

**HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION**

Week 1 , Term 2 , 2023

11 April 2023

**NOTICE REGARDING IMPLEMENTATION OF THE JUDGE PRESIDENT'S
DIRECTIVES FOR THE UNOPPOSED MOTION COURT BEFORE JUDGE E VAN
DER SCHYFF**

1. All unopposed motions will be heard in **open** court unless there is a written email request for a virtual hearing, in which event reasons for the request must be stated for consideration.
2. One copy of a draft order must be handed up when a matter is argued.
3. A comprehensive practice note, stating the nature of the application and the date on which the application is on the roll, should be filed on Caselines by latest on **Thursday 6 April 2023**. Counsel must have regard to the Judge President's most recent directive. The practice note must at least address the following issues:
 - 3.1. Was the matter previously postponed? If so, what was the reason for the postponement;
 - 3.2. If the papers consist of more than just the application concerned, (for instance previous applications or pleadings not relevant to the application) the application must be properly identified by reference to the page number to avoid a search for it;

- 3.3. The return of service relevant to the date of hearing must be identified by reference to the page number;
- 3.4. If service by the Sheriff was not necessary, the reason for that must be stated. The other form of service must then be identified by reference to the page number;
- 3.5. If personal service is necessary, (for instance in sequestration applications) it must be stated and if this requirement was not complied with, reasons must be provided;
- 3.6. Where certain practice or legal requirements have to be complied with (for instance in Rule 46A applications) compliance with those requirements must be clearly stated and identified in the papers by reference to the page number(s) and paragraph;
- 3.7. If any Regulation (relating to Covid-19 or not) or Statute is applicable it must be stated and compliance therewith be identified in the papers by reference to the page number and paragraph;
- 3.8. If there is any issue with the application, it must be clearly identified. If there is no issue, **it must be stated that the papers are in order**;
- 3.9. Name and contact details of counsel (tel. nr and email address) must be stated.
4. If there is any other information to be considered by the court, it may also be stated in the practice note.
5. In all applications where heads of argument must be filed, a failure to do so may result in the application being struck off the roll.

6. Counsel is requested to have regard to the 'Widely Shared Note' function on CaseLines as queries will be raised using this function.
7. Communication with this office must be done by **email** to Mr S Tshetlho (stshetlho@judiciary.org.za).
8. If due to unforeseen circumstances, it is impossible to hear the matters in open court, the applications will be decided on paper. Counsel must ensure that they have regard to any widely shared notes posted in such circumstances until a note is posted that an order is granted or dismissed or a matter is removed.
9. Judge Van der Schyff will be in her chambers in the Palace of Justice 214 for introductions at 9h40.

E VAN DER SCHYFF
JUDGE OF THE HIGH COURT