

CAREER GUIDE TO THE LEGAL PROFESSION

1. THE ADMINISTRATION OF JUSTICE IN SOUTH AFRICA

The legal administration, i.e. those persons and institutions involved in the application and execution of the law and the judgments of the Court, is no less essential to the administration of justice than is the law, and is as much part of our legal heritage as the law itself.¹

1.1 THE LEGAL ADMINISTRATION IN SOUTH AFRICA COMPRISES THE COURTS

- Constitutional Court
- Supreme Court of Appeal
- High Court Divisions
- Magistrates Court
- Labour Appeal Court
- Labour Court
- Other specialised courts/tribunals

1.2 OFFICERS OF THE COURT

- Attorneys
- Court orderlies
- Advocates
- National Directorate of Prosecutions

1.3 ADMINISTRATIVE OFFICERS

- Registrars of the High Court
- Clerks of the Magistrates Court

1.4 OTHER OFFICIALS IN THE ADMINISTRATION OF JUSTICE

- State Attorney
- State Law Adviser
- Master of the High Court (administration of estates)
- Registrars of Deeds, Companies, Patents, Trademarks
- Sheriff of the Court (serving of court documents / summons)

¹ JA van S de Oliviera *Our Legal Heritage*.

1.5 SOUTH AFRICAN POLICE SERVICE AND CORRECTIONAL SERVICES (PRISONS)

1.6 LAW COMMISSION

1.7 LEGAL AID AND ADVICE

- Legal Aid Board
- Legal Resources Centres / Justice Centres
- Lawyers for Human Rights
- University Law Clinics and Para-Legals operating in community advice centres
- Para-legal Advice Offices

Qualification and career opportunities

It should be noted that the qualifications and entry requirements in respect of all the various institutions above differ. In addition to career opportunities in these fields, there are a wide variety of opportunities available for law graduates as legal academics and as legal advisers in the commercial, public service and non-government service sectors.

2. THE LEGAL PROFESSION

The legal profession in South Africa offers a variety of career possibilities to the person interested in the field of law. Before embarking on this exciting and rewarding career, it is, however, necessary to know what the academic requirements, the nature of work and the promotion possibilities are for each of the careers available within the legal profession. This knowledge will ensure that the prospective law student chooses the correct academic legal education at the beginning of his studies, which will save him / her money (tertiary education is very expensive), time (legal education involves study over a number of years) and unnecessary frustration.

Entry to any profession depends on available positions and unique entry requirements. The entrant must determine which career best suits his/her abilities, interest and personality.

Since people with legal qualifications are found in almost all sectors of employment, it will be impossible to discuss ALL the career possibilities that are available. However, the state of the economy and the rate of unemployment have also had an effect on the career opportunities that are currently available to law graduates.

This guide is, therefore, limited to the following careers available in the legal profession:

- The attorneys' profession;
- The advocates' profession;
- The legal adviser;
- Positions available in the Department of Justice; and
- Constitutional Development.

2.1 PERSONAL ATTRIBUTES

Before attention is given to the academic requirements for a career in law, it is necessary to mention the personal attributes the prospective lawyer should have in order to succeed in a legal career. Apart from general characteristics like ambition, dedication and a disciplined approach, the lawyer-to-be also needs to possess special characteristics like being impeccably honest, decisive, objective in a matter, confident and able to solve problems. He / she must also be able to handle stress and pressure, to resolve any crisis and elicit the utmost trust and respect from his / her clients and colleagues. It follows that, because of his constant interaction with people, a lawyer must have exceptional communication skills and be able to explain difficult legal concepts in easy terms. However, the most important characteristic of any prospective lawyer is a well-developed sense of fairness and justice and the willingness to serve people.

Although a successful practitioner can earn an above-average income, the career should not be chosen with the overriding motivation of earning as much money as possible.

2.2 ACADEMIC STUDY

With regard to academic qualifications, the following qualifications and degrees are offered by South African universities:

- BA (Law)
- B Comm (Law)
- LLB
- LLM
- LLD
- Specialised diplomas/certificates eg. on Tax, Human Rights, Labour Law

More details on the content and duration of the different courses can be obtained from any of the university law faculties.

