RULE 10. CONTINUANCES

(A) Bench Trials--Stipulations. The court will grant a continuance after a bench trial date has been set upon a stipulation of the parties not 1ess than one day prior to the date set.

(B) Bench Trials--Written Motion. All requests for a continuance made five working days or less prior to a bench 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 subsection. 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. A continuance will be granted only upon a showing of good cause.

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

(1) Illness with such verification as may be required by the court; or,

(2) Unavoidable and/or unforeseen conflicts; or,

(3) 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 right to a speedy trial may be required as a condition for granting a continuance.

(G) Infraction Hearings. One telephonic request for a continuance may be granted by the clerk. Thereafter such a request must be in writing and approved by the court.

[Adopted September 3. 1991; amended effective September 1, 2001.]