



LAW SOCIETY  
OF SOUTH AFRICA



2-DAY COURSE

## Upgrade Your Skills in Writing Documents for Litigation

*Stop relying on precedents and outsourcing!!*

*You can draft on your own.*



**2017**

**LEAD | Lifelong learning  
towards a just society**

Legal Education and Development (L.E.A.D)

Tel: +27 (0)12 441 4600 (switchboard)

Website: [www.LSSALEAD.org.za](http://www.LSSALEAD.org.za)

Address: PO Box 27167 Sunnyside 0132 | Docex 227 Pretoria  
Old Main Building, 145 Steve Biko Street, Sunnyside, Pretoria

*This practical skills course teaches the principles of drafting pleadings, notices of motion and affidavits.*

## Benefits of attending

- ✓ Learn to draft on your own without relying on precedents.
- ✓ Know how to instruct a legal practitioner and evaluate their work.
- ✓ Effectively advise your client when engaged in litigation.
- ✓ Understand how to draft in accordance with case management procedures as introduced in our courts.
- ✓ Acquire techniques in obtaining instructions and analyzing fact and law.
- ✓ You will write in a manner that is persuasive.

*SIXTY PERCENT OF THOSE WHO ATTENDED THIS COURSE STARTED DRAFTING ON THEIR OWN*

## Who should attend?

- ✓ Legal advisors in Government
- ✓ Corporate and in-house legal advisors
- ✓ Practitioners in dispute resolution
- ✓ Attorneys in litigation departments

## Instruction techniques

- ✓ The course will guide you step by step in how to deal with facts, laws and procedures. The emphasis will be on understanding concepts and practical skills transfer.
- ✓ The presentation will be interactive and participants will be encouraged to ask questions and engage in discussion.
- ✓ Participants will actually draft throughout the two day seminar. Learn from actually applying the techniques under supervision of an experienced practitioner.

**THE EMPHASIS WILL BE ON SKILLS TRANSFER**

## Expert presenter

**Ismail Hussain SC** is a former Judge of the High Court and Competition Appeal Court. He has been a highly popular LEAD trainer for many years. Mr Hussain SC is an expert in commercial drafting, opinion writing, litigation and case management. He is a published author.

## Dates, cities, times and fees

### Cities

Midrand : 23 & 24 October 2017

**Time:** 08:30 – 16:00

**Venue:** To be advised on registration

### Fees (VAT inclusive)

- Staff from a practising attorney's firm: R2 900
- Other professions: R4 200

## How to register

1. Complete registration form on pages 4 and 5
2. Email your completed form, proof of payment and copy of ID/Passport to [Merlin@LSSALEAD.org.za](mailto:Merlin@LSSALEAD.org.za).
3. Space is limited and registration is on a first-come first-serve basis.
4. If you do not receive confirmation of registration from LEAD within **five business days**, please follow up with Merlin September on (012) 441 4670.

## Course information contact person

**Merlin September:**

**Tel:** +27 (0)12 441 4652

## Course content

### Module One

- ✓ Writing technique, including plain language drafting and what is expected by Judges
- ✓ How to write in a manner that is persuasive
- ✓ Technique in taking instructions
- ✓ How to conduct fact analysis and legal research
- ✓ How to prepare chronology documents
- ✓ Reference to the practice directives in the high court

### Module Two

- ✓ Preparing to draft particulars of claim
- ✓ How to analyse facts and the law in deciding on a cause of action
- ✓ Reference to the uniform rules and how to comply
- ✓ Instruction on how to draft a cause of action
- ✓ Instruction on how to draft particulars of claim; there will be actual drafting exercises under guidance of experienced practitioners

### Module Three

- ✓ Preparing to draft a plea
- ✓ How to take instructions based on plaintiff's particulars of claim
- ✓ Assisting your client in crafting his defence
- ✓ How to effectively plead a defence
- ✓ Instructions on how to draft a plea, applying the uniform rules; there will be actual drafting exercises under guidance of experienced practitioners

### Module Four

- ✓ How and when to make a decision to proceed by way of Motion
- ✓ How to draft Notices of Motion with reference to practice directives
- ✓ This will include long form, short form and two part notices of motion
- ✓ Drafting specialized notices of motion for Search and Seizure and other interdicts
- ✓ Practical drafting exercises using case studies

### Module Five

- ✓ Taking instructions and analyzing fact for drafting a founding affidavit
- ✓ How to set out the facts of your cause of action technique in drafting an affidavit that is persuasive and in keeping with what Judges expect
- ✓ There will be a practical drafting exercise

### Module Six

- ✓ How to draft an answering affidavit
- ✓ The most effective method of setting out a defence
- ✓ There will be a drafting exercise to ensure skills transfer
- ✓ An explanation of what is required in a replying affidavit

### WHAT PREVIOUS DELEGATES SAID

- ✓ A must for any attorney. Excellent presentation
- ✓ I took annual leave and paid for this course myself – it was worth every cent!
- ✓ Concepts explained simply, inspirational!
- ✓ The course is very informative and raise my confidence as a legal representative
- ✓ An inspirational course – motivating all of us to write our own pleadings and affidavits. The presenter's passion for our profession reignited our own passions and ambitions. I am excited to start drafting my own documents

### ABOUT THE LAW SOCIETY OF SOUTH AFRICA

The Law Society of South Africa (LSSA) is the umbrella body for the attorneys' profession in South Africa. Its mission is to uphold and protect the values and principles of the Constitution, the rule of law and the independence and integrity of the attorneys' profession.

