



**Minutes of the  
 Legal Services Technical Committee  
 Held on 24<sup>th</sup> March 2010, 6<sup>th</sup> Floor, Legal Aid House**

**MEMBERS PRESENT:**
**Chairperson:**

Brian Nair (NOE)

**Members:**

Jerry Makokoane (COO), Cordelia Robertson (CR), Vincent Mayisela (VNM), Thembile Mtati (TM), Martha Mbhele (Martha), Wilna Lambley (WL), Patrick Hundermark (LDE)

**Board Members:**

No Board member required

**Invited Attendees:**

Bee-Mari Schoeman [Legal Service Delivery] (BS), Rupert Roos [Legal Service Delivery – Data Unit] (RR)

**SECRETARIAT:**

Nadeen Long

<b>1.</b>	<b>Welcome and Apologies</b>
1.1.	<b>Welcome:</b> The meeting was declared open and all present were welcomed. It was noted that there will be no LSTC meeting in June.
1.2.	<b>Apologies:</b> Apologies were received from Vela Mdaka (VM), Michael Miller (MM), Upkaar Mungar (UM) and Dick Khubana (DK) who are attending conferences on behalf of Legal Aid South Africa. Jerry Makokoane (COO) was excused to attend to urgent matters.

<b>2.</b>	<b>Minutes</b>	<b>Responsible Person</b>	<b>Due Date</b>
2.1.	<b>Minutes of the previous meeting dated 25 February 2010:</b> The minutes were confirmed and accepted.		
2.2.	<b>Matters Arising:</b> Please refer to the LSTC-Decision Sheet. All members are requested to update progress, before the meeting.		

**SECTION A – Co-Operation Agreements**

<b>3.</b>	<b>Co-Operation Agreements:</b>		
3.1.1	<b>Administration of Estates: Children - Pilot Project Statistics:</b> The stats were noted. RR was requested to add a YTD column.	RR	Soonest
3.1.2	<b>Update on Administration of Estates: Children – Pilot Project:</b> It was noted that the staffing of the Estate unit was discussed at NOE/ROE Session. It was noted that with the introduction of civil units, it would be possible that additional CAs and civil PAs also participate in estate unit matters. Hence, we must monitor demand at these units in a more holistic level.		

	<p>The question of funding in respect of the FIFA World Cup Courts was raised. It was noted that they wanted us to spend the money and claim it back. They do not want to pay up front. WL was requested to facilitate a meeting and invite Rebecca (copy Jerry and Brian) to discuss the issue of funding.</p> <p>The plan for the World Cup was discussed, including the location of all designated courts. ROEs were requested to ensure that they monitored this issue carefully for their regions.</p> <p>It was noted that if a matter remains pending beyond the period the period established for these world cup courts, we may then request these practitioners to take on these matters on a Judicare basis. We must only identify accredited attorneys and they must be experienced practitioners.</p> <p>BS to send out this email survey weekly. World Cup email group to be created.</p>	<p>WL</p> <p>ROEs</p> <p>BS</p>	<p>Soonest</p> <p>Immediate</p> <p>Soonest</p>
4.1.5.	<p><b>Judicare – Verify Instruction:</b> The NOE explained the difficulties that were encountered when JCs did not complete the verify step as part of the Judicare instruction process. ROEs were therefore requested to ensure that they discuss this item at their JCE forums to ensure that this step is timeously done. It was agreed that Judicare instructions must be verified within 5 days. (Signed LA2 form must be sent back within 5 days.) These LA2's can be faxed or scanned immediately and the original can be sent by post.</p> <p>DK was requested to include in the next Judicare newsletter a reminder to Judicare practitioners to return the signed LA2 forms within 5 working days of receiving same and that non-compliance with this requirement may result in the instruction to them being terminated and reallocated. The LDE was also requested to include this in the Legal Aid Guide.</p> <p>ROEs were reminded that regions are not to do any transfers for Judicare (in or out) as this budget will be managed from National Operations Department until the end of this financial year. Further, noting the constraints on the Judicare budget, JCs requiring the use of Judicare must seek authorisation from the NOE's office</p> <p>ROEs were requested to do an analysis of Judicare in their regions. The current usage of Judicare is very skewed, it being noted that one JC alone accounts for 15% of the Judicare budget. This issue will need to be more carefully managed going forward.</p>	<p>ROEs</p> <p>DK</p> <p>LDE</p> <p>ROEs</p>	<p>Next JCE forum</p> <p>Soonest</p> <p>Soonest</p> <p>Soonest</p>
4.1.6.	<p><b>Allocation of Senior Litigator – LP/MP:</b> The request for a Senior Litigator in the LP/MP region was withdrawn by the ROE for L/Mp, it being noted that the high court is still to be established in the province.</p>		
4.1.7.	<p><b>Allocation of Senior Litigator – EC:</b> The request for a Senior Litigator in the EC region was approved. BS was requested to update recruitment reports as well as to facilitate the transfer of the budget. The ROE was requested to immediately commence recruitment for this position to be based at the Mthatha JC.</p>	<p>BS</p> <p>TM</p>	<p>Immediate</p> <p>Immediate</p>

