



**HIGH COURT OF SOUTH AFRICA, GAUTENG DIVISION, PRETORIA
FROM THE CHAMBERS OF MADAM JUSTICE HASSIM
Room 6.13**

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DIRECTIVE:

URGENT APPLICATIONS: 26 FEBRUARY 2024 TO 1 MARCH 2024

1. At the request of the honorable Madam Justice Hassim the following directives which will apply to all matters which will serve before her in the urgent court in the week commencing 26 February 2024 to 1 March 2024 are hereby issued. Further directives may be issued if the need therefor arises.
2. Non-compliance with this directive may result in the application being struck from the court roll, unless good cause is shown for the non-compliance.
3. Those cases which were not ripe for hearing (i.e. the service and uploading to CaseLines of the three customary sets of affidavits duly indexed and paginated had not taken place) by the closure of the roll at 12h00 on Thursday, 22 February 2024, will not be heard unless good cause is shown for the failure or exceptional circumstances are shown to exist.
4. The allocation of a date and time for the hearing is not an indication that the matter is sufficiently urgent to warrant a hearing on the merits. Nor is it an indication that submissions on why the application should be entertained in an urgent court may be dispensed with.

PRACTICE NOTES AND HEADS OF ARGUMENT

5. In those cases where a practice note and, heads of argument have not been filed, a practice note must be uploaded to Caselines and a copy transmitted to Judge Hassim's secretary, Ms Magoro by e-mail to the address JMagoro@judiciary.org.za by 12h00 on Monday, 26 February 2024. Where an application is opposed, the practice note must be accompanied by at least short heads of argument.
6. All practice notes must contain at least the following information:
 - a. The names and contact particulars, including mobile phone numbers and e-mail addresses of the instructing attorney and counsel, if counsel is on brief.
 - b. The length of the application with reference to the total number of pages it contains.
 - c. Whether the application was served by the Sheriff, and if not, why not and in the case of applications which have a bearing on a person's status, whether the application was served on the respondent personally.
 - d. Whether the application is opposed.
 - e. The estimated duration of the argument.
 - f. A description or a characterisation of the type of relief claimed. Repeating the prayers in the notice of motion will not constitute compliance with this requirement.
 - g. A brief summary of the facts or factors which render the relief sought urgent.
 - h. A brief summary of the factual and legal issues arising in the application and a brief summary of the parties' competing contentions.

- i. The main issue/s that have to be decided.
 - j. A clear indication of the specific pages in the application that must be read. Repeating the references in the heads of argument to the papers will not constitute compliance with this requirement.
7. Where practice notes, and short heads of argument in opposed applications have not been filed, the application may be struck from the roll. Shortcomings in the practice note may result in the matter being struck from the roll.

HARD COPIES OF THE ELECTRONIC CASE FILE ON CASELINES AND OF THE AUTHORITIES WHICH WILL BE RELIED ON OR REFERED TO IN ORAL ARGUMENT

8. Where an application, regardless of whether it is opposed or not, exceeds 150 pages, the applicant is requested to deliver a hard copy of the application, to Ms Julia Magoro by 15h00 on Monday, 26 February 2024. The pagination must be consistent with the CaseLines pagination. A hard copy of the authorities which will be relied upon in argument must be available at the hearing for the benefit of the Judge.

HEARING

9. Legal practitioners are reminded that complex factual and/or legal issues, voluminous applications and long arguments are not suited to a hearing in an urgent court. Such applications should be removed from the roll and an allocation for a hearing in a special court should be sought from the honourable Deputy Judge President, unless exceptional circumstances warrant an urgent hearing during the week.
10. Where a specific time is assigned for argument, legal practitioners are excused from the calling of the roll on Tuesday, 27 February 2024 at 10h00.

ATTENDANCE AT ROLL CALL AT 10H00 ON TUESDAY, 27 FEBRUARY 2024 AND MENTIONING APPLICATIONS THEREAFTER

11. The roll for the week will be called at 10h00 on Tuesday, 27 February 2024. Legal practitioners appearing in applications where a specific time has not been assigned for argument, must appear at the calling of the roll.
12. Those applications which will not be proceeding must be mentioned at roll call. If it is determined after 10h00 on Tuesday that an application will not be proceeding, save for Monday, 26 February 2024, the application may be called on any day at 10h00, 11h30, 13h00, 14h00 or before the completion of the court roll for the day, for the purpose of recording postponements, removing matters from the court roll or recording settlement agreements. Where the court has been adjourned for the day, counsel may contact Ms Magoro to establish a convenient time to call the matter.
13. If an application will not be proceeding, legal practitioners are urged to upload to Caselines, as soon as reasonably possible, a note to that effect preferably marked in red.
14. The Judge may from time to time upload a “widely shared note“ to CaseLines. Legal Practitioners are urged to consult the electronic case file on CaseLines periodically to address the questions raised or information sought in such note. This may expedite the argument and the finalisation of the application.

DOCUMENTS UPLOADED TO CASELINES AFTER THE ROLL CLOSED ON THURSDAY, 22 FEBRUARY 2024

15. No further documents may be uploaded to Caselines without the Judge's written consent obtained by e-mail through the Judge's secretary. Documents uploaded after the closure of the roll on Thursday, 22 February 2024, will be deemed out of time and will not be read. And the application may be struck from the roll unless the Judge's written consent has been obtained.

ACCESS BY THE JUDGE TO THE ELECTRONIC FILE ON CASELINES

16. It is the duty of the applicant's attorney to ensure that no duplicate electronic case file exists. It is also the applicant's attorney's duty to ensure that the electronic case file is accessible to the Judge. If the electronic case file is not accessible, the application may be removed from the roll.



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