



HOW TO COMPLAIN ABOUT AND ESCALATE YOUR MAINTENANCE MATTER?



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Introduction

Webinar Overview

- Grounds for a complaint if your maintenance matter is taking too long with reference to section 10(6)
- What is meant by “postponements are limited in number and duration”?
- Discussion of the duties of the maintenance officer in terms of the DOJ Codified Instructions 26/2015
- Explanation of *Mthimunye v Minister of Justice and Constitutional Development 2014 JDR 1066 (GP)* and the implications for maintenance officers
- Guide on the process that a complainant needs to follow in order to expedite a maintenance matter
- Practical examples and precedents of complaints lodged



What to expect

Structure of our Lunch and Learn webinars

Pre-reading
material



Webinar



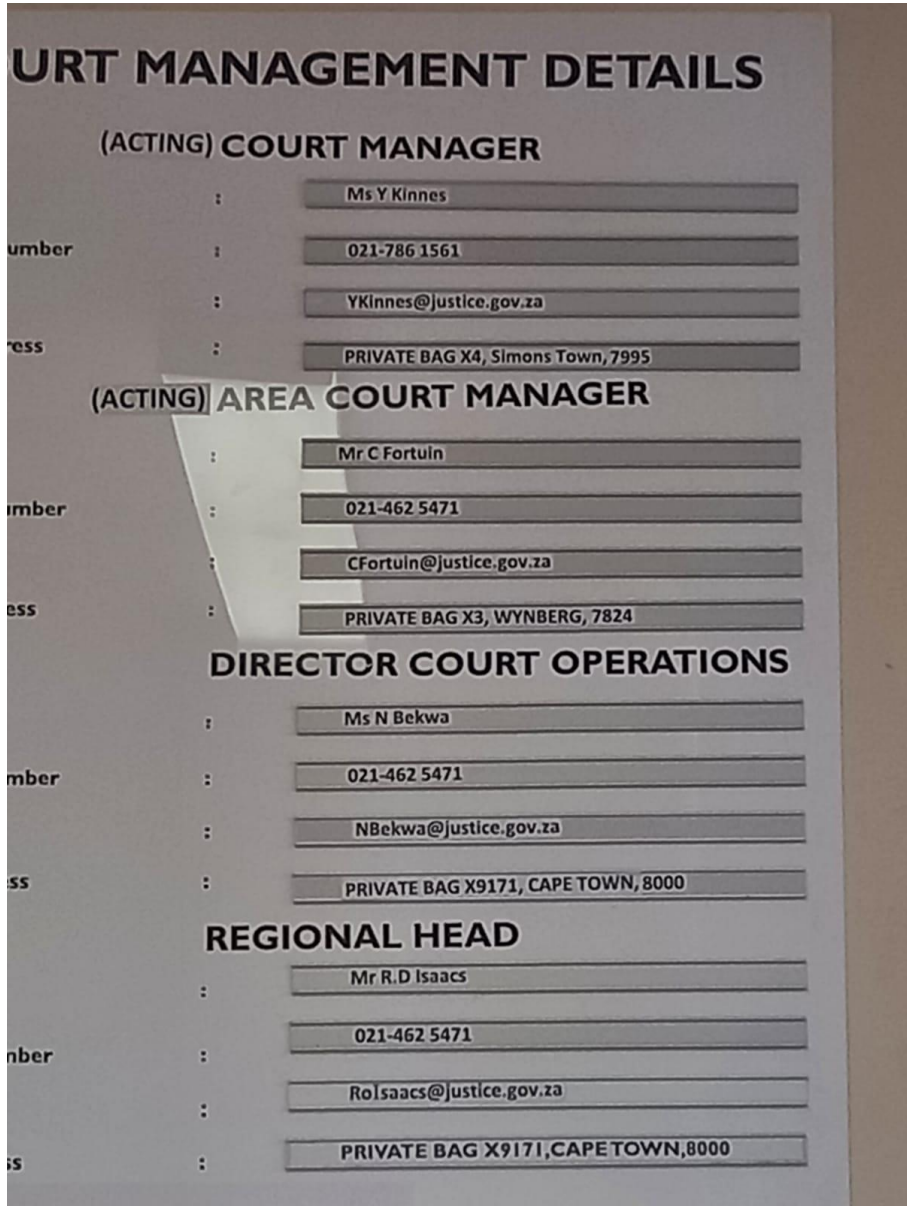
Resources &
Templates



How to complain about and escalate your maintenance matter?

Process of complaints





How to complain about and escalate your maintenance matter?

