

Adjournments

What is an adjournment?

An **adjournment** is a suspension or postponement of a court appearance. If the court adjourns your appearance, this means it is on hold for some reason. A court appearance might be adjourned to a specific date or indefinitely (called "*sine die*", meaning "without day" in Latin).

You may hear a court appearance called a "hearing" or "making an application".

What are reasons for an adjournment?

There are many reasons someone might ask for an adjournment:

- One party is not ready or has not had time to prepare.
- A party wants to present new evidence discovered right before the court date, and one or more parties need more time to figure out how the new evidence affects their case.
- One party is trying to get a lawyer and asks a judge to postpone the hearing until they have retained a lawyer.

The parties are the people involved in the court action.

Do all parties have to agree to an adjournment?

The person who wants the hearing adjourned should try to get consent from the other parties. If all parties agree to an adjournment, they can schedule a new date for the hearing. You might consent to an adjournment if the reason for the hearing is not urgent or serious, and if waiting will not hurt your case. Agreeing saves the time and cost of appearing in court.

Even if both parties agree to an adjournment, someone must go to court on the originally scheduled court date to tell the judge that the parties have agreed to adjourn the hearing, unless a lawyer adjourns it before the court date.

If one of the parties does not consent to the adjournment, the other party can still ask the judge to order an adjournment to another day. The opposing party will be able to argue against the adjournment. If the requesting party has a good reason for the adjournment, the judge will usually grant one. The judge can put certain conditions on the adjournment. For example, if the party asking for the adjournment says they want to hire a lawyer, the condition might be that they hire a lawyer within a specific period of time.

If the situation is urgent, the judge can make an interim order. For example, if one of the parties needs financial support in a family dispute, the judge can order an interim amount of financial support for a short period.

You have the right to argue against an adjournment. If there have been many adjournments already, you should bring this to the judge's attention. A party cannot use adjournments to unreasonably delay the case from moving forward.

Resources

CPLEA

Information booklets, FAQs and videos on many areas of the law and court process in Alberta.

cplea.ca/resources

LawCentral Alberta (a CPLEA website)

List of legal clinics and organizations in Alberta providing free or low-cost legal services.

lawcentralalberta.ca/clinics

List of more resources for preparing for court.

lawcentralalberta.ca/preparing-court

Alberta Courts

Information about the courts in Alberta, including forms and court processes.

www.albertacourts.ca

Resolution and Court Administration Services (RCAS)

Government service providing resolution and court support for Albertans.

www.alberta.ca/rcas.aspx

Alberta Law Libraries

Access to legal information and resources.

lawlibrary.ab.ca