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& B** Burden Swart  
& Botha Inc

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Litigation, Debt Collection, Commercial,  
Conveyancing and Notarial Attorneys

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**At Burden Swart & Botha Inc., we simplify complex legal matters.**

We specialise in general litigation, debt collection, commercial law, conveyancing, road accident fund claims, administration of deceased estates, divorces, family matters and sequestrations. In each case, we work closely with our clients, applying decades of extensive knowledge to deliver a professional legal service.

Our excellence extends to the relationships we foster with our clients. Comprehensive reporting and ongoing interaction reassure our clients and keep them informed of the status of legal and transfer matters

at all times. This builds a foundation of trust that sees our clients returning to us for counsel on every legal challenge they face in the future.

First established by Andrew Burden as Andrew Burden Attorneys in 1994, our name changed to Burden & Swart Attorneys in 2005, Burden Swart & Botha in 2013 and in 2020 the new company Burden Swart & Botha Inc. was formed.

The company represents directors Leonora Swart and Soekie Riekert-Botha. From our offices in Pretoria East, we combine our skills and specialities to offer our clients consistent legal excellence.

## OUR PEOPLE

Our dynamic group of attorneys are skilled in a wide variety of legal disciplines. Their diverse skill sets and decades of experience qualify them to navigate all legal matters pertaining to your case in a personal and professional manner.



**LEONORA SWART**

Leonora completed her BProc at the University of Pretoria in 1992, and began her articles at Smuts & Smuts Attorneys soon after in 1993. Two years later, she was admitted as an attorney and conveyancer and continued at the firm Andrew Burden Attorneys as a professional assistant. In 1997, she became a partner in the firm. Leonora established the Conveyancing Department at the firm and through her dedication, hard work and managerial skills has built it into an exceptional department, contributing immensely to the success of Burden Swart & Botha Inc.



**SOEKIE RIEKERT-BOTHA**

Soekie completed her BCom Law in 1998. In 2000, she completed her LLB and advanced certificate in Child Law and in 2002 was admitted as an attorney after completed her articles at Andrew Burden Attorneys. In 2003 she was admitted as a conveyancer and notary public. Her commitment and skill saw her becoming a partner in 2007. Soekie heads the Collection Department, which boasts an exceptionally high success rate in the recovery of debt. Due to her excellent managerial skills, the department has expanded since she joined as a partner. She also focuses on general litigation as well as divorce and maintenance matters owing to her advanced qualifications in child law. As a Notary she attends to notarial contracts, including ante nuptial contracts. Soekie together with Leonora Swart, manage the Deceased Estate Department, which has expanded over the past few years due to the exceptional speed with which deceased estates are successfully wound up.



## OUR SERVICES

We advise our clients across a range of disciplines and adopt a personal approach to all matters, that is born out of years of industry experience.

### LITIGATION

We understand how stressful civil litigation can be. For this reason, we offer our clients sound legal advice and support, from the initiation of legal proceedings to trial hearings.

We proactively and creatively conduct and resolve legal disputes in the best interest of our clients.

We aim to work efficiently to ensure matters are resolved as soon as possible.

From once-off matters to ongoing litigation services, we partner with our clients to simplify the process and deliver effective results.

With over 77 years of combined experience, Burden Swart & Botha Inc.'s attorneys have the knowledge and expertise to advise on any civil litigation matter. Whether you need to take legal action or to be represented in court, we can inform you of your legal rights and the best way forward.

**Our Litigation Department offers solutions on the following diverse civil matters:**

#### MAGISTRATE COURT LITIGATION

- Instituting of actions for arrear amounts due and damages suffered;
- Acting on behalf of Estate Agents in respect of commission-related disputes; and
- Instituting action against the RAF for funeral expenses.

#### TO DEFEND LEGAL ACTIONS

- Ex parte applications pertaining to the delivery and return of goods;
- Insurance claims and related matters;
- Interdicts in the Family Violence Court;
- Maintenance matters; and
- Evictions of illegal occupants;

#### HIGH COURT LITIGATION

- Litigation in respect of contracts (commercial litigation);
- Application for sequestration and liquidation for or against private persons and/or legal entities;
- Voluntary surrender of estates;
- Application for rehabilitation;
- Application for interim access to properties;
- Institution of action against the RAF for loss of support claims, loss of income, general damages (pain and suffering) and medical expenses;
- Divorces;
- Amendment of marital status;
- Custody of children and miscellaneous family-related matters; and
- Late registration of marital contracts (post-nuptial contracts).



## DEBT COLLECTION

Debt collection is a difficult and often lengthy matter to resolve. Our Debt Collection Department, led by Soekie Riekert-Botha, is known for its quick and successful recovery of all types of debt. In addition to her 17 years of experience in debt recovery, Soekie works with an efficient team of paralegal staff members. Together, they tackle debt fast and efficiently.

We communicate constantly with our clients, reporting on the status of matters and payment of the collected amounts on a monthly basis.

