



OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION

FAMILY COURT 2025 – TERM 1 WEEK 3 (3 FEBRUARY 2025 – 7 FEBRUARY 2025)

BEFORE P A VAN NIEKERK AJ.

PRACTICE DIRECTIVE

GENERAL:

1.

All matters will be heard in open Court.

2.

Draft orders must contain the following:

2.1 The initials and surname of the Presiding Judge being P A van Niekerk AJ;

2.2 The prescribed disclaimer.

3.

All introductions will be done in open Court.

4.

Legal representatives are required to view all “widely shared notes” on Caselines which may have relevance to their matters.

UNOPPOSED DIVORCES:

5.

All divorce matters will require *viva-voce* evidence.

6.

Strict compliance with the **Consolidated Practice Directive 1 of 2024** in relation to unopposed divorces will be required, including such directives relating to a Practice Note as set out in paragraphs 30.5.3 and 30.6.3 of the Consolidated Practice Directive *supra*.

7.

All unopposed divorces will be heard on **Monday, 3 February 2025 from 10h00** and matters will be called as they appear on the roll.

RULE 43 APPLICATIONS:

8.

All Rule 43 applications allocated to P A van Niekerk AJ will be heard on **Tuesday, 4 February 2025 from 10h00** and will be dealt with in sequence as the matters appear on the roll.

9.

Opposed Rule 43 applications must strictly comply with paragraph 29.12 of the Consolidated Practice Directive *supra*.

10,

Heads of Argument which comply with paragraph 29.15 of the Consolidated Practice Directive *supra* shall be filed before **12h00 on Friday, 31 January 2025**.

11.

Opposed Rule 43 applications must further comply with the Consolidated Practice Directive *supra* in relation to “opposed Family Law cases” and failure to file a Practice Notice may result in such matter being struck from the roll.

OTHER FAMILY COURT MATTERS (INCLUDING URGENT APPLICATIONS):

12.

Final allocation of other Family Court matters will be done on Monday, 3 February 2025 and the allocation roll will be published. Matters which have become **settled** may be called at **10h00** on Tuesday **4 February 2025** and **unopposed matters** may be called at **10h00** on **Wednesday 5 February 2025**

13.

Any matters which do not comply with the Consolidated Practice Directive including the obligation to file Heads of Argument and/or Practice Notes will **not** be allocated.

14.

All other Family Court matters will be dealt with from **Wednesday, 5 February 2025** unless cogent reasons exist why any such matter should be dealt with prior to such date in which event the Registrar of P A van Niekerk AJ. must be contacted and reasons must be supplied why such matter is to be heard prior to the specified dates *supra*.

Per:

P A VAN NIEKERK AJ.

A MOKGAHLA

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Registrar to P A Van Niekerk AJ

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