

# Digitise Litigation

## *Determination and persistence-enabled digitalisation:* **Labour and Labour Appeal Court** *Court Online Workshop*

**"EXCELLENCE IS A CONTINUOUS PROCESS AND NOT AN ACCIDENT."**

**A. P. J. ABDOUL KALAM**

To advance the Rule of Law by entrenching access to court rights, the Labour and Labour Appeal Courts, led by the erudite and (then Acting) Judge President Molahlehi, masterminded a workshop on the digitalisation of the Case Management System. Stakeholders, including South African Black Woman in Law (SABWIL), convened at The Chambers, Sandown on 9 July 2024 with noble intent. The discourse was chaired by (then Acting) Judge President Molahlehi of the Labour Court and the Labour Appeal Court (hereafter Molahlehi AJP). Judge President Dunstan Mlambo of the Gauteng Division of the High Court of South Africa (hereafter Mlambo JP) shared the story behind Court Online initiative.



(then Acting) Learned Judge President Molahlehi



The Chambers, Sandton

### Determination and persistence enabled digitalisation

#### (Then Acting) Esteemed Judge President Molahlehi:

The titillating engagement uncovered Court Online as it stands at the moment and the plan for the morrow. Initially the project was piloted in Johannesburg and Pretoria. The team responsible for implementing rollout identified a number of other courts where the implementation would occur. Since joining the Labour Court and the Labour Appeal Court, Acting Judge President Molahlehi repeatedly raised the matter both at the head court meetings, as well as at Judicial Administration IT Committee engagements.

The matter gained necessary support from visionary Gauteng Division Judge President Mlambo, thus, the project moved faster than it was anticipated.

The team anticipates necessary support from legal practitioners to work with them to ensure that the project continues and is fully implemented. The Labour Court is in a desperate need of the system.



#### Digitalisation Workshop

The (then Acting) Judge President Molahlehi lauds Judge President Mlambo as the driving force behind the digitalisation of the court system, particularly the Court Online initiative. Progressive Judge President Mlambo successfully implemented CaseLines and is actively working in the Gauteng High Courts since about 2018 on digitisation access.

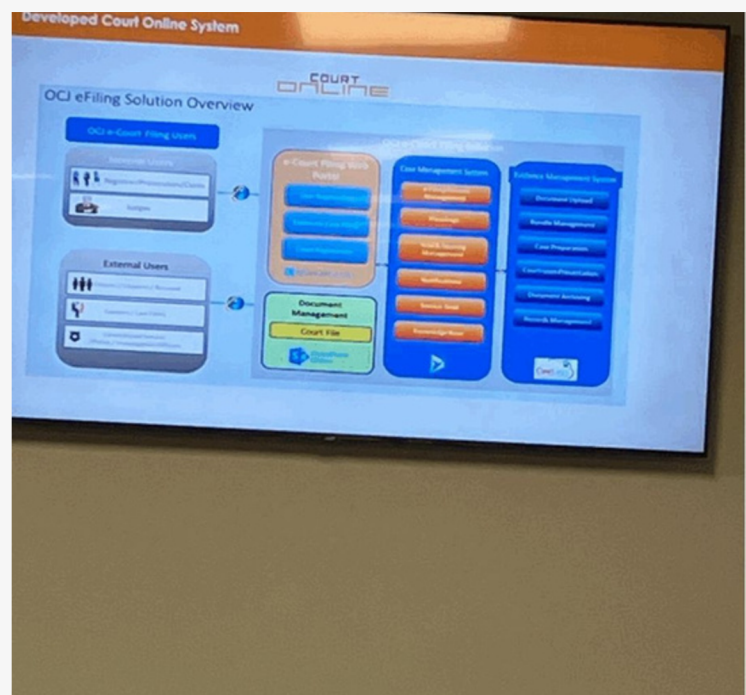
## Honourable Judge President Mlambo:

Gauteng Division Judge President Mlambo outlined the project's history, assuring legal practitioners that the initiative remains ongoing. This project began in 2010 when former Chief Justice Mogoeng Mogoeng assembled a team of heads of courts and senior judges to undertake an international study tour to observe global advancements in digitalisation. Former Chief Justice Mogoeng aimed to retire having firmly established the foundation for a digital system in South Africa. The team visited several countries, beginning in the United States and continuing to Europe, Malaysia, Singapore, and some BRICS nations, including Brazil, China, and Russia.

From 2010 to 2011, progress was slow. However, upon assuming office as Judge President of Gauteng in 2012, Judge President Mlambo emphasised the importance of digitalisation and moving towards online systems during a meeting with judges. Former Chief Justice Mogoeng encouraged the development of the system through the Judicial Administration IT Committee (hereafter 'the Committee'), which was established as a governance committee to monitor innovations within the judicial sphere.



**Progressive Judge President Mlambo**



**COURT ONLINE E-FILING SYSTEM**

In 2014, the Committee sought to establish a digital platform for the judiciary. It became apparent that South Africa required an e-filing system to facilitate online file uploads. Around this time, CaseLines emerged as an evidence management platform, which eventually evolved into what is now known as Court Online.

In 2019, the CaseLines system is acquired and initially trialled in Gauteng. At first, some judges were hesitant to adopt it, but with training sessions, how the system functioned became apparent, and the number of judges using it began to increase. Later in the year, the Committee issued directives mandating the use of the system by all.

During the Covid-19 pandemic, while courts in other provinces were closed, Gauteng was able to continue operating online due to its use of the CaseLines system. This proved invaluable for Gauteng. Initially, CaseLines did not include e-filing capabilities, but the Committee eventually secured permission from CaseLines' owners to integrate an e-filing system. With this addition, any file uploaded to CaseLines became instantly accessible within the system. However, CaseLines was not a rule-based system, and filing times were not regulated. When CRM Dynamics was conceptualised and developed, it was designed in accordance with court rules.

In 2022, when Court Online CRM dynamics was piloted, it encountered some difficulties due to Microsoft not incorporating some suggestions posed from the Committee. At that time about one hundred and two issues were identified as missing from the system. It was impossible to remedy all the issues as they were associated to significant cost. When the system went on, endless difficulties manifested. For instance, things would freeze for two hours, and it was impossible to work. The Committee tried hard to engage with Microsoft and SETA in solving the issues. The major issue was that the system was not stress tested.

However, the Committee managed to deal with the major problems in the system. Now the system no longer freezes while the users use the system simultaneously. The system is in working condition.

The Committee endeavours to roll out Court Online to all courts. The Committee is conducting training and follow-up sessions with users in different provinces. There is a help desk in Johannesburg High Court for further assistance. The Committee trained users in appellate courts and it is still training other court users. The system is ready to be rolled out and access to court is entrenched stage by stage.



**Erudite Judge President Mlambo**



**COURT  
ONLINE**



**SABWiL Academic Officer & Secretary-general Nino Rodda, SABWiL Chief Operating Officer Nombulelo Gumede, SABWiL Events and Projects Officer Ayanda Ndlovu with Gauteng Division Judge President Mlambo and Labour Court and Labour Appeal Court, then Acting, Judge President Molahlehi.**

### ***Ubuntu.***

We at *SABWiL* extend our heartfelt gratitude for the invitation to participate in the Labour and Labour Appeal Court workshop on Court Online. We deeply appreciate this inclusion and opportunity. The discourse was informative, engaging, and proffered invaluable insights that contribute to the development of digitising litigation. We thank the judiciary, particularly our Judge Presidents, for involving *South African Black Women in Law* in this pioneering and essential initiative to advance the Rule of Law, through actualising access to court rights, as envisaged in section 34 of our Constitution.

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