aware of the hearing date.

Unopposed divorces:

7. Where a settlement agreement is to be made an order of court, **a hard copy of the settlement agreement together with a hard copy of the draft order** sought must be handed up.
8. In matters where there are minor children or major dependent children involved, the plaintiff (or defendant, if applicable) must appear in court and provide oral evidence.
9. In matters where there are no children, the plaintiff will not be required to testify ***only if*** an evidence affidavit in compliance with the Practice Directive has been uploaded onto Caselines. In the absence of such an affidavit, *viva voce* evidence will be required.
10. There must be **strict compliance** with paragraphs 30.5 & 30.6 of the Consolidated Practice Directive, 2024.
11. All parties testifying must be suitably dressed.

Documents on Caselines:

12. Attorneys for the plaintiff/applicant are to ensure that all documents in matters set down for the week of 13 – 17 January 2025 are timeously reflected on Caselines. Matters not on Caselines will be removed from the roll.
13. Court orders will be uploaded onto Caselines. It is the responsibility of the attorneys to ensure that the order reflects the correct information.