

National Office

Tel: 012 357 8022
 Fax: 012 357 8043
 NationalOffice-FA@justice.gov.za
 Postal Address: Private Bag X 81
 Pretoria 0001. Physical Address:
 329 Pretorius Street, Momentum
 Building, West Tower, Pretoria

Free State

Bloemfontein – Provincial Office

Tel: 051 447 1115
 Fax: 051 430 5052
 Bloemfontein-FA@justice.gov.za
 Postal Address: P.O. Box 12457,
 Brandhof, 9324.
 Physical Address: 163 A Nelson
 Mandela Drive, 2nd Floor Sanlam
 Building, Bloemfontein

Welkom

Tel: 057 353 1368/1375
 Fax: 057 916 2600
 Welkom-FA@justice.gov.za
 Postal Address: Private Bag X 5,
 Welkom, 9460.
 Physical Address: Magistrate
 Court, C/o Heerden & Buiten
 Str, Welkom, 9460

Bethlehem

Tel: 058 303 5386
 Bethlehem-FA@justice.gov.za
 Postal Address: Private Bag X 27,
 Bethlehem, 9700
 Magistrate Court, C/o Oxford
 & Grey Street, Bethlehem

Limpopo

Polokwane – Provincial Office

Tel: 015 291 1730 / 015 817 1200
 Fax: 015 817 1291/2
 Polokwane-FA@justice.gov.za
 Postal Address: Private Bag X 9681,
 Polokwane, 0700.
 Physical Address: Polokwane
 High Court, No. 27 C/o Biccadd
 & Bodenstein Street,
 Polokwane, 0700

Sibasa

Tel: 015 960 1410
 Thohoyandou-FA@justice.gov.za
 Postal Address: Private Bag X 5005
 Thohoyandou 0950.
 Physical Address: Thohoyandou
 Magistrate Court

Mpumalanga

Nelspruit - Provincial Office

Tel: 013 101 3720
 Nelspruit-FA@justice.gov.za
 Postal Address: Private Bag X11217
 Nelspruit, 1200
 Physical Address:
 Mbombela High Court
 62 Acacia Cres, West Acre
 Nelspruit, 1200

Vosman

Tel: 013 698 0055/ 073 154 7616
 Fax: 013 752 3657
 Nelspruit-FA@justice.gov.za
 Postal Address: Private Bag
 X 11217, Nelspruit, 1200.
 Physical Address: No:1
 Mathew Phosa Drive,
 Vosman (next to KG Mall)

Eastern Cape

Port Elizabeth- Provincial Office

Tel: 041 585 5718
 Fax: 041 585 4459
 PortElizabeth-FA@justice.gov.za
 Postal Address: Private Bag X 6080,
 Port Elizabeth, 6000. Physical
 Address: No. 1 Bird Street,
 Central, Port Elizabeth

East London

(Buffalo City) - EC

Tel: 043 722 8866/7
 Fax: 043 722 8868
 EastLondon-FA@justice.gov.za
 Postal Address: Private Bag X 0003,
 Southernwood, East London, 5213
 Physical Address: 29 St Peters
 Road , Southernwood, East London,
 5200

Mthatha

Tel: 047 532 3998,
 Fax: 047 532 5337
 Mthatha-FA@justice.gov.za
 Postal Address: Private Bag X 5255
 Mthatha 5099.
 Physical Address: 6th
 Floor, Manpower Building, C/o
 Elliot and Madeira Street,
 Mthatha, 5100

Graaff Reinet

Tel: 049 891 1207
 Fax: 049 891 1209
 GraaffReinet-FA@justice.gov.za
 Postal Address: 2 Parliament Str,
 Graaff-Reinet, 6280.
 Physical Address: 2 Parliament
 Str, Graaff- Reinet, 6280

North West

Mafikeng - Provincial Office

Tel: 018 388 9500
 Fax: 018 394 0915
 Mafikeng-FA@justice.gov.za
 Postal Address: Private Bag
 x2232 Mafikeng South 2791.
 Physical Address: 461/805 Steve
 Biko Drive, Unit 2, Mmabatho,
 2745 (Black and White building
 not far from Department of
 Social Development)

Rustenburg

Tel: 014 592 0999/8
 Fax: 014 592 1039
 Rustenburg-FA@justice.gov.za
 Physical Address: 139 Klopper
 Street Rustenburg 0300

Klerksdorp

Tel: 018 464 8917
 Klerksdorp-FA@justice.gov.za
 Postal Address: N/A.
 Physical Address:
 PC Pelsers Building, Cnr Anderson
 & Voortrekker, Klerksdorp,

