

Rule G. Continuances

(a) Applications -- By whom determined. All applications for continuances shall be determined promptly by the judicial officer assigned to the case.

(b) Manner of application and obligation of counsel. Applications for continuances of hearings or trials shall be in writing, and copies thereof shall be given to all parties or their counsel. Applications shall be filed promptly with the Clerk of the Family Court unless the Court otherwise directs. Each application, whether or not contested, shall set forth good cause and contain at least one date to which the parties agree the case may be continued if the application is granted. If the moving party is unable to obtain agreement as to the continuance or the continued date from other parties, he or she shall set forth the good faith efforts made to obtain agreement from the other parties and shall submit three proposed dates for the hearing or trial. The determination of a properly entered application for continuance may be made by the judge without counsel present. It shall be the obligation of any counsel or unrepresented party to ascertain whether the application was granted or denied and the new date and time of the hearing or trial if the application was granted.

(c) The "2 day rule". Except in extraordinary or unforeseen circumstances, no further continuance may be granted in any continued case unless requested at least 2 days prior to the date to which the case was previously continued.

COMMENT

The Family Court, and the Superior Court in general, will operate with as few continuances as possible. Section (a) is designed to assure prompt determination of requests for continuance. Section (b) allows applications for continuances to be determined without counsel present, but puts an affirmative duty on non-appearing counsel to find out whether the request was granted and, if so, the new hearing date.