

JOHANNESBURG SOCIETY OF ADVOCATES

GUIDELINES FOR PUPILLAGE

ADMISSION

- Before commencing pupillage, Pupils must be admitted as advocates of the High Court or at least have served and filed their applications for admission as advocates of the High Court.
- Pupils may, in exceptional circumstances, apply in writing to the Chairperson of the Pupillage and Advocacy Training Committee for exemption from this requirement. Any such application must show good cause why exemption should be granted. Applications for exemption should be submitted simultaneously with your application. Pupils who receive exemption should, however, be admitted as an advocate of the high court or at least have made application to be so admitted before you commence pupillage. .
- No pupil may write the GCB National Board Examinations if he or she has not been admitted as an advocate of the High Court. Pupils are therefore advised to ensure that they have either been admitted or served and filed their applications to be admitted as an advocate of the High Court timeously as set out above.
- Precedents for the application to be admitted as an advocate of the High Court are available from the Bar Council administration staff.
- Pupils are advised to attach their matric certificates or suitable equivalent to their applications for admission. Whilst this is not strictly a requirement in the Admission of Advocates Act, many judges do however require such certificates to form part of the application. The pupils are therefore advised to take the necessary steps to obtain such certificate timeously in the event that they do not have such in their possession.

BURSARIES AND LOANS

- Pupils in need of financial assistance may apply to the Bar Council for bursaries and/or loans to assist them with necessary expenses while completing their pupillage by means of completing the standard form application. Pupils may request the standard form application from the administration offices of the Bar Council. Applications for financial assistance must be submitted by no later than the date of registration to Mrs Maria Ferreira at the Bar Council offices.
- Such applications are determined in February and applicants will be notified of the outcome of their applications by the end of February by the Bar Council administration staff.

LIBRARY ORIENTATION

- Library orientation will take place during the first full week of pupillage, being the week after pupils have enrolled, as follows:
 - o On Monday afternoon (the current legal writing lecture slot), Lydia Craemer will address pupils in the lecture hall.
 - o From Monday to Friday there will be practical orientation in the library in ten sessions of approximately eight pupils each, at 10:00 in the morning and again at 14:00 in the afternoon.
- Pupils will, in their letters of acceptance, be informed of the library orientation arrangements and given a list of the works that they will need access to.
- Extracts of such materials will not be provided by the Bar Council.
- Pupils are to make their own arrangements to secure access to such materials.

LECTURES

- Pupils must regularly check the notice board and keep up to date with your emails and SMSES in the lecture room for notices and lecture timetables.
- Pupils must diarise all the lecture dates and times.

- The materials for lectures are furnished to the Bar Council administration staff for onward transmission by email or for pupils to collect. Alternatively the materials are made available on lecture days.
- Certain lecturers may hand out materials to pupils at their own discretion.
- All lectures are compulsory and absence will only be allowed on good cause shown. A record of attendance will be kept and furnished to the General Council of the Bar in terms of its requirements.
- Pupils are advised to prepare for the lectures by reading over the section/s that will be covered in the lectures prior to the lecture in order to understand the course content and raise questions should they experience any issues with the section/s.

EXERCISES

- Pupils are to complete all the prescribed exercises, which are available to pupils via Dropbox.
- The group pupillage co-ordinators have access to model answers to exercises via Dropbox. They will make them available to pupils, on request, once exercises have been completed.
- It is advisable that pupils complete these exercises on a weekly basis from the onset in preparation for the examinations and in order to have them completed by the end of pupillage.
- Completion of the exercises is compulsory and pupils are required to submit all of their workbook exercises to their mentor in order to obtain their final certificate from their mentor at the end of their pupillage.

EXAMS

- Study materials for the exams will be available in approximately March and pupils will be notified when they are ready for collection from Mrs Maria Ferreira at the Bar Council offices .
- Examination materials will be furnished to pupils approximately early March.

- The Bar Council administration staff will receive the mock examination dates from the General Council of the Bar (“GCB”). The mock examinations usually take place in July and the final examinations in August, subject to the GCB’s right to vary the dates.
- Model answers to past examination papers are not available to pupils or members of the Bar.
- Mock examinations will be conducted in the main lecture hall of the Johannesburg Bar Council offices, under the same rules and conditions as the final examinations.
- The mock examinations will be marked by the pupils’ respective mentors who are thereafter required to forward the marks to the Bar Council administration.
- There are past examination papers available on the Dropbox folder, you will be sent a link to download it or you may request for it to be copied onto a flash drive provided by the pupil.

STUDY GROUPS

- Pupils will find it beneficial to systematically digest the experiences that they have during their pupillage and systematically prepare for their examination, by sharing the task with other pupils in a study group.
- Pupils are encouraged to form study groups in small numbers of at least three and at the most five members.
- The importance of forming good relationships with your pupil peers cannot be overstated.

ADVOCACY TRAINING

- Pupils will receive a file of materials for advocacy training for the first half of the year, which will commence with an introduction in February.
- There will be an advanced advocacy training weekend in approximately end of November for pupils who have passed the examinations.
- The Bar Council boardrooms and facilities are not to be used for preparation for advocacy training sessions. If pupils wish to prepare for

advocacy training sessions in their respective advocacy training groups, they are to use their respective mentors' group boardroom or library facilities.

