

COMMITTED TO BUILDING A BETTER LEGAL PROFESSION FOR ALL

IN THIS EDITION

1. Have your say on the draft amended Code of Conduct
2. Accreditation and enrolment of court-annexed mediators
3. LSSA Arbitrators/Mediators Panel
4. Engagement with Chief Registrar of Deeds on e-DRS: Response form
5. AIIF: New prescription alert system
6. Professional examination dates for 2019: Admission exam syllabus available
7. Practice Management Training: Second intake for 2019
8. Online training through LEAD: Business rescue and Medical Law courses

HAVE YOUR SAY: LEGAL PRACTICE COUNCIL CODE OF CONDUCT

The Legal Practice Council (LPC) gazetted the draft amended Code of Conduct for public comment on 21 December 2018 in terms of s 36(5) of the Legal Practice Act 28 of 2014 (LPA). **The deadline for comment is 7 February 2019.**

Practitioners are urged to interrogate the Code carefully and submit their comments either to the LSSA or to the LPC direct. In terms of s 36(2) of the LPA, the Code of Conduct serves as the prevailing standard of conduct, which legal practitioners, candidate legal practitioners and juristic entities must adhere to; and failure to do so constitutes misconduct.

Written comments can be sent to Kris Devan at the LSSA: kris@LSSA.org.za by 30 January 2019, or direct to the Legal Practice Council at codeofconduct@lpc.org.za. Comments can be hand delivered to the LPC at Proforum Building, 123 Paul Kruger Street, Pretoria.

The draft code deals with

- the conduct of attorneys: approaches and publicity; specialisation and expertise; sharing of fees; sharing of offices; payment of commission; naming of partners and practice; replying to communications; naming in deed of alienation; specific provisions relating to conduct of attorneys; misconduct;
- the conduct of referral advocates and advocates with trust accounts;
- the conduct of legal practitioners and candidate legal practitioners in relation to appearances in court and before tribunals: general; interviewing of witnesses of the opposing party in civil proceedings; interviewing of prosecution witnesses by defence legal practitioner; and
- the conduct of legal practitioners not in private practice.

[View the notice from the Legal Practice Council here.](#)
[Download the draft Code of Conduct here.](#)

ACCREDITATION AND ENROLMENT OF COURT-ANNEXED MEDIATORS

The Department of Justice and Constitutional Development (DoJ&CD) has, through its website, invited applications from suitably qualified persons to be enlisted in its Panel of Mediators to provide mediation services at specified courts/places appointed for the adjudication of civil disputes.

Court-annexed mediation services will, according to the DoJ&CD, be extended to specific Regional Courts in the Eastern Cape, Free State, KwaZulu-Natal, Northern Cape and Western Cape during 2019.

Applicants must complete the prescribed application form and submit it to the relevant addresses provided on the DoJ&CD's website on or before **the closing date of 31 January 2019**. The application form provides, among others, that every applicant for accreditation as a mediator must complete 40 hours of contact training received through an institution which offers mediation training and is approved by the Minister of Justice and Correctional Services.

[Click here](#) to access the mediation section on the DoJ&CD website.
[Click here](#) to access the application form for accreditation and enrolment on the Panel of Court-Annexed Mediators on the DoJ&CD website.
[Click here](#) for more information on the LSSA's LEAD Civil Mediation Course, primarily designed to prepare attorneys to be mediators.

APPLY TO BE ON THE LSSA ARBITRATORS / MEDIATORS PANEL

The LSSA regularly updates its panel of legal practitioner arbitrators, mediators and experts which is used as its primary source when the LSSA is called upon to appoint or nominate arbitrators/experts/mediators in contractual and other disputes. Applicants must be practising attorneys and/or advocates, and must possess sufficient relevant experience in a specialist field of practice. The LSSA will take into account its briefing-pattern policy when recommending appointments. The LSSA will also confirm good standing of applicants with the Legal Practice Council.

[Click here to complete and submit the online application form.](#)
Alternatively, e-mail Kris Devan at kris@LSSA.org.za for a link to the online application form.

ENGAGEMENT WITH CHIEF REGISTRAR OF DEEDS ON E-DRS

Between November 2018 and January 2019, the Office of the Chief Registrar of Deeds held engagement sessions with conveyancers on the latest developments with regards to the Electronic Deeds Registration System (e-DRS). A business requirements template was presented at the engagement sessions. As per the discussions during these engagements, the form containing input and comments can be submitted to the Department of Rural Development and Land Reform at edrs@drdlr.gov.za and copied to the LSSA, for attention Kris Devan, at kris@LSSA.org.za.