Process of complaints



- Boards of court management details at every Magistrate Court in South Africa
- Take photo of board for future reference

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Process of complaints

Complaints hierarchy



- Email complaints
- Wait for response (5 working days)
 - Escalate and copy all in
 - Keep copies of emails (complaints)

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Investigation phase

- Duties of maintenance officer
- Duties maintenance investigator



Section 6 enquiry phase

- Role of the maintenance officer
- Paternity issue
- Legal representation bully
- Postponements
- Consent order



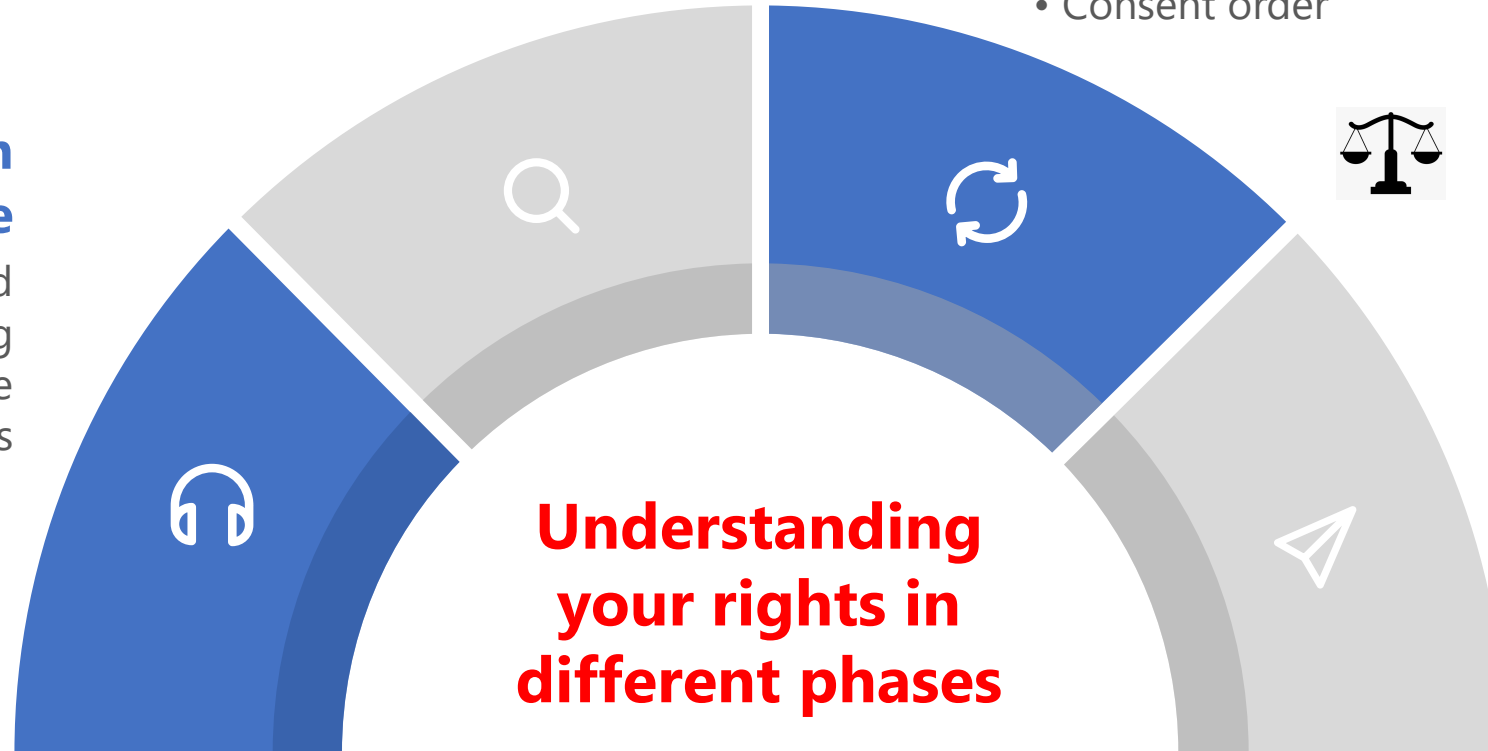
Application phase

- Documents needed
 - File opening
- Preparation of file
 - Procedures



Formal section 10 phase

- OFA
- Role of the maintenance officer
- No investigation done
- Court not fair
- Appeal / review



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Discussion



info@lunchandlearn.org.za



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Thanks to our hosts and guests:
Eugene Opperman (Director, attorney & mediator from Oppermans Inc Attorneys)
Adv Deon Ruiters (Senior Maintenance Prosecutor: Western Cape)