



**MAGISTRATES' COURTS JUDICIARY
REPUBLIC OF SOUTH AFRICA**

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**TO: ALL CHIEF MAGISTRATES: GAUTENG ADMIN REGION 5A
SENIOR MAGISTRATES-GAUTENG ADMIN REGION 5A
HEADS OF OFFICE-GAUTENG ADMIN REGION 5A**

GUIDELINES FOR COURT OPERATIONS UNDER ALERT LEVEL 3

1. The country was placed under Alert Level 3 from 17 June 2021. The Minister of Justice has not yet issued Directions under this Level 3. Because of the high rate of infections in Gauteng it is necessary that a plan be made to minimize congestion in the courts and to limit unnecessary exposure to the virus pending the directives that will be issued in due course.
2. The following are guidelines to be followed until the issue of Directives for the Cluster.

2.1 Criminal Courts

Priority should be given to all matters where the accused persons are in custody, partly heard matters, bail applications and matters that are deemed urgent.

All other matters should be postponed.

Care should at all times be taken to ensure that there is no congestion inside and outside the courtrooms.

2.2 Civil Courts

Senior Magistrates are to determine which matters are to be prioritized based on the amount of work in each court. All care should be taken to ensure there are no congestion in the courts.

2.3 Family Courts

Senior Magistrates should together with Supervisors devise a way where for applications, people are given forms to fill in at home. The forms should be accompanied by an information sheet that will guide what documentation the parties should bring.

An appointment system can be introduced where parties will be allocated date and time they should be back in court. This will be allocated according to the number of clerks, maintenance officers and magistrates available.

This will ensure that there is no overcrowding in the courts and only the parties being attended to are present. This will require proper planning to ensure maximum utilization of time without compromising people's health.

ALL URGENT MATTERS MUST BE ATTENDED TO AS SOON AS PRACTICALLY POSSIBLE.

3. Rotation

It is encouraged that rotation of Magistrates in physically coming to work be implemented where possible. This will ensure that there are Magistrates that would be spared in cases of high infection rate and would be available to run the courts while others are in quarantine or isolation.

The Magistrates that will be home should be given work like inquests and default judgments.

Once courts are all done Magistrates may be released BUT there should be Magistrates remaining until 16:15 to deal with any urgent matters that may

come in. This must be carried out with responsibility and no one must be released when there is still work to be attended to.

The rotation plans must always be sent to the Chief Magistrate. All quarantines, isolations and infections must be reported to the Chief Magistrate.

4. These guidelines should be used until Directives under Alert Level 3 are issued.



**YP SIDLOVA
CHIEF MAGISTRATE
ACTING CLUSTER HEAD
JOHANNESBURG
18 JUNE 2021**