

Welcome to our interns for 2018

JOHANNESBURG

The Family Law, Labour Law and Wills Unit has two interns this year:

Molebogeng Manyako

Molebogeng hails from Rustenburg and completed her LLB degree at North West University (Mahikeng Campus) in 2015. She wanted to work for ProBono.Org to assist indigent people with their legal problems.



Suraya Mckenzie-Pillay

graduated from the University of the Witwatersrand with an LLB in 2014. Her passion and interest in social justice and human rights was ignited in her final year when she did practical legal studies at the Wits Law Clinic.



Daphne Makombe is working with the One Child a Year campaign during her internship. She has an LLB from UNISA and is currently studying for a Master's degree in corporate law.



She volunteered at the Family Court in 2017, dealing mainly with divorce cases. She has a passion to serve justice and change people's lives for the better.

Nelson Kesa is working with the Housing and Community Advice Office unit. He was born in Sterkspruit in the Eastern Cape and went to school in Doornkop, Soweto. He applied to ProBono.Org for a legal internship because he wishes to help the most vulnerable and marginalised people to acquire legal assistance.



DURBAN

The Durban office also has four interns for 2018

Neliswa Ncama is interested in the link between law and development as a possible mechanism to finding solutions to social issues. She wishes to pursue a masters' degree in this field in the near future.



Londeka Ndukuda

is interested in social justice and how marginalised members of the community can access it. She hopes to find her niche through ProBono.Org.



Akhona Mthembu

hopes to open a law firm in under-developed and rural areas, which will enable under-privileged people to receive legal assistance.



Gracia Biganda has been appointed as the Durban High Court help desk intern. After previously working with ProBono.Org as a volunteer and consultant, she has now officially joined the organisation. Her passion lies with human rights law and she believes in access to legal and social justice for all people. She wants to work for UN Women in the future so that she can contribute to the empowerment of African women.



IN THIS ISSUE FEBRUARY 2018

- Our 2018 interns
- The Johannesburg Divorce Help Desk
- Bad news for maintenance defaulters
- Thank you to our Durban staff attorney
- Online registration for attorneys
- Human Rights Festival at Constitution Hill

CAPE TOWN

Zekhethelo Cele

The Cape Town Office welcomes Zekhethelo from Richards Bay. She completed her LLB degree at the University of Zululand in 2014. While pursuing her studies she volunteered at the ProBono.Org Durban Office, the Master's Office Help Desk and Legal Aid South Africa. Her areas of interest are socio-economic rights, property law and matrimonial law.



We commend all our interns on their laudable goals and we look forward to a fruitful year ahead!●

The Johannesburg ProBono.Org Divorce Help Desk

By Swazi Malinga and Elsabe Steenhuisen

In March 2017, ProBono.Org established a Divorce Help Desk at the Johannesburg Regional Court, which operates every Tuesday from 09h00 to 12h00.

The purpose of the help desk is to assist and encourage attorneys to complete their pro bono hours, and also to assist members of the public who qualify for pro bono assistance with their matrimonial (divorce) matters by providing them with legal advice, completion of the relevant court forms and, from time to time, providing assistance with drafting or completion of the summons and other relevant court pleadings.

At the beginning there were two volunteer attorneys staffing the help desk. Since recruitment of attorneys is essential in order to sustain this help desk, we approached the Johannesburg Attorneys Association in September, who assisted by advertising the help desk in their newsletter. The Johannesburg Family Law Forum also circulated our request for assistance amongst its members. We now have at least eight more volunteer attorneys who have signed up to staff the help

desk and we look forward to recruiting more volunteers.

The help desk also offers a great opportunity for candidate attorneys and LEAD graduates.