3. THE ATTORNEYS' PROFESSION

3.1 ENTRY TO THE ATTORNEYS' PROFESSION

The practising legal profession is divided into two branches: attorneys and advocates. The attorney is the person with whom the client first makes contact when he / she seeks legal advice or if he / she requires representation. Therefore, an attorney needs to be readily available to everyone, and the service he or she supplies need to be broad enough to cover a wide field of legal problems. Advocates, on the other hand, have specialised expertise in various areas of the law - especially in the presentation of cases in court. To obtain the services of an advocate, the client approaches the attorney who may engage the advocate on his / her behalf to represent the client in court or to give the client the necessary advice.

3.1.1 What kind of work does an attorney do?

Attorneys handle a large variety of affairs for individuals, businesses, associations and corporations. These include work in the field of business and corporate law; civil and criminal litigation; property transactions; taxation; estate planning and business as well as personal advice. Many attorneys consider themselves to be general practitioners. However, as a result of the increasing complexity of life the trend is towards specialisation. Therefore, there are attorneys who specialise in either commercial or criminal cases, or who focus on litigation, estate planning or tax-related matters.

Attorneys may, after the issue of a certificate by the Law Society, now also appear in the High court, just like advocates. To qualify to appear in a lower court, an attorney or candidate attorney must have an LLB or B Proc degree. A person with an LLB may, after completion of one year of articles, appear in the Regional Court while a candidate attorney with a B Iuris degree and three years' relevant experience may also appear. A Right of Appearance Certificate is issued to a candidate attorney upon registration of a service contract or articles of clerkship, by the statutory Law Society.

By taking further examinations, an attorney may qualify as a conveyancer and/or notary public. Conveyancers prepare documents for the transfer of land and the registration of mortgage bonds and all other matters pertaining to immovable property or the development of property schemes. The work of a notary public is to draw up specialised documents such as contracts entered into prior to marriage (antenuptial contracts) or other notarial deeds or bonds.

3.2 SPECIFIC ADMISSION REQUIREMENTS

The admission requirements for attorneys in South Africa are prescribed by the Attorneys Act, No 53 of 1979, as amended, and the rules promulgated in terms of the Act. The most relevant requirements are the following:

3.2.1 Personal fitness

A person must be regarded as a "fit and proper" person by the statutory Law Society and the High Court before he/she can be admitted as an attorney. This requirement refers mainly to the moral integrity of a person, his/her characteristics and particularly honesty which is considered to be an important pre-requisite for practising as an attorney.

A person must be older than 21 years and a South African citizen or alternatively, legally entitled to permanent residence in the Republic and being ordinarily resident in the Republic.

3.2.2 Academic qualifications

Only two academic qualifications are presently recognised for the purpose of admission as an attorney, i.e:

- B Proc degree (offered until 1997). This is a four year university course mainly offered by Universities for the qualification of persons who wish to be admitted as attorneys. A person with a B Proc degree can not be admitted to practice as an advocate.
- LLB degree. Until 1997, the LLB degree was a post-graduate qualification and it took at least two years to complete at a university, depending on the nature of the first degree. A person with an LLB degree can practice as an advocate or an attorney, depending on the person's own choice.

As from 1998 the LLB is being presented as a four year degree, although it may be obtained in a shorter period depending on the nature of a prior degree.

3.2.3 Attorneys Admission Examination

The Attorneys Admission Examination, which is conducted by the Statutory Law Society, must be successfully completed before admission. This examination is practice-orientated. The following candidates qualify to write the Admission Examination [Attorneys Act, 53 of 1979, as amended - Section 14(3):

“An examination referred to in subsection (1) shall not be conducted in respect of any person unless he satisfies the examiners concerned that he -

- Has complied with the provisions of this Act in regard to service under articles or a contract of service; or
- Is serving under articles or contract of service and has so served for a continuous period of not less than six months; or
- Is, under the provisions of this Act, exempt from service under articles [Section 2A – appropriate experience]; or
- Has attended a training courses approved by the society concerned for an uninterrupted period of at least four months and has completed such course to the satisfaction of that society.”

A person has more than one opportunity during the period of articles or community service to write the admission examination, which is scheduled twice per annum [usually in February and August]. A person may also attempt the exam within three years after the contract has expired.