**We take care of all aspects of corporate and individual debt recovery and advise clients on their debtor's book. Our current client base consists of:**

- Producers and distributors of soft drinks;
- Textile wholesalers;
- Managing agents for body corporates;
- Dentists;
- Physiotherapists;
- Ear, Nose and Throat specialists;
- Periodontists;
- GPs;
- Attorneys;
- Rental Agents;
- Estate Agents;
- Schools;
- Landscapers;
- Cash Loan Companies;
- Electricians; and
- Plumbers.

We keep up to date with any changes to legislation and case law, allowing us to be informed of every nuance in debt collection. The personal approach that characterises our firm is also applied to debt collection. By being assertive, yet professional and courteous with all debtors and managing the collection process in an innovative way, our Collection Department continues to achieve great success on behalf of our clients.



## BUSINESS AND COMMERCIAL

Our Business and Commercial Department advises small, medium and large companies on legal matters relating to their businesses. With our vast knowledge and experience we help clients with a range of commercial legal matters.

**We can assist with:**

- Advising clients on the formation and structuring of entities for the client's specific business needs;
- Registering companies;
- Amending company documents;
- Drafting of commercial contracts such as partnership agreements, shareholder agreements and sale of shares agreements;
- Advising clients on existing commercial contracts;
- Registering of Trusts;
- Advising clients regarding the implications of the new Companies Act on their business;
- Advising clients on relevant consumer legislation, specifically the Consumer Protection Act;
- Advising clients on Joint Ventures and drafting of Joint Venture Agreements;
- Settlement negotiations between business partners in the event of a commercial dispute.

Our professionalism, expertise and dedication to our clients means that we are as invested in your business as you are. Grow and protect your business using our experienced assistance.



## CONVEYANCING

Our conveyancing team, led by Leonora Swart, has built a reputation for efficient and friendly service. A highly skilled team of conveyancing secretaries assists her in providing advice on all conveyancing matters. Leonora applies her extensive knowledge and 24 years of experience to property related matters as well as matters pertaining to the registration of bonds over immovable properties, to ensure client matters register expediently.

### Our specialised services include:

- Drafting of various agreements related to property transfer;
- Advising parties on the content of an Offer to Purchase;
- Transfer of immovable property from the seller to the buyer;
- Assisting clients with bond applications and bond registrations;
- Opening of sectional title schemes (duets or blocks);
- Extension of units in a sectional title scheme;
- Subdivision of land;
- Consolidation of land;
- Cancellation of servitudes or personal rights registered in a title deed;
- Cancellation of the seller's existing bond over a property;
- Assisting clients with back-to-back transactions;
- Transfer from deceased estates;
- Transfer of one-half share/property in terms of divorce settlement agreements; and
- Advising and assisting clients with the transfer of property for estate planning or tax purposes.

We assist our clients with the transfer of immovable property anywhere in South Africa. From the drafting and signing of the Offer to Purchase to the transfer of the property into the purchaser's name at the Deeds Office, we can advise on every stage of the process with knowledge and ease.

### Our clients include:

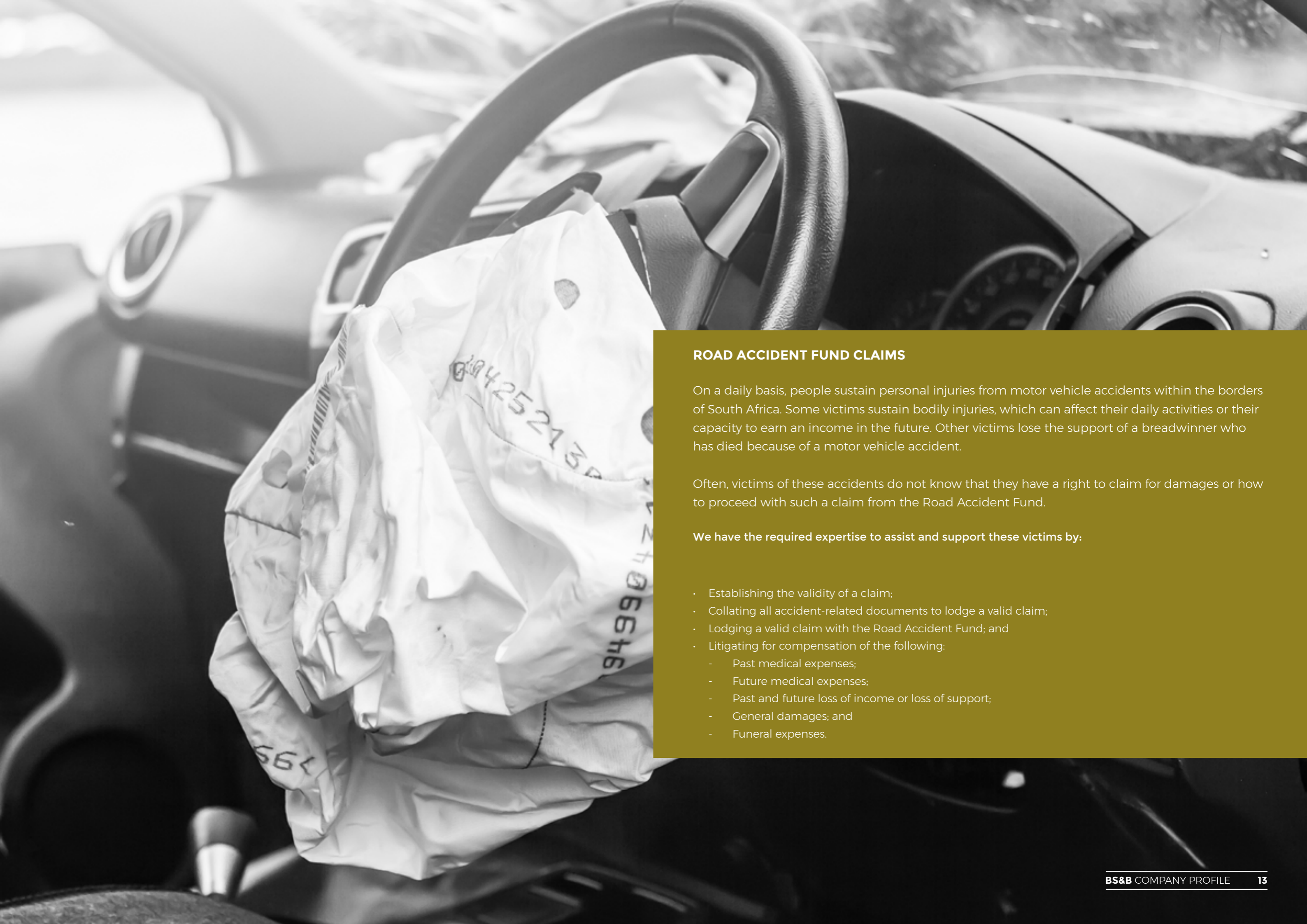
- Estate agents;
- Private sellers or buyers;
- Developers;
- Property speculators;
- Banks;
- Financial brokers;
- Auditors and tax advisors.

