

Short Course: Writing for Litigation



Pleadings, notices of motion, supporting, answering and replying affidavits

About this course

This practical skills course teaches the principles of drafting pleadings, notices of motion and affidavits. Sixty percent of those who previously attended this course started drafting on their own without using precedents.

Course venue and date

Midrand: 26 & 27 March 2019 | **Duration:** 8:30 – 16:00

Venue: The venue will be confirmed upon confirmation of registration. Lunch/tea/coffee will be provided. Register as soon as possible to secure your space.

Who should register?

- Practising legal practitioners (attorneys and advocates)
- Corporate and government legal advisors
- Persons who need to sharpen their drafting skills.

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 is an expert in commercial drafting, opinion writing, and litigation and case management. He is a published author.



Part of the KEY series

KEY series are the topics that have been identified as focussing on key areas affecting attorneys today and should not be missed.

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 analysing fact and law.
- You will write in a manner that is persuasive.
- You will learn to actually draft pleadings, notices of motion and affidavits.
- There will be actual and effective skills transfer.
- You will acquire the confidence to draft without using precedents.

Topics

The course will cover the following:

- Pleading techniques and basic principles
- Particulars of plaintiff's claim
- Drafting the plea
- Motion proceedings

Instruction techniques

- The course begins with an analysis of why practitioners are reluctant to draft and rely on precedents. A solution to the problem is provided.
- You will receive a sound basic understanding of the principles of drafting and advocacy.
- 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 object is to skill you in drafting in a manner that is persuasive.
- The presentation will be interactive and participants will be encouraged to ask questions
- Participants will actually draft throughout the two-day course. Learn from actually applying the techniques under supervision of an experienced practitioner.

Course content

Writing technique, including plain language drafting and what is expected by judges – including practical exercises using case studies

- 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 High Court practice directives
- Preparing to draft particulars of claim
- How to analyse facts and the law in deciding on a cause of action
- What is the theory of your case and how it impacts on your drafting

How to formulate or arrive at your 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, including practical exercises
- How to plead a defence effectively
- How to decide to proceed by way of motion and draft notices of motion with reference to practice directives
- Taking instructions and analysing fact for drafting a founding affidavit, and drafting a persuasive affidavit
- How to draft an answering affidavit

What previous delegates said

- ▶ *Mr Hussain gave us the philosophy behind the art of drafting. It was a transformative experience.*
- ▶ *The course was an absolute Master Class. It must become obligatory for all professionals in our field to attend seminars like these.*
- ▶ *Brilliant course! Learned a lot ... best 2 days spent.*
- ▶ *I took annual leave and paid for this course myself – it was worth every cent!*
- ▶ *An inspirational course – motivating all of us to write our own pleadings and affidavits.*
- ▶ *The course is excellent. The presenter's perspective makes for critical and analytical thinking.*

Registration

Registration fee categories (VAT incl.)

- **Staff from practicing legal practitioner's firms:**
R3 400 per person
- **Non-practising legal practitioners/others:**
R4 900 per person

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 Bettie@LSSALEAD.org.za.
3. Space is limited and registration is on a first-come first-serve basis. No space can be reserved without receipt of payment.
3. Registration closes one week prior to the commencement of the course.

For more information on this course, email Bettie Lubbe on Bettie@LSSALEAD.org.za or call (012) 441 4670 (direct) or 441 4600 (switchboard)

Please note: LSSA/LEAD reserves the right to cancel a learning activity should the number of participants not justify the costs involved.

Our bank details

Account Holder: Law Society of South Africa

Bank: First National Bank

Branch: Pretoria

Account Number: 6200 964 1079

Branch Code: 251445

Reference: WFL/surname & Initials

Closing date for registration

Registration closes 19 March 2019.

About the Law Society of South Africa

Attorneys and advocates in South Africa are registered with the Legal Practice Council in terms of the Legal Practice Act 28 of 2014. Since 1998, the Law Society of South Africa (LSSA) has represented the attorneys' profession. The LSSA brings together the Black Lawyers Association, the National Association of Democratic Lawyers and provincial attorneys' associations, in representing the attorneys' profession in South Africa. From March 2019, the LSSA is governed by a House of Constituents comprising 27 practising attorneys.

[Click here to view the LSSA constitution.](#)

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 high-quality courses, seminars and certificate programmes are offered which are designed to give legal practitioners the knowledge and skills to manage their practices successfully.

Other LEAD product offers

LEAD is one of the largest providers of legal and professional education in South Africa and provides access to quality learning that is relevant, accessible, and affordable. LEAD offers an extensive range of learning activities and training options.

[Click here to view more training events for professionals.](#)



REGISTRATION FORM

Writing for Litigation – 26 & 27 March 2019

Complete the registration form digitally or in clear, block letters. Please email the form, proof of payment and a copy of your ID document to Bettie@LSSALEAD.org.za. Registration closes **one week prior to commencement**.

A. Participant's details

Surname:						Initials:			Title:		
Preferred name:						Race (for reporting purposes):					
ID number:											
Postal address:									Code:		
Employer:						Occupation:					
Tel (w): ()						Cell: ()					
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"/> Internet		<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:								
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 participant.														
_____ Employer Signature									_____ Date			NB: Company Stamp		

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

PAYMENT DETAILS:

Writing for Litigation – 26 & 27 March 2019



Surname and initials of participant:

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:** WFL, Surname, Initials

Terms and conditions

1. A delegate who wishes to cancel must do so 7 (seven) or more working days prior to the commencement of the training. You may send a substitute in your place. A completed registration form for the substitute must be forward to LSSA/LEAD for the attention of Bettie Lubbe.
2. Cancellations must be done in writing and e-mailed to Bettie@LSSALEAD.org.za.
3. You may transfer once at no additional cost to another training program with the proviso that it is not in the 7 (seven) day period as stipulated above.
4. Confirmation of the cancellation will be e-mailed to you. Should a delegate not receive a cancellation confirmation from LSSA/LEAD, it means that the cancellation request was not received. Delegates should follow up ASAP or it will result in full liability of the training amount.
5. Delegates who do not cancel and fail to attend the training will be held responsible for the full course amount.
6. LSSA/LEAD shall have the right in its sole discretion to postpone or cancel training in any programme initially advertised and offered based on insufficient demand. Should LSSA/LEAD cancel the proposed training, registered delegates will be given reasonable notice of the cancellation and all fees paid by the delegate will be refunded.
7. Registration is on a first come first serve basis. If payment is not received within 7 days of sending the registration form, the registration will unfortunately be discarded.

General declaration

1. I am familiar with the outcomes of the training specified above and fully comprehend the specifics as explained in this document.
2. I acknowledge that payment needs to be made before attendance of the training.
3. I understand that all fees must be paid to the designated LSSA bank account only. The LSSA will not accept liability if fees are paid into any other bank account.

Name of account: Law Society of South Africa | Bank: First National Bank (FNB)

Branch: Pretoria | Branch code: 251445 | Account number: 62009641079

4. I acknowledge that I have read and understood the above, and that submission of this registration form constitutes acceptance of the Terms and Conditions 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

Course and registration queries: Bettie Lubbe | E: Bettie@LSSALEAD.org.za | T: 012 441 4652/00

Legal Education and Development | LEADers in training of legal professionals and support staff