10.1.2.	<b>Legal Training Programme 2009/2010:</b> The report was noted.		P
10.1.3.	<b>Administration of Estates – training material by Justice College:</b> The report was noted.		
10.1.4.	<b>Child Justice Training Manual:</b> The report was noted. Because of urgency plan a Saturday training session.		
10.1.5.	<b>Child Justice Manual Programme for Training at JCs:</b> The report was noted. ROEs were requested to ensure that their JCEs meet with their legal staff and decide collectively how they will roll out this training without disrupting their courts. Regions were requested to provide details of each JCs training plan for this Child Justice training programme to the training co-ordinator. It was noted that LDD will provide the training materials in order for JCs to conduct these training sessions at their JC, including power point presentation/manuals/trained trainer. A certificate will also be given to all practitioners at JCs who have done this training.  ROEs were requested to discuss the training programme for each JC with the respective JCEs. There were requested to ensure that the programme covers at least 12 hour training session. It was suggested that JCs should also consider utilising at least one Saturday for this training. All JCs were requested to ensure that by the end of April each practitioner would have been trained on the Child Justice Act. It was noted that the course to train JC trainers will be held on 6/7 April and 8/9 April i.e. two sessions.	JCEs  ROEs	

### SECTION D – FOR COMMENT AND NOTING

11.	<b>Legal services delivery – Increasing access</b>		
11.1.	<b>Criminal Courts Coverage</b>		
11.1.1.	<b>Tracking of Prisoner Letters Summary:</b> The report was noted.		
11.1.2.	<b>High Court Review Stats:</b> The report was noted.		
11.2.	<b>Children's Matters</b>		
11.2.1.	<b>Children's Matters – Criminal: All stats on legal aid in criminal matters:</b> The report was noted.		
11.2.2.	<b>Children's Matters – Civil: All stats on legal aid in civil matters granted:</b> The report was noted. RR was requested to look into why estates are not included in children's civil stats.	RR	Next meeting
11.3.	<b>Appropriate Staffing Levels Maintained</b>		
11.3.1.	<b>% Recruitment Status 28 February 2010:</b> Report not yet available.		
11.3.2.	<b>Recruitment Stats as at end of February 2010:</b> Report not yet available		
11.3.3.	<b>Conversion of PA to SPA – SO FY09/10:</b> Report not yet available		
11.4.	<b>Justice Centre Productivity</b>		
11.4.1	<b>JC Pending Matter Stats – Internal February 2010:</b> The report was noted. ROEs were requested to monitor actively, and ensure numbers come down.	ROEs	Soonest
11.5	<b>Delivery Infrastructure</b>		