



OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA

**OFFICE OF THE JUDGE PRESIDENT M F LEGODI
MPUMALANGA DIVISION OF THE HIGH COURT**

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THE HIGH COURT OF SOUTH AFRICA
MPUMALANGA DIVISION
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ROOM CF65
NELSPRUIT

25 March 2020

TO: ALL LITIGANTS AND PRACTITIONERS

**RE: SHUTDOWN ANNOUNCED BY THE PRESIDENT OF THE COUNTRY
AND DIRECTIVE**

As you might be aware, the President of the country has introduced other measures to avoid the spread of Corona-Virus and with effect from midnight on Thursday 26 March 2020 there shall be a three-week shutdown.

Certain institutions like health workers in public and private health services, emergency personnel, security service such as police and soldiers, those involved in the production and supply of food and basic goods and those working in the essential services are exempted from the shutdown.

As a result of the shutdown and in terms of the delegated authority to every head of court issued on 24 March 2020 by the Chief Justice in terms of section 8(3) of the Superior Courts Act, I hereby direct as follows:

1. All matters enrolled for 27 March until 16 April 2020 shall not be proceeded with. Instead, such matters shall be placed on the respective case management rolls, as soon as the shutdown has ended.
2. Parties or parties' legal representatives in civil matters enrolled already on the second case management roll or on the civil trial roll, shall by way of an email or telephone continue to hold pre-trial conferences as contemplated in paragraph 5 of Form A read together with paragraph 2.11 to 2.13 of the Practice Directive.
 - 2.1 Failure to hold pre-trial conference as per paragraph 2.11 to 2.13 of the Practice Directive will result in the matter being placed on the first case management roll after the expiry of the shutdown.
3. Unopposed applications which are on the roll for the period 27 March to 16 April 2020 shall be regarded as postponed and are enrolled as follows:
 - 3.1 Those enrolled for Mondays 30 March 2020 and 6 April 2020 are hereby enrolled for Thursday 30 April 2020.
 - 3.2 Those enrolled for Friday 3 April 2020 and Thursday 9 April 2020 are hereby enrolled for Friday 15 May 2020.

3.3 Any rule nisi shall be regarded as having been extended to the dates indicated in paragraph 3.1 and 3.2 above.

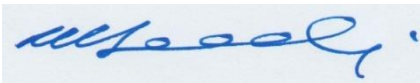
4. During the shutdown, only extreme urgent matters that cannot wait until the expiry of the shutdown, will be entertained. In such matters, please contact us on cellphone number **081 737 7649**.

5. As regard postponement of criminal matters, the following directive is issued:

5.1 All matters where accused persons are kept at Correctional Facilities must be remanded in absentia for the period not exceeding 14 days calculated from date on which they have been enrolled and not from the dates on which their matters have been brought forward for provisional postponement. This will apply until the lapse of the State of disaster as declared by the President of the country.

5.1.1 For the of paragraph 5.1 above, arrangements have been made that all matters where accused persons are in custody will be brought forward to be laid before a judge or judges in the absence of accused persons on Thursday 26 March 2020 for the purpose of the extension of the detention warrants

- 5.2 All criminal court matters where accused persons are on bail or on warning and their matters are enrolled for trial or enrolled for case management conference including part-heard matters for the period 27 March to 16 April 2020, shall be regarded as been postponed *sine die* in the absence of the accused persons and such accused persons shall be served within 14 days from date hereof with the summons for the new trial dates.
- 5.3 Criminal matters which are on the case management roll during the recess period between 27 to 9 April 2020, shall be regarded as postponed *sine die* and shall proceed on trial on the dates to which they have been enrolled without having been case managed, except that cases enrolled for trial during the period 13 to 16 April 2020 (first week of second Term), shall be dealt with in terms of paragraphs 5.1 to 5.2 above.
- 5.4 Should any of the matters referred to in paragraph 5.3 above not be ready to proceed for trial on the dates so enrolled, the Judge presiding shall case manage the matter as contemplated in paragraph 12.1 to 12.7 of the Practice Directive.



ISSUED BY: MF LEGODI

JUDGE PRESIDENT OF MPUMALANGA DIVISION OF THE HIGH COURT