A person who has abandoned his/her contract, may not sit for the examination, even if six months service had been completed prior to the examination.

The examination comprises the following sections:

- Practice and procedure (criminal procedure, high court procedure, magistrates court procedure and motor vehicle accident claims) - Paper I;
- Administration of estates - Paper II;
- Attorneys practice, contracts and rules of conduct (ethics) - Paper III; and
- Legal Bookkeeping - Paper IV.

3.2.4 Service under articles of clerkship or service contract

A person must complete at least two years under a contract of articles (service at a private law firm or state attorney) or a service contract (community service at an accredited legal aid institution) unless he has attended the full-time School for Legal Practice for a period of approximately five months. In the case of such attendance the period of articles or community service will be one year only.

Service under either one of the above contracts must be completed on a full-time basis. The minimum requirement for the registration of a contract of articles is a matric certificate with full university exemption. It follows therefore that a person can serve under a contract of articles even if he has no academic qualification. The period of such contract will be five years but can be shortened if the person obtains a prescribed degree within such a period. A person must be in a possession of one of the two prescribed degrees, to register a service contract.

3.2.5 "Appropriate legal experience"

Provision has also been made that a person can apply for exemption from service under a contract if he has completed a five year period in an area of "appropriate experience". The degree, admission examination and attendance of a practical legal training course remain requirements.

3.2.6 Compulsory Practical Legal Training

A person must attend a practical legal training course which is recognised by a statutory law society. This can be either a short course of five weeks during or after the period of articles or community service, or attendance of an uninterrupted School for Legal Practice of approximately five months (also offered after hours in Pretoria, Cape Town, Durban, Johannesburg, Bloemfontein, Potchefstroom and Port Elizabeth).

3.2.7 Language requirements

Although statutory language requirements for qualification have been abolished, it is important to note that individual universities may:

- still have language requirements as part of their degree curricula or offer courses in such a language on an elective basis;
- require a minimum symbol at matric level, in certain languages.

The ability to communicate effectively is essential for all lawyers. Prospective lawyers should therefore make use of every opportunity to enhance their oral and written communication skills.

3.2.8 Screening of prospective candidate attorneys

A senior member of the Law Society will conduct a personal interview with a prospective candidate attorney before registration of a service contract or contract of articles by the Law Society, in order to determine whether a person can be regarded as a fit and proper person for entering the profession. *Inter alia* attention will be given to previous convictions.

3.3 PROMOTION POSSIBILITIES AFTER ADMISSION BY THE HIGH COURT

- Professional Assistant with a firm of attorneys;
- Junior Partner in a firm of attorneys;
- Senior Partner in a firm of attorneys;
- Starting your own firm once you have been admitted as an attorney; or
- Attorneys can now also be appointed as judges to the High and constitutional courts.

WHERE CAN I OBTAIN MORE INFORMATION?

STATUTORY LAW SOCIETIES:

The Law Society of the Northern Provinces, P O Box 1493, PRETORIA, 0001
Tel: (012) 338-5800

The Law Society of the Free State, P O Box 319, BLOEMFONTEIN, 9300
Tel: (051) 447-3237

The Cape Law Society, P O Box 4528, CAPE TOWN, 8000
Tel: (021) 424-8060

The Kwazulu-Natal Law Society, P O Box 1454, PIETERMARITZBURG, 3200
Tel: (033) 345-1304

VOCATIONAL TRAINING:

With regard to postgraduate practical legal training:
Legal Education and Development [L.E.A.D]
PO Box 27167, SUNNYSIDE, 0132
Tel: (012) 441-4600

4. ADMISSION OF ATTORNEYS / SOLICITORS FROM OTHER COUNTRIES

It is important to note that the Law Societies do not have any jurisdiction or authority to evaluate academic qualifications and also do not have discretion to waive or grant exemptions in respect of the admission requirements as prescribed by the Attorneys Act, 1979. There are, however, certain statutory exemptions and concessions in respect of persons partly or fully qualified as legal practitioners in other countries.

4.1 NEIGHBOURING STATES

Persons qualified as attorneys in the former TBVC States as well as Lesotho (and probably also Swaziland and Namibia in the near future) and who are resident and practising in those countries can be admitted in South Africa by way of a short formal application to Court in terms of Section 17 of the Attorneys Act, 1979. The purpose of this provision is mainly to provide for cross-border practices.