[Click here](#) to download the Department's e-DRS business requirements form for input.

ATTORNEYS INSURANCE INDEMNITY FUND: NEW PRESCRIPTION ALERT SYSTEM

In an attempt to enhance its service offering to the profession, the Attorneys Insurance Indemnity Fund NPC (AIIF), has developed a new IT platform on which the Prescription Alert system is run. The Prescription Alert system is a back-up diary system made available to the profession at no cost. All time-barred matters can be registered on the Prescription Alert system.

Prescribed claims remain one of the main sources of professional indemnity claims. Practitioners conducting litigious matters of any sort are encouraged to register their matters on the system and to adhere to the reminders sent out by the system. In terms of the AIIF Master Policy, a penalty deductible (excess) is applied in the event of a claim where the matter was not registered with the Prescription Alert system and/or the reminders sent out by the system.

Practitioners may access the system at <https://palert.lpiif.co.za/>. The Prescription Alert Unit team may be contacted on (021) 422 2830 or by e-mail: alert@aiif.co.za.

PROFESSIONAL EXAMINATION DATES FOR 2019

The examination dates for 2019 are as follows:
- **Attorneys admission examinations**
6 and 7 March 2019 (Registration deadline: 12 February 2019)
21 and 22 August (Registration deadline: 30 July 2019)
[Download the syllabus here.](#)
- **Conveyancing examination**
10 April 2019 (Registration deadline: 19 March 2019)
11 September 2019 (Registration deadline: 20 August 2019)
- **Notarial examination**
11 April 2019 (Registration deadline: 20 March 2019)
12 September 2019 (Registration deadline: 21 August 2019).

Registration for all the above examinations will be with the Legal Practice Council:
Gauteng provincial office: exams@lpc.org.za
Western Cape provincial office: infowc@lpc.org.za and caronj@lpc.org.za
KwaZulu-Natal provincial office: mary@lawsoc.co.za
Free State provincial office: infofs@lpc.org.za and ljzem@lpc.org.za

PRACTICE MANAGEMENT TRAINING FOR LEGAL PRACTITIONERS

In terms of the Legal Practice Act 28 of 2014, practice management training (PMT) must be completed to the satisfaction of the Legal Practice Council before 31 December of the year following the year in which the first Fidelity Fund certificate was issued to a practitioner. This deadline is the latest by when the training must be done. It can be done earlier should the practitioner prefer. In certain circumstances, a practitioner can apply to the Council for an extension or exemption on the basis of prior experience and/or qualifications.

The LSSA's legal education and development section, LEAD, has been accredited by the Legal Practice Council to provide PMT in 2019. The registration deadline for the second intake for 2019 is 31 May 2019. The course will start in July 2019.
[Read more here.](#)

TRAIN ONLINE: INVEST IN UPDATING YOUR SKILLS THROUGH LEAD

LEAD has been accredited as a legal education training provider by the Legal Practice Council for 2019.

Online Advanced Short Course in Business Rescue Practice

This online course, which is presented in cooperation with Unisa, will give you the necessary skills to act as a business rescue practitioner and fulfil your duties in accordance with the letter and spirit of the law. You will also be able to advise and protect the interests of your clients who may find themselves involved in business rescue proceedings as directors, creditors, shareholders or employees of a company in financial distress. The course is run online through Unisa's MyUnisa portal, and runs from February to July 2019. Registration closes on 28 February 2019.
[Read more here.](#) Or e-mail Bettie Lubbe at bettie@LSSALEAD.org.za.

Online Medical Law Course

The course runs online on LEAD's e-LEADer platform from 11 March to 10 May 2019. Registration closes: 1 March 2019. This course focuses on the basic principles of medical law and specifically on medical negligence. Increasingly, more attorneys are pursuing these types of claims without having received training in this *sui generis* type of delict - the principles of which differ from other delicts. Participants will learn, amongst other things, about these differences and how to approach litigation in medical law in a practical manner.
[Read more here.](#)

DE REBUS
www.derebus.org.za

LAW SOCIETY
OF SOUTH AFRICA

Contact the LSSA
E-mail: contact@LSSA.org.za
Tel: +27 (0)12 366 8800

Twitter:
[@LawSociety_SA](https://twitter.com/LawSociety_SA)
[@DeRebusJournal](https://twitter.com/DeRebusJournal)

Contact LEAD
E-mail: info@LSSALEAD.org.za
Tel: +27 (0)12 441 4600

Contact De Rebus
E-mail: derebus@derebus.org.za
Tel: +27 (0)12 366 8800