**Legal Education and Development (LEAD)**, the educational division of the LSSA, is responsible for the management of the course.

With 30 years of experience, LEAD is well placed to understand the needs of a modern-day law practice. A wide range of top-quality courses, seminars and certificate programmes are offered which are designed to give legal practitioners the knowledge and skills to manage their practices successfully.

## REGISTRATION FORM

### Writing Documents for Litigation



Complete the registration form in clear, block letters. Please email the form, proof of payment and a copy of your ID document to [Merlin@LSSALEAD.org.za](mailto:Merlin@LSSALEAD.org.za). Registration closes **one week prior to commencement**

#### A. Applicant's Details

Surname:	Preferred Name:	Title:
Full names:	ID number:	Race:
Postal address		Code
Employer:	Occupation:	
Tel no (w): (     )     )	Cell no:	
E-mail address:		
Special dietary requirements (if any):	If disabled, nature of disability:	
Where did you hear about the course? <input type="checkbox"/> SMS <input type="checkbox"/> Word of mouth <input type="checkbox"/> Newspaper <input type="checkbox"/> Employer <input type="checkbox"/> E-mail <input type="checkbox"/> Other		
If other, please specify:		

#### B. Employer Details (NB: Complete this section only if the delegate is being sponsored by his/her Employer)

Firm/company name:		
Contact person:	Contact person's e-mail:	
Tel: (     )     )	Contact person's Job title:	
Postal/Docex address:		Code
Do you need an invoice? <input type="checkbox"/> Yes <input type="checkbox"/> No. If "yes", please provide the employer's VAT number: _____		
<p>I, _____ (name of the employer's authorised account signatory) hereby declare the above information to be correct. I accept full responsibility for fees payable to the Law Society of South Africa for the above-mentioned applicant.</p>  <p>_____</p>		<p>NB Company Stamp</p>
Employer Signature	Date	

LEAD reserves the right to cancel a learning activity should the number of students not justify the costs involved. Registered students will be given reasonable notice of cancellation



## PAYMENT DETAILS: WRITING DOCUMENTS FOR LITIGATION

Surname and names of applicant:

### C. Payment Details

Payment by Electronic Funds Transfer (EFT):  by Employer  by Applicant Amount: R\_\_\_\_\_

Bank: First National Bank (FNB) Account Holder: **Law Society of South Africa** Branch: Pretoria

Branch code: 251445 Account Number: **62009641079** Account Ref: (WDL Surname, Initials)

### Terms and Conditions

#### Cancellation

1. A learner who wishes to cancel must do so at least 7 (seven) working days prior to commencement of the selected course.
2. Cancellations must be done in writing and e-mailed to [Merlin@LSSALEAD.org.za](mailto:Merlin@LSSALEAD.org.za) or faxed to 086 743 1942.
3. Confirmation of the cancellation will be confirmed via e-mail. Should a learner not receive a cancellation confirmation from LEAD, it means that the cancellation request was not received. Learners should follow up ASAP or it will mean that he/she will be held liable for the full course amount.
4. Learners who do not cancel and fail to attend the training will be held responsible for the full course amount. The only exceptions are if the reasons for cancellation are one of the following:
  - Death of a close family member (death certificate should be submitted);
  - Severe medical condition which results in the participant no longer being able to continue with the course (medical certificate should be submitted);
5. LSSA/LEAD shall have the right in its sole discretion to postpone or cancel tuition in any programme initially advertised and offered on the basis of insufficient demand. Should the LSSA/LEAD cancel the proposed training, registered learners will be given reasonable notice of the cancellation and all fees paid by the learner will be refunded.

#### General declaration

1. I agree that having registered for the \_\_\_\_\_ course, I am liable for the full course fee.
2. I am familiar with the outcomes of the course specified above, and fully comprehend the specifics as explained in this document.
3. I acknowledge that payment needs to be made before attendance of the course.
4. I understand that the fees must be paid to the designated LSSA bank account. The LSSA will not accept liability if fees are paid into any other bank account.
5. I accept that a certificate will be issued only if I comply with the attendance and payment requirements.
6. I acknowledge that I have read and understood the above, and hereby, sign as proof.

I, hereby, agree to abide to all the above terms and conditions relating to the above.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date