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JUDGE PRESIDENT'S CHAMBERS

HIGH COURT, PRIVATE BAG X1011


MAKHANDA

6140

DIRECTIVE ON CIVIL TRIALS AND ROLL CALL

1. The roll call of civil trials set down for hearing during a particular term shall no longer be held four weeks in advance, but on a Friday two weeks before the week during which the trial has been set down.
2. In order to facilitate the decision of the roll call Judge, the parties shall, 5 days prior to the date on which the roll call will be held, file a joint practice note, together with the requisite trial readiness checklist (Form 2). The practice note shall address the following:
 - 2.1 the position of each party with regard to the trial readiness of the matter;
 - 2.2 any outstanding matter(s), procedurally or otherwise, which potentially may prevent the matter from proceeding to trial;
 - 2.3 whether the matter is capable of settlement and should remain on the trial roll for that purpose;
 - 2.4 a clear and concise statement of any outstanding issues for determination;
 - 2.5 as contemplated in Uniform rule 37A(10)(e), an identification of witnesses each party intends calling and, in broad terms, the nature of the evidence to be given by each such witness;

- 2.6 whether the outstanding issues are capable of determination without the hearing of oral evidence, in which event, if the parties agree that the matter be determined without hearing oral evidence, they shall be required to set out a statement of the agreed facts upon which oral argument is to be addressed.
3. Should any party fail or be unwilling to comply with paragraph 2, the other party must file the practice note together with the reasons why the joint practice note could not be filed.
4. This Directive is effective from today.

A handwritten signature in black ink, appearing to read 'S M MBENENGE', written over a horizontal line.

S M MBENENGE
JUDGE PRESIDENT: EASTERN CAPE
23 JANUARY 2023