



**OFFICE OF THE JUDGE PRESIDENT  
WESTERN CAPE HIGH COURT**

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TO : ALL JUDGES  
FROM : JUDGE PRESIDENT JM HLOPHE  
SUBJECT : ACCESS TO COURT IN LIGHT OF COVID -19  
LOCKDOWN  
IMPLEMENTATION DATE : 17 APRIL 2020

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**ADDENDUM TO PARA 4, 8, 10, 11, 12 and 14 AND THE ADDITION OF  
6A, 16A, 17A and 22 IN LIGHT OF THE EXTENDED LOCKDOWN**

**The following directives will apply with immediate effect until the 01 May 2020 (subject to further periods as may be directed by the President of the Republic of South Africa). These directives should be read together with the directives previously issued by the Chief Justice (on 24 March 2020) and the Judge President (17 March 2020 and 06 April 2020).**

4. Subject to para 1 of the previous directive dated 6 April 2020, no new CIVIL matters (trials, appeals, reviews, unopposed and opposed motions) will be enrolled during the lockdown period;
- 6A. An application via the chamber book may be brought for an order for service by the sheriff for urgent matters and those mentioned in the Directives if required; the application may be e-mailed to the Chief Registrar (RDavid@judiciary.org.za);
8. No further process (including warrants of execution and subpoenas) whether civil or criminal will be issued during the "lockdown" period: provided that the issuing and service of subpoenas and the granting and execution of warrants where a judicial officer orders that it is necessary to ensure effective justice in urgent matters, will proceed during the "lockdown" period;

10. There will be no Authentication/ Apostille services offered at the court during the lockdown period unless it involves an essential service;
11. Right of appearance certificates and good standing certificates may be applied for at the Chief Registrar's office after the lockdown period unless required to attend court on an urgent matter as defined by these Directives;
12. All the motion court applications enrolled for hearing during the lockdown period must be postponed to a date after the lockdown in consultation with the third division clerk;
14. Evictions and Rule 46A applications to declare property executable are suspended until after the lockdown period unless ordered by a judicial officer in the interests of Justice;
- 16A. Criminal pre-trials for Friday, 24 April 2020 will be dealt with on Wednesday, 22 April 2020. Any further pre-trials affected by any further extensions of the lockdown will be dealt with on the first working day of that week as arranged with the DPP, practitioners for the accused and the relevant Judicial officer;
- 17A. Criminal trials (new and postponed) scheduled for circuit courts during the lockdown period will be postponed to a date after the lockdown period in consultation with the relevant Judicial officer, DPP and Practitioners;
22. The 1<sup>st</sup> session of the civil circuit at Themablethu, George being 20 to 30 April 2020, is cancelled. The 2<sup>nd</sup> session will begin on the 25 May 2020. All matters enrolled for the 1<sup>st</sup> session from 20 to 30 April 2020 will be postponed to 25 May 2020. The first week of the 2<sup>nd</sup> session will be utilised for roll-call, mediation and to deal with all postponed matters. For assistance, please feel free to contact Mr Kershan Naicker at 081 405 1881 and/or [knaicker@judiciary.org.za](mailto:knaicker@judiciary.org.za) or Mrs Faadhah Davids on 073 9588 267 and/or [fdavids@judiciary.org.za](mailto:fdavids@judiciary.org.za).

Should you wish to clarify any of the provisions of this Directives, you may contact the Judge President (care of Lizette Potgieter – 021 480 2564 [EPotgieter@judiciary.org.za](mailto:EPotgieter@judiciary.org.za)), Chief Registrar (Ruanne David or care of Antoinette Marinus – 021 480 2635/6 [RDavid@judiciary.org.za](mailto:RDavid@judiciary.org.za) / [AMarinus@judiciary.org.za](mailto:AMarinus@judiciary.org.za)), Court Manager (Valerie Noah or care of Astrin Ernstzen – 021 480 2637/619 [VNoah@judiciary.org.za](mailto:VNoah@judiciary.org.za) / [AErnstzen@judiciary.org.za](mailto:AErnstzen@judiciary.org.za)) or DPP (care of Adv Bell 021- 487 7226) offices.

  
**JUDGE PRESIDENT HLOPHE**

To be issued to:

The Magistracy;

The National Prosecuting Authority;

Legal Aid South Africa;

Cape Bar Council;

Western Cape Bar Association;

Legal Practice Council;

Family Advocate;

State Attorney;

NADEL;

BLA;

South African Police Services;

Office of the Chief Justice

Department of Justice and Constitutional Development;

Department of Correctional Services;

Department of Social Development;

Department of Health;

Any other Court Official not mentioned above.