



CRIMINAL PROCEEDINGS FAQ: MAGISTRATES COURT OF VICTORIA

How to adjourn/transfer a matter

You may be able to have your case adjourned to a different date or even transferred to a different Court. However you must contact the Criminal co-ordinator or before the date of hearing to make the request and relevant arrangements.

Where can I find pending case information?

Pending case information may be obtained by contacting the criminal co-ordinator's office or the criminal registry at the Court at which your matter is listed. It can also be found by using the Daily Hearing List search function, link provided in the Web and Legislation menu.

Procedure for a re-hearing

If your case was heard and determined and you did not attend Court, you may be entitled to a re-hearing of your case. In some situations there is an automatic right to a rehearing.

The Magistrate is not obliged to grant your application and therefore it is up to you to convince a Magistrate that there is a good reason why you should have your case reheard.

You should attend court to lodge your application for a re-hearing. The Court Registrar will prepare documentation for you and ensure your application is listed. A rehearing application must be served on the informant (for example a police or council officer) before the hearing date. There is no fee for a re-hearing application in the criminal jurisdiction.

If your licence was affected by the court case in your absence and you need to drive in the meantime, then you may apply to the Court to drive until your application is heard, otherwise you may be charged with a serious offence of driving whilst disqualified/suspended. You can discuss arrangements for applying to continue to drive with the Court Registrar.

An application to drive pending a rehearing application must be served on the informant at least seven days before the application is to be heard.

How do I plead not guilty

If you are pleading not guilty, you must let the Court know by ringing the Court at least three days before your Court date. You must advise the Court Coordinator's Office of your intention of pleading not guilty. The case will then not be heard on the date written on your Charge & Summons or Bail bond, however if you are on bail you must come to Court to apply to have your bail extended. A new date will then be set for you to attend Court.

Source: Magistrates Court of Victoria website, www.magistratescourt.gov.au