COURT REQUIREMENTS

- Pupils shall maintain a record of their attendance in trials, opposed motions, appeals etc and other requisite attendances at court.
- The record for completion is available via Dropbox in the PDF file folder named: "Introduction".
- A pupil's attendance in trials, opposed motions, appeals etc is to ensure that pupils gain experience in Court, during pupillage, in preparation for practise as an advocate. It is for this reason that pupils are advised against merely writing down matters that were proceeding at Court which they did not physically attend or stay for. It is also advisable that pupils attend matters in which they assisted in the preparation and/or were involved in the witness consultations. Matters which are postponed will not count as matters attended, even if the pupil assisted in the preparation and witness consultations.

ACTIVITIES AND WORK PERFORMED DURING PUPILLAGE

- Pupils are required to keep a written, up-to-date daily diary of his/her activities and work performed during the period of pupillage (this includes drafting, consultations etc).
- This diary shall contain meaningful entries in regard to where, when and what work was done, whether or not it was performed with the pupil's mentor or with another member of the Bar.
- From time to time pupils will be invited to meet with members of the Pupillage Committee to discuss details of the work they have done and their experiences in the course of their pupillage.

- At the end of year you will be required to fill in a mentor's certificate with your mentor and your mentor is to sign off the work you have completed.

DIVORCE COURT PROGRAMME

- Pupils are required to attend the Divorce Court programme and move unopposed divorces in the High Court. However, no pupil who is not an admitted advocate may move any matter in the High Court.
- Once a pupil has been admitted as an advocate they are required to inform the Bar Council administration and are required to uplift their court order for their admission and provide the Bar Council with a copy. No pupil may appear in the Divorce Court programme until the Bar Council has received their admission certificate.
- The pupils will be advised in due course of what the divorce court programme consists of.

MENTORS

- Pupils will be informed of the identity of their mentor and the group that they will be completing their pupillage in on the day that they register for pupillage in January.
- Mentors will play an important role during the course of a pupil's pupillage and it is for this reason that it is imperative that any problems with mentors or conflict that cannot be resolved is reported to the Bar Council in order to attempt to resolve the situation or arrange a new mentor.
- Pupils are reminded that their mentors are assisting them out of their own time and are making their chambers available during the course of the pupillage and pupils are to respect such sacrifice by their mentors.
- It is important for pupils to be involved in their mentors' practises as much as possible in the form of shadowing, drafting and asking mentors for clarity on any issues pupils may have.

- The purpose of the pupillage is not merely to attend classes, do practical exercises and pass the examinations, but to be trained to practise as an advocate and all that such entails. It is imperative that pupils use this time to observe what practising as an advocate entails by attending Court and gaining practical experience. Much of the work of an advocate cannot be taught in books and lectures but must be learned from observation of advocates in court and in consultations.

INTRODUCTION TO THE MEMBERS OF THE GROUP IN WHICH PUPILLAGE IS BEING COMPLETED

- It is imperative that pupils introduce themselves to the members of their group in which they are completing their pupillage, in the first few weeks of their pupillage.
- Pupils are also required to introduce themselves to as many senior counsel at the Bar

CERTIFICATE TO MOVE UNOPPOSED MOTIONS FOR UNOPPOSED FEES

- Pupils are allowed to begin moving unopposed motions for a fee when they receive their certificate from the Bar Council.
- In order to obtain the certificate, mentors are required to send a letter to the Bar Council Secretary Maria Ferreira jhbadmin@law.co.za
- Mentors may only begin sending the abovementioned letter from end of June and the Bar Council will begin issuing the certificates from the end of June for pupils to commence from the 1 July.
- Pupils are ONLY allowed to start moving unopposed motions and MAY NOT draft opinions. Pupils are required to carry their certificates with them when moving unopposed motions and may be asked to show the Judge their certificate.
- Prior to receiving this certificate pupils are allowed to move unopposed matters under the supervision of their mentor or a surrogate mentor but are not allowed to charge fees, and are ONLY allowed to move them

once they have received their order for their admissions as an advocate of the High Court.

- Moving matters under the supervision of a pupil's mentor or surrogate mentor is encouraged in order for pupils to gain the necessary experience in appearing in Court and moving matters.

ISSUING OF FINAL CERTIFICATE ONCE EXAMS HAVE BEEN COMPLETED AND PASSED

- Once pupils receive a call from Mrs Maria Ferreira informing them that they have passed without an oral, she will then issue a certificate informing the said pupils that they can appear in all courts, forums and tribunals in the Republic (save for the Constitutional Court and the Supreme Court of Appeal) in all categories of cases. Those pupils who have orals will only receive such certificate if they successfully pass their oral examinations.

APPLICATIONS FOR MEMBERSHIP TO CHAMBERS

- Pupils may start applying for chambers at the different groups from 1 June.
- Pupils may request a complete list of all the Group leaders from the Bar Council administration for purposes of applying for Chambers.

GENERAL

- Pupils are not to reply to short message services (sms) sent by the Bar Council administration staff. It is preferable to contact Jacqueline De Gouveia telephonically on 011 292 6900 or email her at trainingjhb@law.co.za in regard to any queries related to advocacy training. If the query has to do with pupillage, please email Mrs Maria Ferreira at jhbadmin@law.co.za.
- The Dropbox folder contains *inter alia* pupils' exercises, which courts pupils must attend and the number of attendances required, the past examination questions and the examination syllabus.

- It is recommended that pupils do not confine themselves only to the groups that they are completing their pupillage in and that they interact with pupils from other groups and become involved in other groups too.
- Pupils are free to contact any member of the pupillage committee to discuss any matter of concern, at any time.