In the case of Zimbabwe, persons who were admitted as attorneys in that country before 22 May 1981 may apply for exemption from service under articles of clerkship as well as the attorneys admission examination (also in respect of conveyancing and notarial practice). Recognition can also be obtained in respect of academic qualifications that were obtained in Zimbabwe, on the basis that a South African University can issue a certificate which certifies that the academic qualifications concerned, are of similar or higher standard than a South African B Proc degree.

In addition hereto Zimbabwean practitioners, if admitted after 22 May 1981, can also in terms of Section 13(1) of the Attorneys Act, 1979 apply for exemption from service under articles of clerkship and the attorneys admission examination.

4.2 OTHER FOREIGN COUNTRIES

The Minister may designate countries whose LLB degrees will be acceptable if certified by a South African University.

There are no other reciprocal practising rights or recognition of qualifications for the purpose of the admission of persons as attorneys in South Africa as would for instance be the case in countries such as England, the United States and Australia etc. There should still be compliance with all the requirements. The first step to be taken by a person under these circumstances to qualify, would be to approach a South African University which will determine the circumstances under which such a University would confer a South African law degree on the applicant and which recognition, if any, will be given to subjects that were passed at the foreign university.

4.3 ENGLAND AND WALES

South African attorneys can now also qualify to become solicitors in England and Wales. To qualify for this, attorneys must pass the Qualified Lawyers Transfer Test which is taken by the College of Law of England. More information can be obtained directly from the Director: International Affairs of the College of Law, fax number 0944 1904 682 099, or telephone number 0944 1904 682 000.

5. THE ADVOCATES' PROFESSION

Apart from attorneys, there is also another "branch" of legal practitioners in South Africa, namely advocates.

5.1 WHAT DOES AN ADVOCATE DO?

Advocates are primarily experts in the art of presenting and arguing cases in court. Whereas in the past, only advocates were permitted to present cases (appear) in the higher courts and in the Appeal Court in Bloemfontein, attorneys were granted right of appearance in the High and constitutional courts as from 1 November 1995. (Right of Appearance in Court, Act 62 of 1995). Advocates also give legal opinions and help with the drafting of legal documents that are required in every walk of life, i.e. commercial, industrial or domestic.

5.2 HOW DO I BECOME AN ADVOCATE?

The basic requirement is an LL B degree from any South African university. Having achieved this, the next step is to apply to the High Court to be enrolled on the "roll" of advocates. To do this, a person must satisfy the court that he/she is both qualified and able to be a member of the profession. He/she will then be able to practice as an advocate in South Africa.

Once admitted, it is customary to join one of the "Bars" (the representative body of the advocates' profession with the main purpose to maintain professional standards among its members). Before admission to the Bar, you will have to do an apprenticeship (called pupillage) of one year (since 2004) and pass the National Bar Examination of the General Council of the Bar, which is a test of the applicants' practical ability.

5.3 PROMOTION POSSIBILITIES

- Senior Counsel (SC)
- Judge of the High Court or Constitutional Court

WHERE CAN I OBTAIN MORE INFORMATION?

**Further queries of any nature may be obtained by writing to or telephoning:
The Secretary, General Council of the Bar of SA, PO Box 786878, SANDTON,
2146
Tel: (011) 784-0175/0178/9 Fax: (011) 784-0182**

6. THE LEGAL ADVISER

6.1 WHAT IS A "LEGAL ADVISER"?

The term "legal adviser" is used to describe lawyers employed by the government, big companies and other organisations to provide legal advice and service to their employees. In other words, "in-house" lawyers or "corporate counsel" as they are known in the USA, as compared with attorneys and advocates who provide their services to the public at large rather than to a single employer.

6.2 HOW DO I BECOME A LEGAL ADVISER?

Most legal advisers are former attorneys or advocates who have chosen the corporate environment rather than the traditional legal profession. For this reason the requirements and training for legal advisers are the same as for advocates and attorneys.

7. CAREERS OFFERED BY THE DEPARTMENT OF JUSTICE

7.1 PUBLIC PROSECUTOR

Public prosecutors are employed by the Department of Justice and fall under the auspice of the National Director of Public Prosecutions to conduct prosecutions in criminal proceedings in the magistrate's court (district or regional) on behalf of the State.

