Rule 9
(Effective September 1, 1999, CrRLJ 3.3(h))

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.

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 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 may be heard at the pre-trial hearing or the date set by the clerk in the trial notification letter for motions. A continuance will be granted only upon a showing of good cause.

D. Good Cause:

The following shall be deemed to be good cause:

1. Illness;
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:

A Waiver of the speedy trial rule shall be required as a condition for granting a continuance.

G. Infraction Hearings:

One telephone request for a continuance may be granted by the Court Clerk. Thereafter, the request must be in

writing and approved by the Court.