

RULE 10.
CONTINUANCES.

A) Arraignments - The court administrator may, for good cause, continue an arraignment at the request of the defendant or counsel to the next available court session except in those cases when the charging document states that one or more of the charges involves domestic violence, harassment, violation of a no contact order, protection order or anti-harassment order, stalking, driving under the influence of intoxicants and/or drugs, physical control or minor under 21 operating a motor vehicle after consuming alcohol.

B) Bench Trials - Stipulations. The court will grant a continuance of a bench trial date upon the stipulation of the parties, if filed with the court at least three (3) business days prior to the date set for trial.

C) Bench Trials - Written Motion. All requests for a continuance of a bench trial date not stipulated to by the opposing party shall be made by written motion and affidavit at least five (5) business days prior to the date set for trial, after notice to the opposing party.

D) 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 made at the pretrial hearing.

E) Good Cause. A motion for continuance of an arraignment, bench trial or a jury trial will be granted only upon a showing of 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) For trials, lack of discovery or discovery of new evidence requiring investigation; or,

4) Other causes, in the discretion of the court.

F) Imposition of Costs. Payment of costs of the court and the opposing party may be a condition for granting a motion for continuance.

G) Speedy Trial Waiver. A waiver of the right to a speedy trial may be required as a condition for granting a motion for continuance. A motion for continuance made by the defendant or defense attorney shall be deemed a waiver of speedy trial, effective until the next date scheduled for the trial.

H) Infraction Hearings. One telephonic request for a continuance may be granted by the court administrator. Thereafter, a request must be in writing and approved by the court.

