



## OFFICE OF THE JUDGE PRESIDENT

**GAUTENG DIVISION OF THE HIGH COURT OF SOUTH AFRICA**  
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10 January 2020

To:-

1. Judges - Gauteng Division of the High Court, Pretoria and Johannesburg
2. Chief Registrar - Gauteng Division of the High Court, Pretoria and Johannesburg
3. Secretariat – Judicial Case Flow Management, Office of the Chief Justice
4. Secretary General, Office of the Chief Justice
5. The Rules Board for Courts of Law
6. Registrars - Gauteng Division of the High Court, Pretoria and Johannesburg
7. Legal Practice Council – Gauteng
8. Law Society of South Africa
9. Johannesburg Society of Advocates
10. Pan African Bar Association of South Africa
11. Gauteng Family Law Forum
12. Gauteng Attorneys Association
13. Pretoria Attorneys Association
14. Johannesburg Attorneys Association
15. West Rand Attorneys Association
16. General Council of the Bar of South Africa
17. National Bar Council of South Africa
18. National Forum of Advocates
19. Pretoria Society of Advocates
20. North Gauteng Association of Advocates
21. Church Square Association of Advocates
22. Advocates for Transformation
23. Black Lawyers Association
24. National Association of Democratic Lawyers
25. Office of the Director of Public Prosecutions, Pretoria and Johannesburg
26. Office of the State Attorneys, Pretoria and Johannesburg
27. Office of the Family Advocate, Pretoria and Johannesburg
28. Legal Aid South Africa



# JUDGE PRESIDENT'S PRACTICE DIRECTIVE 1 of 2020

## Re: Implementation of the CaseLines System in the Gauteng Division of the High Court, Pretoria and Johannesburg

### 1. Introduction

The Gauteng Division of the High Court, Pretoria and Johannesburg is implementing a digital/electronic case management and litigation system. The system is called CaseLines and is part of the Office of the Chief Justice's Court Online Project. The system broadly functions by way of case creation, party/legal representative invitation, document filing and uploading and case presentation. It enables litigants to file and upload pleadings and other documents electronically and to present their case and argument during Court proceedings. The pilot phase of the CaseLines system commenced in Gauteng in the third (3<sup>rd</sup>) Term of 2019 and was extended to the end of the fourth (4<sup>th</sup>) Term of 2019. The full implementation of the CaseLines digital/electronic system in Gauteng will take effect from 27 January 2020.

### 2. Purpose of the Directive

The purpose of this Directive is to give effect to the full implementation of the CaseLines electronic/digital system. Enclosed with this Directive is a Quick Reference Guide to the CaseLines system which sets out guidelines to a user on the process of registration through to the hearing of a case.

### 3. Directive

- 3.1 In terms of this Directive, Registrars are directed to create cases on the CaseLines system and thereafter invite parties and/or their Legal representatives to each created case they are involved in.



- 3.2 Upon invitation to a case on the CaseLines system, the Legal Representatives may invite all their respective Counsel to the case, where Counsel is briefed.
- 3.3 Upon invitation to their respective cases but not later than two (2) Court days from the date of invitation, the Plaintiff(s) and/or Applicant(s) through their Legal Representatives are directed to upload the necessary case record and/or other relevant Court documents onto their case(s) created on the system.
- 3.4 In the event that the Plaintiff(s)/Applicant(s) fails to upload the case record within the stipulated period, the Defendant(s)/Respondent(s) must upload the said case record and/or other relevant documents.
- 3.5 The responsibility to upload pleadings and other relevant documents, in cases issued from the beginning of Term 1 of 2020, save for cases initiated in the Urgent Court roll, shall lie with the party responsible for each particular pleading/document in line with the Rules of Court. Electronic uploading of pleadings and other relevant documents in terms of this clause shall amount to filing as contemplated in the Rules of Court. Consequently, from the commencement of Term 1 2020, the filing of pleadings and other relevant documents shall be by way of the uploading of the said pleadings and other relevant documents on the CaseLines system. NO hardcopy pleadings and other relevant documents shall be allowed on all cases designated for handling through the CaseLines system and created on the system. The exception shall be where the party(s) is unrepresented.



3.6 The success of the CaseLines litigation system is dependent upon registration on the system by Legal Representatives who litigate in the Gauteng Divisions of Pretoria and Johannesburg. The uploading of pleadings and documents onto the CaseLines system is also key to the success of the implementation of the system.

3.7 This Directive deals with the types of cases that will be issued and heard on CaseLines with effect from Term 1 of 2020, i.e., 27 January 2020 and applies to the Gauteng Division of the High Court, Pretoria and Johannesburg.