7.1.1 Nature of work

By nature of the authority vested in him/her, the public prosecutor decides whether a person should be prosecuted and what charge should be brought against him / her. It is the duty of the public prosecutor to conduct the State's case against the accused and he/she is responsible for putting evidence before the court to prove the alleged crime in all its elements beyond reasonable doubt. This is done by questioning witnesses, handing in exhibits and cross-examining witnesses for the defence.

7.1.2 Conditions of work

The public prosecutor works mainly indoors, whether he/she prosecutes in court or studies a police docket in the office. Public prosecutors are expected to do a considerable amount of research in order to be thoroughly prepared for a given case.

7.1.3 Requirements and training

Prosecutors who already have a law degree receive in-service training while they work in courts and receive theoretical as well as practical training at Justice College. Prosecutors usually complete their law studies (four year LLB) before assuming duty. The B iuris degree was until 1998 presented by almost all universities as an alternative course of study. After the successful completion of the B iuris degree, public prosecutors can study towards the LL B degree.

7.1.4 Promotion possibilities

The salary of the public prosecutor is fixed according to salary scales in terms of the National Prosecutorial Authority Act 32 of 1998. The promotion ranks are as follows:

- Public prosecutor / Senior Public Prosecutor;
- State Advocate.

7.2 STATE ADVOCATES

Prosecutors who obtained an LLB are often allocated to the office of a Director of Prosecutions (previously the Attorney General). They appear in the High Court on behalf of the State in criminal trials and their duties and responsibilities are basically the same as those of the public prosecutor.

7.2.1 Nature of work

The state advocate's work is similar to that of the public prosecutor. The only difference is that the state advocate appears mainly in the High Court and occasionally for important cases in the Magistrate's Court. He/she also handles all criminal appeals in the High Court in Bloemfontein.

7.2.2 Conditions of work

Criminal trials in the High Court include all murder and high treason trials and important statutory cases and cases of rape, terrorism, sabotage, robbery and fraud. State advocates do chamber work which includes the preparation of criminal court cases, furnishing legal opinions when requested and offering guidance to public prosecutors in lower courts. Like public prosecutors, they have the authority to decide whether a person should be prosecuted.

7.2.3 Requirements and training

To be appointed as a state advocate one must have an LL B degree and be admitted as an advocate of the High Court of South Africa. No person is appointed state advocate unless he/she has undergone training. This may include attending a course for public prosecutors at the legal training division of the Department of Justice in order to equip him/her with the theoretical and practical knowledge which a public prosecutor requires.

7.2.4 Promotion possibilities

The salary of the state advocate is fixed according to salary scales in terms of the National Prosecutorial Authority Act 1998 (32 of 1998). The entry rank for a prospective state advocate is public prosecutor. The promotion grades for state advocates are then as follows:

State advocate
Senior State Advocate

7.3 STATE ATTORNEY

The State Attorney's Division of the Department of Justice functions like an ordinary firm of attorneys, except that its clients are the different departments of the government and not private individuals. The state attorney's major function is to protect the interests of the State by acting for all government departments and administrations in civil cases, and for officials sued in their official capacity.

7.3.1 Nature of the work

When a case is instituted against a department or administration of the government, or if such proceedings are intended, the State Attorney's Division must be instructed to act on behalf of the department. The state attorney must then be furnished with full particulars, and he / she can arrange for any further investigation, give legal advice and represent the particular department in any court case or other proceedings. When the State buys or sells property, the state attorney is concerned with the contractual aspects and, therefore, conveyancers in the state attorney's office undertake the preparation of deeds of transfer and bonds.

7.3.2 Conditions of work

Most of the state attorney's work is done in his / her office. However, he / she also has to appear in court frequently and comes into contact with advocates, attorneys, senior government officials and members of the public.

7.3.3 Requirements and training

For appointment as state attorney a candidate must have been admitted by the High Court to practise as an attorney. All appointments to the State Attorney's Division are also subject to the personal approval of the state attorney of the office concerned.

