



OFFICE OF THE DEPUTY JUDGE PRESIDENT

(HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, JOHANNESBURG)
OFFICE 1210

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NOTICE

TO:

1. Judges of the Gauteng Division, Johannesburg
2. Chief Registrar, Gauteng Division, Johannesburg
3. Secretariat – Judicial Case Flow Management, Office of the Chief Justice
4. Registrars – Gauteng Division of the High Court, Johannesburg
5. Legal Practice Council – Gauteng
6. Law Society of South Africa
7. Gauteng Family Law Forum
8. Gauteng Attorneys Association
9. Pretoria Attorneys Association
10. Johannesburg Attorneys Association
11. West Rand Attorneys Association
12. South African Black Women in Law
13. National Association of Democratic Lawyers
14. Black Lawyers Association
15. South African Women Lawyers Association
16. South African Medical Malpractice Lawyers Association
17. Personal Injury Plaintiff Lawyers Association
18. South African Medico-Legal Association
19. Office of the Director of Public Prosecutions, Pretoria and Johannesburg
20. Office of the State Attorneys, Pretoria and Johannesburg
21. Solicitor General
22. Office of the Family Advocate, Pretoria and Johannesburg
23. Legal Aid South Africa
24. Johannesburg Society of Advocates
25. Pretoria Society of Advocates
26. Gauteng Society of Advocates
27. Tshwane Society of Advocates
28. Pan African Bar Association of South Africa
29. General Council of the Bar of South Africa
30. National Bar Council of South Africa

31. South African Bar Association
32. National Forum of Advocates
33. North Gauteng Association of Advocates
34. Church Square Association of Advocates
35. Advocates for Transformation
36. Legal Division of the Department of Health: Gauteng
37. Legal Division of the Department of Sport, Arts, Culture and Recreation
38. Gauteng Department of Agriculture and Rural Development
39. Legal Services - Gauteng Provincial Department of Education
40. South African Board of Sheriffs
41. South African Sheriff Society
42. Road Accident Fund

DATE : 04 June 2024

OUR REF : DJP/21/2012/jb

RE : **BULLETIN OF LEAD TIMES FOR SET-DOWN DATES
IN JOHANNESBURG AS AT 31 MAY 2024**

1. Attached to this memo is the lead times bulletin as at 31 May 2024. Kindly take particular note of the civil trial roll leads times.
2. Practitioners ought to be alarmed by the dates that are at present being issued for civil trials. The furthest dates issued are in November 2027, three and a half years hence. Dates in 2028 are about to be allocated. Trials of long duration – ie more than 5 court days - have already been set down to fill all available slots up to the end of 2025, and further set downs are being issued for term 2 of 2025. Slots for special opposed motions - requiring a day or more to argue - are full up to the end of term 1 in 2025 and term 2 of 2025 is steadily filling up.
3. The RAF default judgment roll has matters set down until 27 August 2024 but at a rate of only 50 per week as only one judge per week can be deployed to deal with them. The demand to access this roll exceeds this rate of set-down and a backlog is building up. As at present advised, the RAF has not yet been able to react to the summons served on it and an end to the peculiar default judgment phenomenon is not yet in sight.
4. The lead times in other areas are within acceptable time-frames.
5. There must be no assumption by members of the legal profession that the leadership of the Division is not acutely aware of these facts about the civil trial

roll, nor that we are not acutely aware that such lead times are inconsistent with delivering an effective litigation service.

6. The courts, as organs of state, whose function is to render an effective litigation service are severely compromised by the lack of judicial capacity to meet the demands of the litigating public. Despite the utilisation of pro bono additional acting judges of between 8 -10 per week, the court is still not able to deploy enough judges to hear the cases at a rate that can reduce the civil trial lead times. It is estimated that in order to reduce the civil trial lead-time to less than 12 months would require about 20 judges in civil trials alone each week. With present resources, we can muster a range of between 2 and 6 judges per week during the course of a term to hear civil trials.
7. Discussions with the leadership of the legal profession have and shall continue to take place to keep the profession apprised of such steps that are being taken to address the problem.
8. Among the macro-considerations is the need to conceptualise the court system as a component of a broader dispute resolution system, and, in that context, to reframe the role of the courts, with their current capacity constraints within that paradigm. The input of the profession who, on behalf of their clients, bear the brunt of the inadequacies is welcomed.

