HIGH COURT OF SOUTH AFRICA (GAUTENG DIVISION, PRETORIA)
Palace Building, c/o Madiba & Paul Kruger streets, Room 25

DIRECTIVE: FAMILY COURT

WEEK 6 OF TERM 4: 9 TO 13 NOVEMBER 2026

BEFORE THE HONOURABLE ACTING JUDGE VAN DER WESTHUIZEN (Ms)

1. **The Hearing arrangements**

1.1. This directive applies to matters allocated to Acting Judge van der Westhuizen for the week of 9 to 13 November 2026. Unless otherwise directed, matters will be heard in open court.

1.2. Introductions will take place in open court at 10h00, before matters are called. Legal practitioners must be present and ready to proceed at that time.

2. **Monday, 9 November 2026 at 10h00**

2.1. All unopposed divorces, including settled divorces, will be heard in open court. These are matters 2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22 and 24, subject to compliance with the requirements below.

3. **Tuesday, 10 November 2026 at 10h00**

3.1. All urgent applications and opposed Rule 43 applications will be heard in open court. Practitioners must be ready to argue their matters when called.

4. **Wednesday, 11 November 2026 at 10h00**

4.1. All remaining opposed and unopposed other applications, including unopposed Rule 43 applications, will be heard in open court. The

allocation of **Viljoen v Viljoen, matter 26**, is subject to the specific direction below. These are matters 28, 30, 32, 34, 36, 38, 40, 42 and 44.

5. Compliance with the Rules and practice directives

5.1. The Uniform Rules of Court and all applicable Gauteng Division and Family Court practice directives must be complied with in all respects. This directive supplements those requirements and does not extend any existing filing or service deadline.

5.2. Practitioners must ensure that the electronic file is complete, properly indexed and paginated. All required practice notes, heads of argument, compliance statements and draft orders must be uploaded in the appropriate sections.

6. Service of summons and notices of set-down

6.1. In every unopposed divorce matter, proof of proper service of the summons and the notice of set-down must appear in the electronic file. The applicable manner of service and notice periods must have been complied with.

6.2. Settlement does not dispense with service of the notice of set-down. A signed settlement agreement does not, by itself, establish that the defendant received proper notice of the hearing.

6.3. Service by email will be accepted only where it complies with the applicable Uniform Rules of Court, including Rule 4A where applicable, or an order authorising that method of service. Practitioners relying on email service must identify the basis permitting it and upload the service email, its attachments and the required proof of delivery or receipt. Uploading a document to CaseLines or Court Online does not, by itself, establish proper service.

6.4. The practice note must identify the electronic page references for proof of service of the summons and notice of set-down. Any defect in service must be disclosed expressly, together with the relief sought to address it.

7. Matters not displaying on CaseLines

7.1. The roll identifies matters whose documents were not displaying on CaseLines when the roll was finalised. These are matters 18, 20, 22 and 24. The practitioners responsible for those matters must ensure that the

complete hearing bundles are accessible to the Court by **16h00 on Thursday, 5 November 2026**.

7.2. Any such matter whose documents remain inaccessible at that deadline will be removed from the roll. Practitioners must verify that the documents are visible and accessible; merely uploading them to Court Online is insufficient if they do not display in the hearing bundle available to the Court.

8. **Further uploads**

8.1. Save for the exceptions below, no further documents may be uploaded after **16h00 on Thursday, 5 November 2026**, without leave of the Court. Any request for leave must identify the documents concerned and explain the delay.

8.2. Practice notes and heads of argument in urgent applications may be uploaded until **13h00 on Friday, 6 November 2026**.

9. **Viljoen v Viljoen — matter 26, case number 046616/26**

9.1. The respondent is self-represented and resides in the Western Cape. The applicant's legal representatives must engage directly with the respondent concerning the proposed mode of hearing and furnish the Court with a practice note by **12h00 on Friday, 6 November 2026**.

9.2. The practice note must be uploaded to CaseLines and emailed to the Judge's secretary, with a copy to the respondent. It must record:

- whether both parties agree to a virtual hearing;
- whether the respondent intends to travel to Pretoria and appear in person;
- if a virtual hearing is proposed, whether both parties have access to the necessary equipment and a reliable internet connection;
- the parties' email addresses and telephone numbers; and
- the estimated duration of the hearing.

9.3. The respondent's position must be recorded accurately. If agreement cannot be reached or no response is received, the practice note must state this and record the steps taken to obtain the respondent's position.

9.4. The Court will thereafter determine the mode of hearing and make a specific allocation. The allocation and directions will be communicated through the Judge's secretary.

10. **Draft orders**

10.1. Practitioners must bring a hard copy of the proposed draft order to court and upload a corresponding copy to CaseLines. Draft orders must comply with the applicable practice directive and correctly identify the presiding Judge, hearing date and courtroom.

10.2. Draft orders must include the following endorsement:

> *"This order is made an order of court by the Judge whose name is reflected herein, duly stamped by the registrar of the court, and is submitted electronically to the parties/their legal representatives by e-mail. This order is further uploaded to the electronic file of this matter on CaseLines by the Judge or the Judge's secretary. The date of this order is deemed to be the date of hearing of the matter."*

10.3. Practitioners must allow a reasonable period for signed orders to be uploaded. Any request for an order to be signed urgently must be raised in court, with reasons.

11. **Communications**

11.1. All communications with the Judge's secretary must identify the roll number, case number and names of the parties in the subject line. Communications must be copied to all other parties or their legal representatives, including any self-represented litigant.

11.2. The details of the Judge's secretary are as follows:

Ms Nacia Mohube
E-mail: NMohube@judiciary.org.za
TEL: 0735371311