Preference is given to qualified legal officers in the Department of Justice for appointment as candidate attorneys in the State Attorney's Division with regard to entering into articles. Such a candidate is subject to a trial period of three months before he/she may enter into articles. The period to be served under articles is at least two years for candidates having an LLB degree or one year after attending a full time training school for five months. They must also sit for the practical attorney's admission examination before they may practise in the state attorney's office.

7.3.4 Promotion possibilities

The salary of the state attorney is fixed according to salary scales for state attorneys. The promotion grades for state attorneys are as follows:

- Assistant state attorney;
- Senior assistant state attorney;
- Deputy state attorney; and
- State attorney.

7.4 MAGISTRATE

There are more than 300 magisterial districts in the country. Each district has a Magistrate's Court for the purpose of executing judicial functions. In every district there is a magistrate's office staffed by a magistrate, together with the supporting judicial and administrative personnel.

7.4.1 Nature of the work

The magistrate has two main functions, namely a judicial function and that of district administration. Firstly, the judicial function entails that the magistrate maintains order in the community. Various courts hold daily sessions to try criminal cases (where the laws of the country have been contravened) and civil cases (disputes between private individuals). The magistrate's judicial duties in cities and larger towns are more specialised. He/she presides in either the civil court, criminal court or in the juvenile and children's court. Regional courts are normally also established in these centres to examine cases of a more serious nature (e.g. robbery, rape and culpable homicide) which warrant more severe penalties.

Secondly, a magistrate is also charged with the performance of various administrative functions. The magistrate often acts as a representative for other government departments, thus he/she is not only the person who administers justice, but also the receiver of revenue, the registrar of births, and marriage officer. He/she also performs various other duties on behalf of the State. In respect of general elections of members to the legislative assembly, his/her services as electoral or presiding officer are indispensable.

7.4.2 Working conditions

The magistrate performs his/her judicial duties in court and his/her administrative duties in an office. Magistrates have daily contact with the public.

7.4.3 Requirements and training

Candidates who have a senior or equivalent certificate can be appointed as Justice Administration Clerks in a magistrate's office, where they mainly do general administrative work. The minimum legal qualification for appointment as a magistrate is the Diploma Iuris. A person who wishes to be a magistrate, must be able to arrive at his / her judgments in an objective, just, fair and judicial manner.

7.4.4 Promotion possibilities

The salary of the magistrate is fixed according to salary scales for magistrates. Promotion possibilities for aspiring magistrates to the following ranks are as follows:

- Magistrate
- Senior Magistrate
- Chief magistrate
- Regional magistrate
- Regional court president

7.5 STATE LAW ADVISER

The State Law Advisers' Division of the Department of Justice consists of a group of qualified and versatile lawyers. These persons are excellent legal researchers who provide the State with legal advice and are entrusted with the drafting and revision of legislation (laws).

7.5.1 Nature of work

Each government department is responsible for the administration of certain acts. The state law advisers' opinions, therefore, cover the field of statutory law, common law and international law and all its implications. It is the function of the state law advisers to advise the President on whether or not the legislation under consideration is lawful. The drafting of legislation for Parliament is a highly specialised task which can be mastered only through experience. It requires a special measure of insight and is probably one of the most interesting tasks a lawyer can undertake.

7.5.2 Conditions of work

Apart from those stationed at the department's head office in Pretoria, there are State law advisers attached to the various provincial administrations. A State law adviser does all his work in an office and has little contact with members of the general public, although he often has to interview officers of the various government departments and is sometimes delegated to attend legal commissions of inquiry in an advisory capacity.

7.5.3 Requirements and training

The requirement for appointment as State law adviser is an LL B degree. The prospective State law adviser must also successfully pass such aptitude tests and/or other tests as the department requires. On-the-job training of the State law adviser is undertaken by senior officers in this division.

7.5.4 Promotion possibilities

The salary of the State law adviser is fixed according to a scale for State law advisers. The promotion grades are as follows:

- State law adviser;
- Deputy Chief State law adviser; and
- Chief State law adviser.

7.6 REGISTRAR OF THE HIGH COURT

The registrar (who can be described as a kind of "secretary" of the High Court) is the official who has the task of ensuring that everything runs smoothly in court. There is a registrar at each seat of the High Court and at the Appeal Court.

