

Procedural Fact Sheets (Civil) – Supreme and District Courts

Adjourning an interlocutory application

An interlocutory application can only be adjourned by mutual consent of the parties or by direction of the court.

Applying for an adjournment

To apply for an adjournment, contact the opposing party to:

- Advise them why the adjournment is required.
- Provide enough information and evidence to enable them to decide whether to agree to the adjournment, e.g., if you are unwell, you may provide a medical certificate.
- Include a signed consent to adjournment using form 11 (rule 30).

Copy the email to the Applications List Manager <u>ApnManager@justice.qld.gov.au</u> (Supreme) or <u>dccivillistmanager@justice.qld.gov.au</u> (District).*

If the opposing party agrees to the adjournment, and provides you with a signed consent to adjournment, email the signed consent to the Applications List Manager

<u>ApnManager@justice.qld.gov.au</u> (Supreme) or <u>dc-civillistmanager@justice.qld.gov.au</u> (District). The List Manager will confirm by email if, and when, the application has been adjourned.*

Consideration by the court

If the opposing party does not agree to the adjournment, or fails to respond to the request within a reasonable timeframe, email your request to the Applications List Manager Applications List Manager Qjustice.qld.gov.au (District).*

The adjournment request will be considered by the senior judge in the Applications List:

- You may need to appear in court to explain your request and/or provide more information.
- If you are unable to appear in person, apply to the court for leave to appear by telephone or video link.
- Leave will not be given automatically— you must explain why you cannot appear in person.
- Any information you intend to rely on in support of your application should be provided in an affidavit using <u>form 46.</u> <u>rule 431</u>

If an adjournment is not granted

If the court is not satisfied that there is sufficient reason to grant an adjournment, the application hearing will proceed at the scheduled date and time.

- You, or your legal representative, must appear in person at the hearing of the application, but may apply to the court for leave to appear by telephone or video link.
- Leave will not be given automatically—you must explain why you cannot appear in person.

• To apply for leave, email the Civil List Manager <u>ApnManager@justice.qld.gov.au</u> (Supreme Court) or <u>dc-civillistmanager@justice.qld.gov.au</u> (District Court) well before the time the hearing is to take place.*

Failure to appear

If you do not appear at the application, it may be heard in your absence and the court may make orders against you, including:

- An order dismissing the application (if you are the applicant);
- Any orders requested by the applicant (if you are the respondent); and/or
- An order requiring you to pay the opposing party's costs of the application.

^{*} These email contacts are for officers in the Brisbane registry. If your proceeding is in another district, request relevant contact details from that <u>regional registry</u>.