

JOHANNESBURG SOCIETY OF ADVOCATES

JOHANNESBURG BAR COUNCIL



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28 October 2025

Notice No: 2025/051

Dear Members

RE AMENDMENT TO THE 97 DAY RULE

1. At its Annual General Meeting held on 23 October 2025, the members of the Johannesburg Society of Advocates resolved to amend the long-standing “97-day” rule on the due date and payment of counsel’s fees. The amendment takes effect on **1 November 2025**.
2. The new rule reads as follows:

“Fees become due upon rendition of the service and shall be paid no later than 30 days after the end of the month in which they have been invoiced. Attorneys must raise any fee dispute within 7 days of invoicing, failing which the invoice shall be deemed accepted. Any fee not paid within 30 days shall be deemed a final debt.”
3. This replaces the previous rule which stated that *“Fees become due at the end of the month in which they have been earned and shall be paid no later than 3 months and 7 days thereafter.”*
4. The new rule precludes the acceptance of a brief on the basis that members will be paid later than 30 days after invoice.

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5. The amendment aligns the Johannesburg Society of Advocates with the prevailing practice at most other Bars across South Africa, ensures consistency with the provisions of the Legal Practice Code, and reflects international norms concerning the prompt payment of professional fees and the timely resolution of fee disputes.
6. Members are requested to inform their instructing attorneys accordingly.

Yours faithfully


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Adv M Sello SC

Chair: Johannesburg Society of Advocates