

SUPPLEMENTARY DIRECTIVE REGARDING DIVORCE COURT ROLL 17
FEBRUARY 2023 (JUDGE KEIGHTLEY)

Judge Keightley requires an evidence affidavit (the plaintiff's affidavit and the attorney's affidavit confirming the veracity and authenticity of the settlement agreement and marriage certificate to be uploaded in all matters. Judge Keightley will not grant any orders in matters where these documents are not uploaded by 12.00 tomorrow (Wednesday 15th February 2023). Those matters will be summarily removed.

Please ensure that the following directive as **per Directive 2 of 2022 Paragraphs 201-214.3** is adhered to: Relating specifically to evidence affidavits and veracity of the marriage certificate and settlement agreement:

201 There are three categories of unopposed divorce matters, and the roll shall, as far as possible,

be clearly demarcated:

201.1 Matters not involving minor children.

201.2 Matter involving minor children.

201.3 Matters in which the Party is unrepresented.

Category A:

202 All matters that do not involve minor children must be dealt with by adducing evidence on

affidavit and no Party shall testify in person, save where the Judge orders otherwise.

203 A practice note must be uploaded to CaseLines and submitted with the set down notice.

204 The practice note must include reference to:

204.1 submissions, if any, by Counsel for the Party;

204.2 a request, if any, to make oral submissions;

204.3 an affidavit from the Plaintiff setting out the relevant evidence;

204.4 a certified copy of the settlement agreement;

204.5 a certified copy of the marriage certificate;

204.6 and a draft order in word format which must contain the name, email and cell phone

details of Counsel, if any.

205 Where filing the practice note with the set-down is not possible, the practice note may be

submitted and uploaded to CaseLines at any time before or on the date of set down.

206 Counsel must keep themselves available to be contacted on the date of set down by email or

cell phone.

207 The matters shall be disposed of at the discretion of the allocated Judge, in respect of which ad

hoc directives may be issued, which may include:

207.1 Disposal without an oral hearing;

207.2 Disposal during a video conference which the Court must host;

207.3 Disposal at a physical traditional hearing.

Category B:

208 All matters that do involve minor children must be dealt with by adducing evidence on affidavit

and no Party shall testify in person, save where the Judge orders otherwise.

209 A practice note must be uploaded to CaseLines and submitted with the set down notice.

210 The practice note must include reference to:

210.1 submissions, if any, by Counsel for the Party;

210.2 a request, if any, to make oral submissions;

210.3 an affidavit from the Plaintiff setting out the relevant evidence, which must address in

detail the arrangements contemplated for the minor children and the views or

endorsement of the Family Advocate, if any;

210.4 a certified copy of the settlement agreement;

210.5 a certified copy of the marriage certificate;

210.6 and a draft order in word format containing the name, email and cell details of Counsel,

if any.

211 Where filing the practice note with the set-down is not possible, the practice note may be

submitted and uploaded to CaseLines at any time before or on the date of set down.

212 Counsel must keep themselves available to be contacted on the date of set down by email or cell

phone.

213 The matters shall be disposed of at the discretion of the allocated Judge, in respect of which ad

hoc directives may be issued, which may include:

213.1 disposal without an oral hearing;

213.2 disposal during a video conference which the Court must host;

213.3 disposal at a physical traditional hearing.

Category C:

214 Unopposed divorces in which the Party appears in person shall be disposed of at the discretion

of the allocated Judge, in respect of which ad hoc directives may be issued, which may include:

214.1 disposal during a video conference which the Court must host;

214.2 disposal at a physical traditional hearing.

214.3 In those cases where an unrepresented Party:

a. goes to the Court building, that Party shall approach the designated official at the Court building who shall render assistance to that litigant through the use of the virtual Courtroom. A notice to this effect shall be posted in the foyer of the Court by the Judge's Secretary.

b. can be contacted because the relevant contact details are known, the Secretary of

the Judge shall endeavour to make contact to communicate the relevant information concerning the manner of the hearing.

c. has personal access to teleconferencing facilities an appropriate link may be set up accordingly, as the Judge directs

Kind regards

Yasmeen Jooma