

CIVIL TRIAL DEFAULT JUDGMENT FOR 3 JUNE 2024 – 7 JUNE 2024

Default Judgment Court Directive:

1. The parties' attention is drawn to the Notice issued by the office of the Deputy Judge President on the 19th February 2024, titled "Important notice: changes to the Road Accident Default Judgment Court" (REF: DJP/373/2023/It).
2. In light of the above, roll call for all matters will commence on **Tuesday the 4th of June 2024** at **09h30** whereafter further directives will be issued and allocations made.
3. All matters will be heard in **open court** at **09h30**, details of Courtroom allocations are published by the office of the Deputy Judge President.

Directives:

- 4 Parties must ensure that their matters are accessible on CaseLines (including matters that were initiated on CourtOnline). Should a matter not be accessible by Friday, the **31st of May 2024** at **18h00**, the Parties run the risk of having their matters removed from the roll if their affidavit evidence is not uploaded by the prescribed date and time.
- 5 If counsel is not present and has not been excused when the matter is called, the matter will be stood down to the end of the roll and called again. If counsel does not appear when the matter is called for a second time, the matter will be removed from the roll.
- 6 By no later than **13h00** on **Friday the 31st of May 2024**, Plaintiff's counsel must have uploaded onto CaseLines their heads of Arguments (in MS Word format) that, *inter alia*, set out briefly the following:
 - 6.1 Number on the roll;

- 6.2 Name and mobile number of legal representative;
 - 6.3 Details providing proof of service on the Road Accident Fund of summons;
 - 6.4 Notice of set down;
 - 6.5 Whether the matter is ripe to be heard by default;
 - 6.6 What evidence is in affidavit form, and what evidence must be orally adduced;
 - 6.7 a brief explanation as to why the quantum is justifiable and the contingencies applied in the actuarial calculation;
 - 6.8 The attached draft order, which must reflect the surname of the presiding officer, the date, names of the counsel and attorneys, their respective telephone / mobile numbers and email addresses. All draft orders must be signature ready and a hard copy brought to court.
7. If a late notice of intention to defend is (or was) filed by the Defendant, the Defendant must provide the court with a **chronology** and **written reasons** for the belated notice of intention to defend. In addition, Counsel for the Defendant must make submissions as to the effect of the notice of intention to defend on the Plaintiff's application for Default Judgment in light of the recent case law regarding this issue.
8. Please note that failure to comply with this directive will result in the matter being struck off the roll with no order as to costs.

9. Counsels are excused from introducing themselves in chambers, introductions shall take place at the hearing.