Our One Child a Year (OCAY) campaign consultant, Elsabe Steenhuisen, runs the Divorce help desk on Tuesday mornings with candidate attorneys and LEAD graduates as part of her private pro bono hours. LEAD graduates have preference in assisting at the help desk as the aim is to empower candidates who have not secured articles in private practice. Secondly, it aims to instil an awareness of the merits of pro bono work in candidates on the brink of entering the law profession,

Three LEAD graduates and a candidate attorney participated. They underwent two training sessions with adv Steenhuisen before they started work under supervision. All three LEAD graduates assisted further at ProBono.Org's office with other tasks in the OCAY project. Four new LEAD graduates were enrolled and underwent the first training session in January 2018 and started assisting the public on 6 February. ●



Pic: L-R Ruth Nulumango (LEAD volunteer), Favour Nwanezi-Agbugba (articled clerk), Mr Sibanda and Elsabe Steenhuisen

Case study

New Child Support Bill takes maintenance defaulters to task

By Uzair Adams

In law, parenthood gives rise to parental rights, but more importantly, parental responsibilities in respect of children. One such responsibility in particular is the maintenance of children.

Contrary to popular belief, maintenance is not shared equally between parents. It is in fact payable by parents proportionately according to their respective means. Disagreements often arise where one parent fails to abide by their maintenance commitment, or only adheres to it sporadically. Ultimately it is the children who suffer as a result. For this reason, maintenance courts seriously consider the best interests of the child under the circumstances when making an order.

There are many parents who are able to reach an informal agreement in respect of their maintenance contribution. If parents are able to reach an amicable solution in this way, all the better. This however was not the case for one of our clients, Ms A, a single, unemployed mother who has been the primary caregiver of her two children since their father remarried in October 2016. After numerous requests, the father failed to provide the Maintenance Officer at the Wynberg Magistrate's Court with a breakdown of his monthly income and expenditure. Ms. A had submitted an application for pro bono assistance to the Cape Law Society, which was approved. However, the Cape Law Society was unable to secure legal representation for her at her next court date and Ms. A approached ProBono.Org for further assistance.

We referred the matter to Ms. Rukia Allie Da Costa, an Attorney from Riley Incorporated who accepted the pro bono instruction, and the court granted an order that the father pay R5,500.00 per month for the maintenance of the children.

There is a widespread habit of parents seeking to evade their maintenance responsibilities, resulting in huge magistrates' court backlogs with such matters. We welcome the Child Support Bill that took effect in January 2018 which states that parents who default on child maintenance will be blacklisted and blocked from receiving credit if their maintenance payments are in arrears.

We are hopeful that the new legislation will transform the attitude towards payment of maintenance. ●

Farewell and thank you to Petrina Chetty

– Durban office

We are sad to be saying goodbye to our staff attorney who has been with the Durban office for the past three and a half years. We are most grateful for her commitment and dedication to the organisation during her tenure and wish her all the best in her new position as a researcher at the Durban High Court. ●



Human Rights Festival

Constitution Hill will be hosting a Human Rights Festival from 23 – 25 March 2018. This is an inaugural three day event designed to activate civil society and promote and advance human rights.

The festival will include a social forum, NGO stands, art exhibitions, poetry, film and music festivals, children’s activities and a We the People march. More information can be found here:

<https://constitutionhill.org.za/signature-events/2018/human-rights-festival>



Sign up with us online

Attorneys can now sign up with us online to do pro bono work. Please visit our website at www.probono.org.za and fill in the form on our home page. This form also lets us know your preferred areas of work so that we can send you the types of cases you want to take on. If you would like to assist at a legal clinic or help desk, there is a list of these on our website under Services.



JOHANNESBURG: 1st Floor West Wing, Constitution Hill, 1 Kotze Street, Braamfontein 2017
telephone: 011 339 6080 **fax:** 086 512 2222

DURBAN: 9th Floor, Nedbank Centre, Durban Club Place, Durban
telephone: 031 301 6178 **fax:** 031 301 6941

CAPE TOWN: Suite 200, 57 on Strand, Strand Street Cape Town, 8001
telephone: 087 806 6070
fax: 086 665 6740

VISIT OUR WEBSITE AND FACEBOOK PAGE WHERE YOU CAN READ ABOUT OUR EVENTS AND DOWNLOAD PODCASTS OF OUR RADIO PROGRAMME PRO BONO LAW.

www.probono.org.za