3.7.1 Matters set down for the 1<sup>st</sup> term that have been identified to be litigated/heard using CaseLines, are: Opposed and Unopposed Motions, Motion Interlocutory applications, Special and 3<sup>rd</sup> Court Motions, Commercial Court matters, Special and ordinary Civil Trials, Divorce actions, Case Management Conferences, Trial Interlocutory applications, Default Judgments in terms of Rule 31(5), Civil and Criminal Full Court Appeals (before 3 Judges), Civil and Criminal Full Bench Appeals emanating from the Lower Courts (before 2 Judges), Rule 43 applications, Summary Judgment Applications and Applications for Leave to Appeal.

3.7.2 Applications for provisional enrolment should be submitted per email to [JHBUEnrolment@judiciary.org.za](mailto:JHBUEnrolment@judiciary.org.za) for Johannesburg cases and [PTAUEnrolment@judiciary.org.za](mailto:PTAUEnrolment@judiciary.org.za) for Pretoria cases. Upon receipt the Registrar will supply the next available date(s) which the Party will have to confirm with the Registrar within 1 (one) day, failing which, the matter will not be provisionally enrolled.



The subsequent Notice of set down should also be sent to the email address in addition to uploading it into the CaseLines system.

3.8 The process applicable to the types of cases outlined in paragraph 3.7.1 above is set out below:

3.8.1 Special Motions and Commercial Court matters:

The Office of the Deputy Judge President shall notify the Chief Registrar's Office immediately once a matter is designated as a special motion or commercial court case. The dedicated CaseLines Registrar of the respective Court should also be copied in the notification via the dedicated email address indicated in paragraph 3.8.7.3 of this Directive, to ensure the creation of the matter on the CaseLines system followed by an invitation to the Parties' legal representatives and whereafter paragraph 3.3 of this Directive shall become applicable.

3.8.2 Opposed Motions:

All opposed motions with enrolment dates must be created on CaseLines as specified earlier in this Directive followed by the relevant invitation and uploading actions. The Registrar is directed to invite the Senior Judge and his/her Secretary to aid in the allocation process. The Secretary of the Senior Judge is thereafter directed to invite the relevant Judges and their Secretaries to the respective cases on the CaseLines platform.



3.8.3 Unopposed Motions and Motion Interlocutory applications, Rule 43, Summary Judgment applications and Divorces:

The Registrar shall ensure that all matters under this category are created on the CaseLines system followed by an invitation to the legal representatives for the case bundle uploading process to commence. The legal representatives are directed to upload the case documents by no later than 5 (five) court days prior the date of hearing of the matter whereafter the Registrar is directed to invite the relevant Judge and Judge's Secretary for further conduct of the matter until the finalisation thereof. Failure by the legal representatives to upload the case documents within the stipulated timeframe, will result in the matter not being enrolled on the final roll.

3.8.4 Default Judgment in terms of Rule 31(5)

3.8.4.1 All Default Judgment applications in terms of Rule 31(5) must be created on CaseLines by the Default Judgment Registrar, followed by the necessary invitation to the legal representative and uploading of the case bundles by the legal representative.

3.8.4.2 The request for creation of the case shall be directed to the Registrar at [JHBdefaults@judiciary.org.za](mailto:JHBdefaults@judiciary.org.za) for Johannesburg applications or [PTAdefaults@judiciary.org.za](mailto:PTAdefaults@judiciary.org.za) for Pretoria applications.



3.8.4.3 Upon receipt of invitation to the case, the Plaintiff's legal representative MUST upload the Rule 31(5) Application together with all supporting documentation onto CaseLines.

3.8.4.4 The Registrar shall, upon receipt of the documents referred to in paragraph 3.8.4.3 *supra*, and after having considered the application, make a decision in terms of Rule 31 (5) and cause his/her decision to be uploaded onto CaseLines for accessibility to the Parties.

3.8.4.5 If the Application for Default Judgment is granted, it is the Registrar's responsibility to sign and stamp the Draft Order or typed Order, whichever the case may be, and upload the Order onto the CaseLines system, whereafter paragraph 4.3 below will be applicable.

3.8.5 Civil Trials of long duration, (special civil trials), ordinary Civil Trials, Case Management Conferences and Trial Interlocutory applications:

3.8.5.1 All Civil Trials of long duration which have been designated as such by the Office of the Deputy Judge President and ordinary Civil Trials where pleadings have closed must be created on CaseLines followed by the necessary invitation to the legal representatives and uploading of the case bundles by the legal representatives.



