LCrR 3.3
CONTINUANCES

A. Bench Trials - Stipulations: The Court will grant a continuance after a bench trial date has been set upon a stipulation of counsel not less than three days prior to the date set. The defendant must sign all orders of continuance.

B. Bench Trials - Written Motion: All requests for a continuance made five working days or less prior to a non-jury trial not stipulated to by the opposing party shall be presented by written motion and affidavit after notice to the opposing party. Twenty-four (24) hours prior notice to the opposing party shall meet the requirement of this sub-section. The Court may grant a continuance on a showing of good cause.

C. Jury Trials: All requests for a continuance of a jury trial shall be presented by a written motion and affidavit with notice provided to the opposing party. Such motions shall be filed on or before the pretrial hearing unless circumstances beyond the control of the moving party prevent such motion from being timely filed. A continuance may be granted only upon a showing of good cause.

D. Good Cause: The following shall be deemed to be good cause:

1. Illness with such verification as may be required by the Court;

2. Unavoidable and/or unforeseen conflicts;

3. Unforeseen unavailability of witnesses; or

4. Lack of discovery or new evidence requiring investigation.

E. Imposition of Costs: Payment of costs of the Court and the opposing party may be a condition for granting a continuance.

F. Speedy Trial Waiver: If defendant requests a continuance, a waiver of CrRLJ 3.3, the speedy trial rule, shall be required as a condition for granting a continuance.

[Effective date September 1, 2007].