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**CHAMBERS OF THE HONOURABLE JUDGE DE VOS**

**P.O. BOX 442 THE HIGH COURT OF SOUTH AFRICA PRETORIA GAUTENG DIVISION**

**0001 PALACE OF JUSTICE**

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17 Augustus 2020

To: All Relevant Legal Practitioners

Dear Sir/Madam

**DIRECTIVE: URGENT APPLICATIONS FOR THE WEEK 18 – 25 SEPTEMBER 2020**

Judge De Vos and Judge Makhoba will hear Urgent Court Applications from Friday, 18 September 2020, at 16h00 until Friday, 25 September 2020 at 16h00. You are kindly requested to note the following directives issued by Judge De Vos and Judge Makhoba in respect of all Urgent Applications enrolled for hearing during this period:

[1] This directive is accompanied by an allocated roll of the urgent applications to be heard during the week 18 – 25 September 2020. The roll indicates whether an application will be heard by Judge De Vos or by Judge Makhoba.

[2] Mr Tshediso Sehume is the secretary to Judge Makhoba. Mr Sehume can be contacted at 012 492 6787 / TSehume@judiciary.org.za or approached at room 6.8 on the 6th floor in the High Court. Ms Zonika Jansen is the secretary to Judge De Vos and can be contacted at 012 492 6897 / ZJansen@judiciary.org.za or approached at room 226 on the 2nd floor in the Palace of Justice.

[3] The contact number for Urgent Applications to be heard *after-hours* is 065 859 4819. This number is operational on weekends and between 16h00 – 08h00 during the week. This number is not to be used for general enquiries or for any other issue than urgent applications to be heard *after-hours*. Mr Sehume will attend to after-hours urgent applications from 16h00 on Friday 18 September 2020 until 10h00 on Monday 21 September 2020. Thereafter the after-hours urgent applications will be attended to by Ms Jansen.

[4] Each Judge will individually decide as to the form of hearing for applications to be heard outside of normal court hours.

[5] Urgent Applications on the allocated roll before both Judge De Vos and Judge Makhoba will be heard in open court, by way of physical hearings during normal court hours (10h00 – 16h00). Applications enrolled before Judge De Vos will be heard in Court A (Palace of Justice), and applications enrolled before Judge Makhoba will be heard in Court 6E (High Court).

[6] The hearing of urgent applications will commence on Tuesday 22 September 2020. Both Judge De Vos and Judge Makhoba will call their respective rolls at 10h00 on that day, which roll call must be attended by counsel. Removals, settlements, postponements, and ex-parte matters will first be disposed of, wherafter specific allocations will be made for the hearing of disputed matters during the rest of the week.

[7] Both Judge De Vos and Judge Makhoba request that, if possible, hard copies of the court documents be delivered to their respective secretaries at their respective offices.

[8] Where it is impossible or counter-productive to deliver a physical set of court papers to the relevant Judge’s secretary, these documents must be uploaded to CaseLines and the Judge’s secretary must be informed of same by way of email. In this event, the Judges’ secretary must be invited to the matter on CaseLines with the relevant authorisation to invite others. Such an application will then be heard based on the papers which have been uploaded to CaseLines and only matters in which the Judge’s secretary has been correctly invited and the documents have been properly uploaded shall be considered, failing which the matter shall be removed from the roll.

[9] In the event that a matter has not been registered on CaseLines (i.e. where after-hours applications are concerned) and therefore documents cannot be uploaded to this platform, the documents may, with consent of the relevant Judge, be forwarded to the Judge’s secretary by way of email.

[10] It is requested by both Judge De Vos and Judge Makhoba that a Practice Note be filed in each application. This Practice Note must indicate:

[10.1] the particulars of Counsel moving the matter (name, cell phone number and email address);

[10.2] a brief summary of the issues to be determined;

[10.3] a brief summary of the reasons for urgency;

[10.4] the estimated duration of the arguments to be heard;

[10.5] if necessary, reasons for failing to bring the application in terms of the rules pertaining to urgent applications, and an explanation of why the matter warrants hearing despite such non-compliance.

[11] Both Judge De Vos and Judge Makhoba also request that, apart from the Practice Note, short Heads of Argument be filed in each application by Counsel moving the matter.

[12] Practice Notes and Heads of Argument are to be delivered in hard copy *or* forwarded by email to the relevant Judge’s secretary before 14h00 on the day *before* the matter is set down for hearing. No consideration will be given to documents received after this stipulated time, save for exceptional reasons which must be satisfactorily explained in the Practice Note.

[13] If there is any special request regarding the date or time allocated for the hearing of a matter, such request must be made in writing and sent by way of email to the respective Judge’s secretary.

[14] If a draft order is to be granted, three (3) printed copies must be prepared by the applicant.

[15] Any order granted/issued shall be uploaded to CaseLines after having been signed and stamped by the Registrar.

[16] It is recommended that an applicant or respondent who appears in person should report to Ms Thandi Malele at the General Office on the 1st floor of the High Court. Ms Malele will advise as to the Judge’s secretary who needs to be approached and/or the court room to be attended. Counsel on behalf of the applicant must, at once when it becomes known that there is opposition by a respondent appearing in person, communicate that fact to the relevant Judge.

[17] Service of process in all Urgent Applications shall comply with the Rules of Court. Where agreement can be reached by the representatives of all parties involved to vary the requirements of the rules to facilitate a wholly electronic exchange of papers, condonation shall be granted *ipso facto*.

[18] The enrollment of an allegedly urgent matter found not to warrant a hearing on this roll may, at the discretion of the Judge seized with the matter, result in punitive costs being awarded and the culpable counsel and attorney being ordered not to be paid any fees arising from the prosecution of such matter(s).

[19] COVID-19 still holds a threat to our health and to ensure the safety of all parties involved, only the necessary legal representatives and applicants/respondents appearing in person will be allowed to attend court proceedings. You are urged no to attend to court if your presence at the proceedings are not essential. Persons with no discernible business inside the court building will be denied access into the court building. Should it be necessary, the roll call will be divided into more than one sitting to ensure proper social distancing measures. Counsel, litigants, government officials and members of the public who attend to the physical hearing of urgent applications in open court must comply, where applicable, with any restrictions imposed in relation to the national state of disaster. Anyone seeking access into the court building must submit to compulsory screening, must wear a face mask, and must adhere to applicable social distancing rules. Any party who does not wish to have his/her matter dealt with under the conditions described above must remove their matter from the roll.

Kind regards

**Ms Zonika Jansen**

Secretary to the Honourable Judge De Vos

High Court of South Africa

Gauteng Division, Pretoria