***Dictated by the Deputy Judge President
Electronically transmitted, therefore no signature***

**ROLAND SUTHERLAND
DEPUTY JUDGE PRESIDENT**

GAUTENG DIVISION JOHANNESBURG, CASEFLOW TURNAROUND TIMES 31 MAY 2024

ALL PERIODS CALCULATED EXCLUDE RECESSES

CURRENT

| TYPE OF CASE | VOLUME SET DOWN | <i>LEAD TIME</i> | <i>EXACT DATE</i> |
|---------------------------------|------------------------|--|--|
| | PER WEEK | <i>TO SET DOWN DATE</i> | |
| FULL COURT CIVIL APPEALS | 2-3 | from moment applying for date - 1 -2 terms subject to available date slot on roll | |
| MAGISTRATES COURT CIVIL APPEALS | 4 | from moment applying for a date - 1 term | |
| OPPOSED MOTIONS ROLL | 50 | 20 WEEKS COURTONLINE 16 WEEKS CASELINES | Court online – 20 January 2025 Caselines – 11 November 2024 |
| SPECIAL MOTIONS ROLL | 1 - 2 MATTERS | 4 TERMS | 8 May 2025 |
| URGENT MOTIONS ROLL | 45-50 average | NOT APPLICABLE | |
| UNOPPOSED MOTIONS ROLL | 600 | 12 weeks | Court online, Caselines – 17 July, 7 August, 8 August 2024 |
| SPECIAL INTERLOCUTORY ROLL | no cap: 200+_ | 10 days notice (2 WEEKS) | 25 June 2024 |
| UNOPPOSED DIVORCES | 60 | 4 WEEKS | 14 and 21 June 2024 |

| | | | |
|------------------------------------|----------------|------------------------------------|--|
| FRIDAYS ONLY | | | |
| CASE MANAGEMENT ROLL OF "Y" TRIALS | | ABOLISHED WEF FROM TERM 1 2023 | |
| SETTLEMENT COURT ROLL | 12+- ave | 1 WEEK CYCLE | 25 JULY 2024 |
| GENERAL CIVIL TRIALS ROLL | | | |
| " Y " CASES TRIAL ROLL (-RAF) | 31 cases | 3 years | |
| RAF DEFAULT JUDGMENT TRIAL ROLL | 50 cases | 2 months | 27 August 2024 |
| NON"Y "CASES | 11 cases | 1 year 8 months | 09 March 2027 (Minister of Police) 11 November 2024 (Divorce matters) 02 March 2026 (Other matters) 2027 Calendar closed (RAF, PRASA AND MEC FOR HEALTH) |
| COMMERCIAL TRIALS ROLL | 1-2 cases | AD HOC SET DOWN 1 TERM NOTICE | 21 July 2025 |
| LONG DURATION TRIALS ROLL | 2 cases | AD HOC SET DOWN 4 TERM NOTICE | 13 April 2026 |
| | | | |
| FAMILY COURT ROLL | 50 to 60 cases | 4 week cycle + urgent applications | Ex parte matters – 18 th of June 2024 |

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|------------------------------------|-----------|---------------|--|
| | | | Opposed Family Court – 29 July 2024 General family court matters – 22 July 2024 |
| CRIMINAL TRIALS ROLL | 19 | 2 MONTHS | |
| | | | |
| FULL COURT CRIMINAL APPEALS | 1 case | 5 - 6 MONTHS | |
| MAGISTRATES COURT CRIMINAL APPEALS | 4-6 cases | 4 MONTHS | |
| | | | |
| SPECIAL TAX COURT | 1-3 cases | 1 TERM NOTICE | |
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