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Media Statement

THE JUDICIARY MOVES TO IMPROVE CASE FLOW MANAGEMENT

The South African Judiciary, under the leadership of Chief Justice Mogoeng Mogoeng, on 25 July 2019 held a workshop to on-board Heads of Superior Courts, Judges and Chief Registrars on the recently gazetted new and amended case management rules which came into operation on 1 July 2019.

The case management rules have been put in place to improve judicial case flow management through the coordination of court processes and resources so that court cases progress in a timely fashion from filing to disposition.

Case flow management entails the assignment and allocation of cases to a Judicial Officer at the earliest opportunity. Judicial Officers then become responsible to manage the flow of that case in an efficient and effective manner to ensure its speedy finalisation.

Broadly stated, the principles for the successful implementation of case flow management are that early in the litigation process court intervention and continuous control over the progress of the case by a Judicial Officer can be established.

Pre-trial conferences will be held to ensure cases are trial ready and can be certified as such by a Judicial Officer. This results in firm and credible trial dates being set and adhered to by all parties. To assist with this, provision is made for a court to impose appropriate sanctions if a party does not comply with these rules, time-lines or an order of the court.

Further, through engaging the litigants at pre-trial phase, the case management Judge can encourage settlement where appropriate in an effort to finalise the dispute between the parties in a speedy, efficient and cost-effective manner.



The South African Judiciary introduced judicial case management in the High Court in 2013, through a pilot project. The objective of the pilot project was to expedite the flow of civil cases in the High Court to attain the speedy finalization of such cases and to clear backlogs in the courts.

The project was initially implemented in October 2013 in three (3) Divisions of the High Court, namely, Gauteng Division, Western Cape Division and Kwa-Zulu Natal Division, and was subsequently extended to all Divisions of the High Court.

In the absence of Rules of Court regulating judicial case management, the Judicial Case Flow Management Committee (JCFMC), which operates under the auspices of the Heads of Court, and chaired by former Deputy President of the Supreme Court of Appeal, Justice Mthiyane, developed Interim Practice Directives to serve as a guideline for the implementation of case management.

Court rules to facilitate this process were drafted, through consultation with the Judiciary, by the JCFMC and endorsed by the Heads of Court in 2017. The Rules were submitted to the Rules Board in 2017 and came into effect on 1 July 2019.

Ends.

Issued by the Office of the Chief Justice

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