Gauteng

Pretoria – Provincial Office

Tel: 012 323 0760
 Fax: 012 323 9566
 Pretoria FA@justice.gov.za
 Postal Address: Private Bag X 88,
 Pretoria, 0001.
 Physical Address: 4th Floor, Centre
 Walk Building, C/o Thabo Sehume
 & Pretorius Streets , Pretoria, 0001

Soshanguve

Tel: 012 730 1000 Ext 1083
 Fax: 012 799 8921
 Soshanguve-FA@justice.gov.za
 Postal Address: Private Bag X7
 Rosslyn, 0012.
 Physical Address: C/o Soshanguve
 Magistrate's Office Mabopane
 Highway (next to SAPS Soshanguve)
 Block H, Soshanguve, 0152

Mamelodi

Tel: 012 805 4001/2
 Mamelodi-FA@justice.gov.za
 Fax: 012 805 1878
 Postal Address: Private Bag X33
 Mamelodi West, 0122.
 Physical Address: C/o Mamelodi
 Magistrate's Office, Mamelodi
 6996 Shabangu Ave,
 Mamelodi West, 0122

Johannesburg

Tel: 011 333 0201/1016/3724
 Johannesburg-FA@justice.gov.za
 Postal Address: Private Bag X 14,
 Johannesburg, 2000.
 Physical Address:
 94 Pritchard Street,
 13th Floor, Schreiner Chambers,
 Johannesburg, 2000

Palm Ridge

Tel: 010 232 2097
 Fax: 086 507 5361
 Palmridge FA@justice.gov.za
 Postal Address: Private Bag
 X 01, Palmridge, 1458.
 Physical Address: C/o Palmridge
 Magistrate's Office. C/o K146 and
 Palmridge road, Palmridge, 1458

Northern Cape

Kimberley – Provincial Office

Tel: 053 838 4560
 Kimberly-FA@justice.gov.za
 Postal Address: Private Bag X 6071,
 Kimberley, 8300.
 Physical Address:
 5th Floor, New Public Building
 (Magistrate Court), C/o Knight &
 Stead Street, Kimberley, 8301

Upington

Tel: 054 337 5390,
 Fax: 086 507 5096
 UpingtonFA@justice.gov.za
 Postal Address: Private Bag X 5889
 Upington, 8800.
 Physical Address: 17 Weideman
 Str, Upington, 8801

Western Cape

Cape Town – Provincial Office

Tel: 021 426 1216
 Fax: 021 424 6108
 CapeTown-FA@justice.gov.za
 Postal Address: P.O. Box
 136, Cape Town, 8000.
 Physical Address: 55 Union
 Castle Building, 10th Floor,
 C/o House Street & St George's
 Mall, Cape Town

Worcester

Tel: 023 347 1238
 Fax: 023 347 1524
 E-mail: Worcester-FA@justice.gov.za
 Postal Address: Private Bag X 3045,
 Worcester, 6849.
 Physical Address: Worcester,
 6849. Physical Address: No. 68
 High Street, Worcester, 6849

Mitchells Plain

Tel: 021 370 4200
 Fax: 021 391 3063
 Mitchellsplein-FA@justice.gov.za
 Physical Address: 1st Avenue, East
 Ridge, Mitchells Plain

George

Tel: 044 802 4200
 Fax: 044 802 4202
 George-FA@justice.gov.za
 Postal Address: Private Bag X 6586,
 George, 6530.
 Physical Address:
 Cnr Cradock & Cathedral Street,
 Bateleur Park Building, George,
 6529

KwaZulu-Natal

Durban – Provincial Office

Tel: 031 301 0193/0744/0707
 Durban-FA@justice.gov.za
 Postal Address: Private Bag
 X 54353, Durban, 4000.
 Physical Address: 143
 Salmon Grove Street,
 15th Floor Maritime House,
 Durban, 4001

Newcastle

Tel: 034 326 4923
 Newcastle-FA@justice.gov.za
 Physical Address: 33 Murchison
 Street Newcastle, 2940

Pietermaritzburg

Tel: 033 342 0616
 Pietermaritzburg-FA@justice.gov.za
 Postal Address: Private Bag X 9134,
 Pietermaritzburg, 3200.
 Physical Address: 239
 Church Street,
 Pietermaritzburg, 3200

Ntuzuma

Tel: 034 530 4009
 Ntuzuma-FA@justice.gov.za
 Postal Address: Private Bag X 09,
 Verulam 4340.
 Physical Address: 88 Bridge City
 Boulevard, Industrial Area, 4068



the doj & cd

Department:
 Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

WHO IS THE FAMILY ADVOCATE

The Family Advocate is a legally qualified official appointed by the Department of Justice and Constitutional Development to promote and protect the best interests of children in civil disputes regarding parental responsibilities and rights.