Soekie Riekert-Botha, our resident Notary, assists the Conveyancing Department with notarial services, including the registration or cancellation of notarial servitudes such as right of way, habitation and notarial deeds for the cession of exclusive use areas such as garages, parking bays, etc.

### We pursue excellence in every aspect of our client service by:

- Giving all matters equal attention so that registrations take place as soon as possible;
- Constantly giving honest, clear and accurate feedback on the progress of transactions to all parties;
- Being proactive and resolving issues before they become a problem;
- Replying to e-mails or returning calls within 24 hours; and
- Assisting our clients with after-hours signing of documents.





## ROAD ACCIDENT FUND CLAIMS

On a daily basis, people sustain personal injuries from motor vehicle accidents within the borders of South Africa. Some victims sustain bodily injuries, which can affect their daily activities or their capacity to earn an income in the future. Other victims lose the support of a breadwinner who has died because of a motor vehicle accident.

Often, victims of these accidents do not know that they have a right to claim for damages or how to proceed with such a claim from the Road Accident Fund.

**We have the required expertise to assist and support these victims by:**

- Establishing the validity of a claim;
- Collating all accident-related documents to lodge a valid claim;
- Lodging a valid claim with the Road Accident Fund; and
- Litigating for compensation of the following:
  - Past medical expenses;
  - Future medical expenses;
  - Past and future loss of income or loss of support;
  - General damages; and
  - Funeral expenses.

## ANTE NUPTIAL CONTRACTS

If you are about to get married, it is common practice to sign an ante nuptial contract before your wedding day. Soekie Riekert-Botha, our resident Notary, has a wealth of experience and can explain the different types of contracts to ensure you make the right decision.

Do not delay – the ante nuptial contract must be signed in front of a notary before the marriage is concluded and must register in the Deeds Office within three months after the signing thereof.

## ADMINISTRATION OF ESTATES

During the traumatic time of losing a loved one, we can ease the burden of reporting and finalising your loved one's deceased estate. We provide trustworthy legal support that is backed by years of experience.

We can act as the executor of the estate or assist the appointed executor to prepare all the necessary documents and to finalise the financial affairs of the deceased. We will also ensure that the Master of the High Court processes the deceased estate quickly and without any delays.

### We are able to assist and support heirs and beneficiaries by:

- Reporting the estate to the Master of the High Court;
- Obtaining the Letter of Executorship;
- Notifying creditors by publishing the necessary notifications in the local newspapers and the Government Gazette as required by law;
- Drafting the liquidation and distribution account and lodging it with the Master of the High Court for acceptance;
- Distributing assets and paying creditors and beneficiaries in accordance with the liquidation and distribution account, after acceptance by the Master;
- Collecting outstanding monies on behalf of the deceased estate;
- Effecting property transfers, where needed, through our Conveyancing Department, which will act quickly, informed by their experience in deceased estate transfers.



## **CONTACT US:**

If you would like assistance with a personal legal matter, contact us and we will connect you with the right department.

**Telephone:** 012 346 3554

**Email:** [pro@aburden.co.za](mailto:pro@aburden.co.za)

If you already know which attorney you would like to direct your query to, you are welcome to contact them via email:

**Leonora Swart:** [leonora@aburden.co.za](mailto:leonora@aburden.co.za)

**Soekie Riekert-Botha:** [soekie@aburden.co.za](mailto:soekie@aburden.co.za)