



FAMILY COURT ROLL – FROM 16 TO 20 OF OCTOBER 2024



PRESIDING JUDGE: The Honourable Madam Acting Justice Fiona Marcandonatos (AJ)

CONTACT PERSON: Mr. Guglie Lebelo

EMAIL: GLebelo@judiciary.org.za

CONTACT NO: 078 628 4524 (Available, including on WhatsApp)

DEFAULT HEARING MODE: Open Court



OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

HON. MARCANDONATOS AJ's DIRECTIVES

1. HEARING DATE; TIME; MODE; AND, VENUE:
 - (a) All matters – *opposed and unopposed* – are to, respectively, proceed on the date(s) and time(s) indicated. The allocations are subject to change at a later date. Practitioners will be notified of any changes to the said

allocations and are therefore reminded that they are expected to be available in the event that the previous matter(s) collapse or finish earlier than expected.

- (b) Proceedings will take place in an OPEN courtroom, to be announced soon after allocation by Office of the DJP.
- (c) Only in exceptional circumstances, deemed by the Presiding Judge to aid in matters being expeditiously disposed of, and by prior arrangement with the Judge's Registrar, a virtual hearing will alternatively be resorted to.

2. APPEARANCE:

- (a) Appearance will be required in all matters, save for those that have been duly removed by notice.
- (b) Thus, 'Notice(s) of Removal' must, where applicable, be uploaded as early as possible to avoid the need for physical appearance.

3. LEGAL REPRESENTATIVES ARE TO ENSURE THAT:

- (a) all matters are accessible;
- (b) The interface bundle is created for all Court-On-Line matters to, if any at all, be accessible on CaseLines by both the presiding Judge and his/her Registrar in the main; (c) updated Practice Note *(of a joint nature, where applicable)* is to be uploaded by no later than 14h00 on **Friday, 13 September 2024**. *The Practice Note will, in addition to the information required in terms of the practice manual, contain a summary of the relief sought, together with the names, email addresses and cell numbers of the legal practitioners appearing. The Practice Note should briefly set out all the pertinent issues in dispute and indicate precisely where each may be found on CaseLines.*
- (c) a complete set of reader-friendly papers has accordingly been uploaded, without there being any duplication.

4. DRAFT ORDERS:

- (a) Draft Orders must be duly completed and compliant *(i.e. draft orders must contain the details of counsel; reflect the date of the hearing; and, reflect the Judge's particulars)*.

- (b) Draft Orders must also be uploaded onto CaseLines or Court Online by no later than 14h00 on Friday, 13 September 2024. Counsel must, in addition thereto, physically bring one hard copy to the hearing in Court.
- (c) These orders, which are brought to Court, must be ‘signature-ready’ (*i.e. please remove the word “draft” from the tramlines, delete the “further and/or alternative relief” prayer etc.*).
- (d) Accordingly marked, signed and stamped Court Orders will duly be delivered using platforms at the disposal of the respective parties.

5. COMMUNICATION BETWEEN PARTIES AND THE PRESIDING OFFICER OTHER THAN IN COURT:

- (a) In addition to communicating to the parties through his/her Registrar, the Judge may alternatively communicate with the parties’ legal representatives via widely shared notes posted on the electronic file.
- (b) Legal Representatives are to, thus, look out for these communications and accordingly respond to such communications.

6. DEADLINE AND BUNDLE FREEZING ON SUBMISSION OF BOTH SOFT AND (WHERE APPLICABLE) HARD SUBSTRATES:

- (a) The bundle – *CaseLines & Court-On-Line* – will be frozen at 14h00 on Friday, 13 September 2024, after which no further documents may be filed without the Judge’s explicit approval.
- (b) If a practitioner struggles to timeously upload, an explanation of what steps have been taken (*and why it was not possible to upload*) ought to, in this regard, be communicated to Mr Lebelo, whom, with the Judge’s approval, will then give further directions.
- (c) With reference to PDI/2024, at paragraph 25.11, practitioners may not alter or request an alteration of the bundle to upload documents out of time. If it is established that a practitioner uploaded documents out of time, without condonation, having been granted sufficient leeway for such late filing, the matter may be struck from the roll, of which cost order – *de bonis propriis* – may be made against such delinquent practitioner.
- (d) If there is non-compliance with this Practice Directive and/or PDI/2024, the matter will be struck from the roll, unless good cause is shown for non-compliance.

7. HEADS OF ARGUMENT

 In all opposed matters, parties are required, through their representative(s), to file heads of argument by no later than 14h00 on Friday, 13 September 2024.

8. A respondent who, despite being late to do so, wishes to oppose the granting of an order, must communicate that fact to Mr Lebelo and to the applicant and, likewise, comply with this directive.
9. Counsel or attorney for an applicant must, at once, when it becomes known that there is opposition, regardless of its merits, communicate that fact to Mr Lebelo.

10. INTRODUCTIONS:

Unless there is, otherwise, anything pressing that the parties would like to bring to the attention of the Judge in chamber(s) or corridors (*especially in a case where a matter is to be heard openly*), **Counsel will introduce themselves in Open Court** upon their matters being called on record.

11. FURTHER DIRECTIVES:

Any further directives in respect of the matter will be communicated to the relevant parties.

12. ENQUIRIES:

For further information or just about any other related queries, parties are at liberty to get hold of Mr Lebelo, his details and time and way(s) of contact of which appear on the face of the roll above.

IN THE HIGH COURT OF SOUTH AFRICA; GAUTENG LOCAL DIVISION; JOHANNESBURG

**REGISTRAR'S OFFICE, PRIVATE BAG X7, JOHANNESBURG, C/O PRICHARD AND VON
BRANDIS STREETS, JOHANNESBURG**

Email: JHBMotionenquiries@judiciary.org.za

Family Court Roll-URGENT		17TH SEPTEMBER 2024	
Week		16TH SEPTEMBER 2024 TO 20TH SEPTEMBER 2024	
FIRST COURT			
BEFORE THE HONOURABLE JUDGE		MARCANDONATOS AJ (Ms) and EKSTEEN AJ	
JUDGE'S SECRETARY		Glebelo@judiciary.org.za	
1.	LEIGH CARTER V. CRAIG O'FLAHERTY	2024-099096 17 th SEPTEMBER 2024 10H00	MARCANDONATOS AJ
2.	SIKANDER ABDOOL HASSAM v. SARAA BIBI HASSAM	2024-103863 19 TH SEPTEMBER 2024 11H30	MARCACDONATOS AJ
3.	CHERAL-DINE BOSHOF (NEE GROBLER) V. JOHAN MARTINES BOSHOF	2024-103733 17 TH SEPTEMBER 2024 10H00	MARCANDONATOS AJ