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THE HIGH COURT OF SOUTH AFRICA

MPUMALANGA DIVISION

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ROOM CF65

NELSPRUIT

10 April 2020


PRACTICE NOTE 3 OF 2020 DURING LOCKDOWN

I refer to the practice note or directive 2 of 2020 which was issued yesterday during the day and wish to confirm that the directive still stands. It is further directed as follows:

1. The unopposed matters which are enrolled for Friday 17 April 2020 are hereby postponed to a date to be determined by not later than Wednesday 15 April 2020.
2. As indicated in the practice note or directive number 2 of 2020, the civil trial matters which are enrolled during the second week (20 April 2020) and the third week (27 April 2020) are hereby postponed to be placed on the case management roll except those matters which are not RAF matters or other damages claim matters, which matters will then be allocated new trial dates to be determined next week.
3. As far as criminal matters are concerned, those matters which were postponed to or enrolled for 17 April and 28 April 2020 shall remain on the roll to be postponed to further dates which will be determined by the roll-planner. In this regard the categories of the accused persons will be dealt with as follows:
 - 3.1 Those accused persons who are in custody shall not appear, but their detention warrant will have to be brought to court on the dates to which the matters have been postponed to ensure further extension of the detentions.

- 3.2 The accused persons whose matters were postponed in their absence during the lockdown of 27 March to 16 April 2020 but served with summons immediately thereafter to appear in court on 17 and 28 April 2020 shall appear in court as so summoned for determination of new trial dates and such accused persons shall not be accompanied by any other person other than their legal representatives or in respect of those under age by their parents or guardians.
- 3.3 Criminal matters which are enrolled for trial or hearing during the period of the lockdown from 17 to 30 April 2020 shall be dealt with as follows:
- 3.3.1 The accused persons who are on bail or warning shall not attend court, instead their matters will be postponed in their absence and they will be served with the summons for the new dates which service shall take place within seven days from the date of the postponement in absentia. Only their legal representatives will be expected to attend court as it might be necessary to case manage the matters to ensure trial readiness.
- 3.3.2 The accused persons who are in custody shall not be brought to court, instead their matters will be postponed in absentia by bringing to court their detention warrants to be extended by the court. Only their legal representatives will be expected to attend court as it might be necessary to case manage the matters for trial readiness.

BY DIRECTIVE OF THE JUDGE PRESIDENT



M F LEGODI
JUDGE PRESIDENT OF MPUMALANGA DIVISION