

Etienne Cilliers

From: Mpilo Mzwandile Xulu <mxulu1@judiciary.org.za>
Sent: Thursday, 01 June 2023 13:33
To: Pretoria Attorneys; 'Reception @ the Arcadian'; Johannesburg Bar; Etienne Cilliers; Pretoria-FA@justice.gov.za; reception@loftusadv.co.za; StateAttorneyPretoria@justice.gov.za; admin@pabasa.co.za; admin@blaonline.org.za; gautengsocadv@gmail.com; Pretoria Attorneys; Komani Getrude (DoJ&CD Contact); Sello Aubrey (DoJ&CD Contact)
Cc: Zandile Manana; Sello Tshetlho; Nakedi Mohale; Nadia Hetzel; Stefanie Bezuidenhout
Subject: RE: TIC Rolls BEFORE HONOURABLE JUSTICES FRANCIS-SUBBIAH J 29 MAY- 02 JUNE 2023 / DIRECTIVE
Attachments: FAMILY COURT DIRECTIVES 5-9 JUNE 2023 BEFORE MADAM JUSTICE FRANCIS-SUBBIAH.pdf

Good day,

Kindly find herein attached [DIRECTIVE for the FAMILY COURT before Francis-Subbiah J](#)
Please publish the same.

Thank you



Kind Regards

Mpilo Xulu
Judge's Secretary
High Court of South Africa
Gauteng Division, Pretoria.

*c/o Paul Kruger and Madiba Street, Pretoria,
0001.*

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REPUBLIC OF SOUTH AFRICA

HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, PRETORIA

Pretoria High Court Building, c/o Madiba & Paul Kruger Streets, Room 6.13 6th Floor

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01 JUNE 2023

**DIRECTIVE FOR FAMILY COURT MOTIONS BEFORE
JUDGE FRANCIS-SUBBIAH**

WEEK 9: 5 - 9 JUNE 2023

- [1] Kindly take note that ROLL CALL will commence on **Monday, 5 June 2023, at 10h00, in Court 6F where unopposed divorces will be heard and individual time slots for other matters will be allocated.**
- [2] If cases were not ready at time of filing at 12:00 on 2 June 2023, (i.e. all relevant affidavits filed and the case indexed and paginated), they will not be heard, unless there is good cause or exceptional circumstances.
- [3] No piece-meal filing of affidavits will be allowed.
- [4] All cases **MUST** be uploaded on Caselines. If any problems are experienced, the Judge's Registrar should be contacted **TIMEOUSLY**.
- [5] In unopposed divorce matters ensure:
- 5.1 Return of Personal Service on defendant;
 - 5.2 Defendant's Notice of withdrawal of defence and counterclaim where applicable;
 - 5.3 Confirmatory affidavit of Applicant;

- 5.4 An endorsement by the family advocate where there are minor children;
- 5.5 Affidavit by legal practitioner confirming that the original marriage certificate, and identity documents of the parties have been verified.
- 5.6 Divorce order with certified copy of settlement agreement fully signed and dated.
Original settlement agreement produced at court.

[6] A practice note for non-divorce matters must be filed on Caselines setting out the following:

- (a) The nature of the relief sought;
- (b) The grounds for urgency and brief summary of the urgency of the matter if urgent;
- (c) Has service by the Sheriff been effected? If not, why not?
- (d) Except with pending litigation, service by e-mail to attorneys + service affidavit
- (e) Is the matter opposed or not;
- (f) The estimated duration for argument;
- (g) Total number of pages;
- (h) Brief summary of the factual as well as the legal issues involved;
- (i) The main issues to be considered;
- (j) Rule 43 applications must contain financial disclosure and summary where applicable;
- (k) Contact details of the legal practitioners, which must include both cell phone numbers and email addresses.

[7] In all opposed matters, heads of argument are to be filed by both parties **before 16h00 on Friday, 2 May 2023**

[8] Parties who wish to have their matters heard *in camera*, should inform Mr Xulu by no later than Monday, 5 June 2023 at 09h00 by e-mail on mxulu1@judiciary.org.za

[9] If there is non-compliance with the practice directive, the matter will be struck from the roll, unless good cause is shown for non-compliance.

Yours faithfully

(ELECTRONICALLY GENERATED; NOT SIGNED)

Mpilo Xulu (079 154 3939)

Registrar to: Honourable Justice Francis-Subbiah J

Gauteng Division, Pretoria