7.6.1 Nature of the work

The functions of a registrar are mainly administrative. The registrar also has semi-judicial duties, e.g. issuing civil process (summonses, warrants, subpoenas) and so on. Other important duties of the registrar are that of taxing-master for that particular High Court division. Registrars also compile case lists, arrange available courts, lend assistance to judges in general and keep records.

7.6.2 Working conditions

In certain circumstances, the registrar must sit in court with the relevant presiding judge to keep a record of the orders of court and to endorse the files accordingly. After the court has adjourned, he/she must ensure that the orders of the court are typed, signed and issued to the relevant attorneys. The work is interesting and varied. The registrar liaises on a daily basis with judges, advocates, attorneys and the public. He/she must have good communication skills and knowledge of the court rules and other relevant statutory provisions.

7.6.3 Requirements and training

Candidates with preferably a senior or equivalent certificate can be appointed as registrars' clerks in the registrar's division, where they mainly do general administrative work. The minimum legal qualification for appointment as a registrar is the Diploma Iuris.

7.6.4 Promotion possibilities

The salary of registrars is fixed according to a scale for registrars of the High Court. The promotion grades are as follows:

- Registrar;
- Senior registrar; and
- Chief registrar

7.7 MASTER OF THE HIGH COURT

Officers in the master's division are charged with controlling and supervising the administration of deceased estates, the estates of persons under curatorship, the estates of insolvent persons, and partnerships and companies in liquidation, as well as with estimating and assessing estate duty. The master also receives, controls and administers trust funds on behalf of minors and other persons under legal disability.

7.7.1 Nature of the work

In exercising his/her powers, the master must not only bear in mind the provisions of the various statutory enactments, but also common-law principles and court decisions which have a bearing on a multitude of circumstances. In order to perform his/her duties satisfactorily, the master must have a detailed knowledge of the law.

The master is associated with and is an extension of the highest courts in the Republic and performs certain duties which were formerly done only by judges. He/she reports to court daily. He/she also presides in the so-called Insolvency Court where the rules of court are strictly applied, senior advocates sometimes appear and where he/she can even rule that a person be detained in jail.

7.7.2 Working conditions

A master of the High Court is appointed for each of the provincial divisions of the High Court. In the execution of his/her duties the master is assisted by deputy masters, assistant masters, senior estate controllers and estate controllers. He/she works in an office and in court.

7.7.3 Requirements and training

A candidate starts his/her career in the master's division as an estate controller. The minimum educational requirement for this position is a senior (or equivalent) certificate. Higher starting salaries are paid to candidates who are in possession of appropriate higher qualifications or who have acquired experience. Courses in the supervision and control of the administration of deceased estates and insolvent estates are presented regularly. These courses extend over a period of four weeks and are presented by the department's training section in Pretoria.

7.7.4 Promotion possibilities

The salary of a master is fixed according to a scale for masters. The promotion grades are as follows:

- Estate controller;
- Senior estate controller;
- Assistant master;
- Deputy master; and
- Master.

WHERE CAN I OBTAIN MORE INFORMATION?

Further particulars regarding salary scales and service benefits can be obtained from the Department of Justice. Telephone numbers and addresses are listed in the government department section in the telephone directory.

Queries can be addressed to:

The Director-General, The Department of Justice, Private Bag X81, PRETORIA, 0001

Tel: (012) 315-1111

7.8 JUSTICE COLLEGE

The College caters for all the functional training requirements of the Department of Justice. In addition the College offers academic training in conjunction with the University of South Africa. A large variety of functional legal courses are also presented to meet the needs of State Departments other than the Department of Justice.

7.8.1 Working conditions

Lecturers of Justice College are required to provide class room tuition, present seminars and conduct practical training in Court or at the Masters' or Deeds Offices.

7.8.2 Requirements

A lecturer must have acquired vast practical experience in his/her field of expertise and must in most instances have worked as a magistrate, a state advocate, a prosecutor or a person associated with the Master's or Deeds Office.

7.8.3 Promotion possibilities

Apart from promotion, while remaining a lecturer, according to salary scales fixed for magistrates, state advocates, prosecutors and officials of the Master's and Deeds Office, a lecturer may aspire to the following promotion ranks:

- Deputy Director
- Director
- Chief Director