The Family Advocate may, in terms of the law, appoint a Family Counsellor who is a registered social worker or psychologist to assist them with certain expertise in an enquiry.

WHAT DOES THE FAMILY ADVOCATE DO?

The Family Advocate assists parties to reach an agreement on disputes regarding care and contact of children, through mediation. In the event that the mediation is unsuccessful, parties may proceed to resolve the matter in court.

The functions of the Family Advocate have been extended by the new *Children's Act, 2005 (Act 38 of 2005)* and now includes the following:

- To help parties draft parental responsibilities and rights agreements and parenting plans.
- To register parenting plans, and parental responsibilities and rights agreements.
- To amend or terminate parental responsibilities and rights agreements registered by the Family Advocate.
- To amend or terminate parenting plans registered by the Family Advocate.
- The Family Advocate also helps to mediate where there is a dispute on whether the unmarried father of the child has parental responsibilities and rights or not.
- To conduct an enquiry and make recommendations to court as to what is in the best interest of the child.
- To conduct enquiries in maintenance and domestic violence cases that are referred by the court.
- This Act has also incorporated the Hague Convention on International Child Abduction and thereby made it part of South African law. The Office of the Chief Family Advocate has been designated as a Central Authority in the application of this Convention.

Note: Parental responsibilities and rights agreements and parenting plans have effect only if they are registered with the Family Advocate or made an order of court.

WHAT ARE PARENTAL RESPONSIBILITIES

Parental responsibilities and rights include, care of the child, contact with the child, guardianship of the child and maintenance of the child.

HOW DOES THE FAMILY ADVOCATE DO THIS?

Upon application by either of the parties or by direction of the court the Family Advocate interviews the parties in the presence of each other or separately where necessary, to ascertain their personal circumstances and background details in the matter.

The Family Advocate also interviews the child with the assistance of the Family Counsellor in order to obtain and convey the child's views on the matter to court, and to protect the child from testifying in a potentially harsh court environment.

The Family Advocate helps the parties reach an agreeable or viable solution through mediation by applying their legal expertise and dispute resolution skills in the matter. If the parties reach an agreement the Family Advocate will then help them draft a parenting plan or responsibilities and rights agreement which can be registered with the Office of the Family Advocate or made an order of court.

If the parties cannot reach an agreement, the Family Advocate will then compile a report for court and make a recommendation based on the enquiry that was conducted.

WHAT ARE THE BENEFITS OF HAVING THE FAMILY ADVOCATE INVOLVED?

- If the parties reach agreement on disputed issues the matter does not proceed to trial, thereby saving legal costs and time.
- Parental responsibilities and rights agreements registered with the Family Advocate have the same legal effect as those made an order of court. Parenting plans can also be registered with the Family Advocate.

- The Family Advocate can amend or terminate parental responsibilities and rights agreements registered by the Family Advocate's office. This means that the parties do not have to go to court if they want to amend the agreement when the need arises.
- The Family Advocate uses legal expertise and dispute resolution skills to help parents reach an agreeable solution to their dispute that is acceptable to the court.
- Courts are required by law to consider the report and/or recommendations of the Family Advocate when making a decision as to what is in the best interests of the minor child.
- The matter can be resolved speedily without taking the child through the traumatic experience of going to court.
- The Family Advocate applies a neutral (unbiased) approach irrespective of who lodged the application and protects the best interests of the child.

WHEN DO YOU SEE THE FAMILY ADVOCATE?

The parties can consult the Family Advocate when there is a dispute/disagreement regarding minor children's best interests e.g.-

- When there is a dispute regarding guardianship, contact or care of the child
- When they want to draft parental responsibilities and rights agreements or parenting plans
- When they want to register their parental responsibilities and rights agreements or parenting plans
- When they want to amend or terminate parental responsibilities and rights agreements or parenting plans registered with the Family Advocate
- When there is a dispute about whether an unmarried father of a child born out of wedlock has satisfied the requirements which makes him eligible to acquire/obtain full parental responsibilities and rights in terms of the Act
- In cases of the international abduction of children
- Courts also make orders that the Family Advocate has to conduct an inquiry as to what is in the best interest of the child.

WHO PAYS THE FAMILY ADVOCATE?

The Family Advocate is employed by the Department of Justice and Constitutional Development and renders his/her services to the public free of charge at the State's expenses. The parties to a legal dispute may be required to pay for additional expert reports, e.g. psychological evaluation, and other forensic tests where those are critical to the determination of the child's best interests.

WHERE DOES ONE FIND THE FAMILY ADVOCATE?

Each province has its own office/s. See the contact details of your nearest office on the list at the back of this pamphlet.

For more information visit our website – www.justice.gov.za



THE BEST INTERESTS OF THE CHILD ARE OF PARAMOUNT IMPORTANCE