



County Court of Victoria Information Sheet: Adjournments and Bail/Surety

About the County Court Registry

The County Court's Registry is the official record keeper of pleadings and other documents that are filed in relation to a case. In Melbourne, the Registry is located on the ground floor of the County Court. The Registry's counter service operates from 9:00am to 4:00pm and the telephone service is available from 8:45am to 5:00pm on (03) 8636 6570. Both counter and telephone services are open Monday to Friday, excluding public holidays.

Please refer to the 'Circuits' page for contact information for the Court's circuit locations.

I want to adjourn my court case, what do I need to do?

An application to adjourn your case will be heard and determined by a Judge, so you must have a valid reason for requesting an adjournment.

For Melbourne matters, you will need to contact the prosecuting agency and ask them if they will consent to, or oppose your application for adjournment. This will determine when your adjournment application will be listed.

You will then need to contact the County Court Registry to obtain a date and time for your adjournment application. The Registrar will ask you whether or not the prosecuting agency consents to your adjournment application. Please make sure you have as much information about your case as possible (case number, date of listing etc.). The criminal registry can be contacted via telephone on (03) 8636 6570.

To confirm the listing of your application, you must put your request in writing. You should complete and file a 'General Application Form'. The form is available on the County Court website: www.countycourt.vic.gov.au.

You can file this application with the court via:

Email: crim.reg@countycourt.vic.gov.au

Post: Criminal Listings, Melbourne County Court, 250 William Street, Melbourne VIC 3000

You must also forward a copy of this form to the prosecuting agency involved in the case.

For Circuit matters, please contact the Melbourne Circuit Team via email (circuits@countycourt.vic.gov.au) or phone (03) 8636 6404.

How do I vary my bail?

An application to vary the conditions of your bail can be made at any stage during your court case. Contact the prosecuting agency and ask whether they will consent to, or oppose your application.

You will then need to call the criminal registry on (03) 8636 6570 to obtain a date and time for your variation application. Please ensure that you have as much information about your case as possible (case number, date of listing etc.).

Once a date for your application has been set, you will be required to complete the 'application by accused to vary amount or condition(s) of bail' form available on the court website:
www.countycourt.vic.gov.au.

File and serve the completed form with the Court and the prosecuting agency as soon as possible. If there is a surety attached to your bail, you will also be required to serve them with a copy of your application.

You must attend your hearing and make your application before a Judge.

Most bail variation applications in circuit matters are heard in Melbourne, with the accused appearing via videolink from a convenient court location.

What is a surety?

A surety is a form of security attached to the conditions of a person's bail. A Judge will determine if a surety is necessary and order a specific monetary amount. A surety can be provided in cash or a property title and must be supplied by a person other than the accused. The purpose of a surety is to ensure that the accused person complies with all aspects of their bail conditions.

If the accused person fails to comply with the conditions of their bail, the surety may be forfeited. This means any money held by the Court could be forfeited and any property held by the Court may be sold to recover the surety amount.

I no longer want to be a surety. How do I apply to be removed from a bail?

You can make an application to discharge yourself as a surety at any stage during the court case.

Complete the 'Application to Discharge Surety' form available on the Court's website (www.countycourt.vic.gov.au) and then file this application with the court via:

Email: crim.reg@countycourt.vic.gov.au

Post: Criminal Listings, Melbourne County Court, 250 William Street, Melbourne VIC 3000

A Registrar will list the application before a Judge and advise you of the hearing date and time.

You must then serve your application on the informant, the prosecuting agency, and the accused. You must attend the Court hearing in order to make your application before a Judge.

Prosecuting Agencies

The prosecuting agency in a state criminal case is the Office of Public Prosecutions (OPP). Contact number (03) 9603 7666.

Commonwealth offences are prosecuted by the Commonwealth Director of Public Prosecutions (CDPP). Contact number (03) 9605 4333.

Councils prosecute their own appeals. You will need to contact the relevant Council directly if you need to correspond with them regarding your appeal.

Information included in this information sheet is of a general nature and does not constitute legal advice. It should not be relied upon for such purposes. Litigants are encouraged to obtain legal advice prior to taking any step in the legal process. The County Court of Victoria does not accept any liability for loss or damage incurred as a result of reliance placed upon the content of this information sheet.