3.8.5.2 Trial Interlocutory applications and Case Management Conferences should therefore also be handled on the CaseLines Platform. In the event that the matters to which these processes are related have not been created on CaseLines, notification should be given via the dedicated email address indicated in paragraph 3.8.7.3 of this Directive, to ensure the creation of the matter on the CaseLines system by the Registrar, followed by the necessary invitations.

3.8.6 Civil and Criminal Full Court Appeals:

3.8.6.1 These appeal matters must be created on CaseLines by the Registrar followed by the necessary invitations and directions for uploading of the relevant bundles. In all Criminal Appeals where the Appellant(s) is represented by Legal Aid South Africa (Legal Aid SA) the Legal Aid SA Legal Representative is directed to ensure that an electronic version of the appeal case bundle and annexures/exhibits mirroring the original index of the case is scanned and uploaded onto the CaseLines platform. In instances where the Appellant(s) has private legal representation, it is the responsibility of his/her Legal Representatives to ensure that the electronic case bundle is scanned and uploaded onto the CaseLines system.

3.8.6.2 In all Civil Appeals, it is the responsibility of the Appellant's Legal Representative to ensure that an electronic version of the appeal case bundle and annexures, with each document scanned





individually to mirror the hardcopy index of the case, is uploaded onto the CaseLines system.

3.8.6.3 The Registrar of Appeals (criminal and civil) is directed to create the appeal case on the CaseLines platform once the Notice of Appeal has been filed. This applies to historical cases that were not handled on the CaseLines system. The Registrar is thereafter directed to invite the respective parties/Legal Representatives to the case created on the CaseLines system.

### 3.8.7 Applications for leave to appeal (Civil and Criminal):

3.8.7.1 In Applications for Leave to Appeal where the main action/application was not heard using the CaseLines platform, the Applicant(s) shall, within the applicable period in terms of the Rules of Court, notify the CaseLines Registrar of his/her/it's intention to file an application for leave to appeal.

3.8.7.2 The notification should include the case number, Parties' details, the name/s of the Judge/s and the date of Judgement.

3.8.7.3 The notification should be emailed to [JHBCaselines@judiciary.org.za](mailto:JHBCaselines@judiciary.org.za) in respect of a Johannesburg matter and to [PTACaselines@judiciary.org.za](mailto:PTACaselines@judiciary.org.za) if it is a Pretoria case. The



Registrar shall upon receipt of the notification create the case on the CaseLines system. The Applicant shall then be obliged to upload the application for leave to appeal and proof of service.

#### **4. Judgements and Court Orders**

4.1 In respect of Judgements that are handed down subsequent to proceedings conducted on the CaseLines platform, all Judges Secretaries are to ensure that the Judgments to such matters are uploaded onto the CaseLines system and linked to the cases concerned. Judges Secretaries shall ensure that the outcome of each case is recorded on the particular case's CaseLines system cover page, to reflect the endorsement on the particular court file.

4.2 In all cases where a draft order is made an Order of Court, especially in the Unopposed Motion and Civil Trial Courts, the Registrar shall stamp each Draft Order accepted as such by the Judge on the same day. The Judges Secretary shall thereafter ensure that the stamped Draft Order is uploaded onto the respective case on the CaseLines system.

4.3 Each order granted shall be typed, vetted, stamped and signed by the Registrar who shall ensure that the Court order is uploaded onto the respective case on to the CaseLines system.

4.4 All Court orders of matters handled through the CaseLines system shall be available within 7 (seven) Court days of the date of the order. Any party and/or Legal Representative

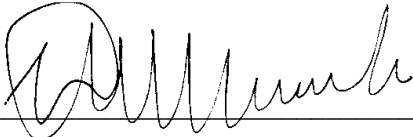


requiring a Court order emanating from a case handled through the CaseLines system MUST download it from the relevant case on the CaseLines system.

4.5 NO in person requests for Court orders of matters handled through the CaseLines system shall be entertained save where a party was not legally represented.

4.6 All requests for historic archived files received per the JHBFiles@judiciary.org.za email file request system, will result in the Registrar creating the case on CaseLines and inviting the requesting Legal Representative who will be responsible to upload the documents and invite the opposing party's Legal representative. Where requests are made for historic Court Orders the Registrar will create the case, upload the order and invite the Legal Practitioner who must access the order(s) on CaseLines.

This Directive will come into effect on 27 January 2020.



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**D MLAMBO**  
**JUDGE PRESIDENT OF THE GAUTENG DIVISIONS OF THE**  
**HIGH COURT OF SOUTH AFRICA**

