

Applying for an adjournment

Applying to SACAT regarding an adjournment in Guardianship and Administration matters

Who can apply for an adjournment?

A request for an adjournment can only be made by the applicant, the person the application is about, a party (guardian or administrator) or a person whose rights or interests may be affected by a decision, such as a family member.

If you are not the applicant or person the hearing is about, you must seek the applicant's views about an adjournment prior to making a request for an adjournment.

What should be included in the adjournment application?

A request for an adjournment must identify the SACAT reference number and set out the reasons for the request.

What reasons are not acceptable for an adjournment request?

Any request will be considered by SACAT on its merits and in the context of the Tribunal's functions and objectives, but specific consideration will be given to the circumstances of the person who the application is about.

If you are the applicant for an order and you request an adjournment, but no explanation is provided to support the request then the matter will proceed. Work commitments are generally not accepted as a reason for non-attendance.

Time limits

The request must be made as soon as a person receives a notice of hearing and realises that they may have a problem in attending. A request for an adjournment made less than two weeks before the hearing will most likely be declined unless an appropriate explanation can be provided.

A request for adjournment may be made at the hearing on the same grounds as a request before a hearing. The Member conducting the hearing will make a determination about the request at the time of the hearing.

What information do I need to provide with my adjournment request?

A copy of supporting documentation (e.g. a medical certificate) must be submitted with the request for an adjournment.

What happens if my adjournment request is denied?

If you do not attend, then the Tribunal Member may proceed to hear and determine the application in your absence.

The applicant and the person are expected to attend the hearing as well as the proposed guardian(s) and administrator(s). If you cannot attend in person you may request to attend the hearing by video conference.

A person will generally be approved to participate by video conference if they are unwell and in hospital or are situated outside greater metropolitan Adelaide and would have to travel for more than one hour to arrive at SACAT for the hearing.

Telephone attendance by the applicant or the person or the proposed guardian or administrator is only approved in exceptional circumstances; examples include sudden serious illness/hospitalisation (with medical evidence provided) or where a person is interstate or in prison.

Contact the Tribunal

If you would like to speak to a staff member about an adjournment request, please telephone SACAT on 1800 723 767 (select option 4 and then option 2).

This information sheet does not constitute legal advice and does not relate to the circumstances of any individual matter. If you wish to have legal advice you should seek that independently.