

Adjournment

Anyone can talk to a lawyer for free at Tasmania Legal Aid.

To get free legal information call 1300 366 611, drop into an office (no appointment necessary) or use the Legal Talk chat function on our website. We are open Monday to Friday, 9am to 5pm.

A lawyer can listen to your story and help identify the next steps you can take.

Adjournment means setting a new date for a court hearing. A hearing may be adjourned before it has started or while it is in progress.

What should I do if I have to go to court but don't know yet what I want to do?

If you need to go to court but you are not sure what you want to do, you can ask for your court hearing to be moved to another time or day. This is called an 'adjournment'.

Who do I ask for an adjournment?

You need to ask the Magistrate or Judge for an adjournment. Generally, on your first appearance in court you will be granted an adjournment for a few weeks. This will give you a chance to talk with a lawyer and consider whether you want to plead guilty or not guilty.

Are there different types of adjournment?

There are 2 different types of adjournment.

1. Adjournment without plea (this means you don't need to tell the court if you are pleading guilty or not guilty and you need more time to decide).
2. Adjournment with a plea (this means you have told the court you are pleading guilty or not guilty, but you still need more time to organise your case).

How do I ask for an adjournment?

If you want an adjournment, you should say this to the Magistrate or Judge and explain why you need more time. If you have a lawyer, they will do this for you.

It is important that you do not lie to the court as this is a crime.

What happens if my matter is adjourned?

If your case is adjourned, you will be given another date to return to court. This is so that you have time to prepare or talk with a lawyer and get legal advice.

If you have any bail conditions, these may continue up until your next appearance, so it is a good idea to keep following them.

What happens if I still don't know what I want to do after an adjournment?

The court is not likely to grant you another adjournment without entering a plea of guilty or not guilty unless you have a good reason why you should have more time. If you have not used the extra time to prepare, the court will probably order you to enter a plea.

If you are waiting on information, or your lawyer is unavailable, then the Magistrate or Judge may consider another adjournment because those things are outside of your control.

This is written for people who live in or who are affected by the laws of Tasmania, Australia. The law changes all the time – this information is not legal advice. If you have a legal problem, you should talk to a lawyer before making a decision about what to do.