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Continuance based on Medical (maternity)

STATE	RULE	SUMMARY
Alabama	Rule 8.3	A motion for continuance addresses itself to the sound discretion of the trial court, and its ruling will not be disturbed in the absence of abuse.
Alaska		
Arizona	Rule 8.5	Grounds for Motion. A continuance of any trial date shall be granted only upon a showing that extraordinary circumstances exist and that delay is indispensable to the interests of justice. A continuance may be granted only for so long as is necessary to serve the interests of justice. In ruling on a motion for continuance, the court shall consider the rights of the defendant and any victim to a speedy disposition of the case. If a continuance is granted, the court shall state the specific reasons for the continuance on the record.
Arkansas	Rule 27.3	The court shall grant a continuance only upon a showing of good cause and only for so long as is necessary, taking into account not only the request or consent of the prosecuting attorney or defense counsel, but also the public interest in prompt disposition of the case.
California	Rule 5.7	Absent good cause, the court will not consider a contested application for a continuance, unless the requesting party tried to obtain a stipulation for a continuance at least two days prior to the hearing.
Colorado	Rule 15	Continuances may be granted on a showing of good cause by the officer, his supervisor, or the defendant.
Conneticut		
Delaware	Rule 19	(1) The specific reason for the continuance; (2) The position of opposing counsel or party on the requested continuance unless not possible to obtain; (3) If the request is made because of an attorney's or party's appearance in another court, a copy of the other court's trial notice (or, if the notice is not available, the name of the case, the court, the date and time of appearance and the date the other case was scheduled).

Florida	Rule 1.460	A motion for continuance shall be in writing unless made at a trial and, except for good cause shown, shall be signed by the party requesting the continuance. The motion shall state all of the facts that the movant contends entitle the movant to a continuance. If acontinuance is sought on the ground of nonavailability of a witness, the motion must show when it is believed the witness will be available.
Georgia	Rule 8.5	Continuance After Scheduled for Trial Continuances will not be granted merely by agreement of counsel. Actions will not be removed from a published trial calendar except by court direction upon such terms as reasonably may be imposed, including the possible imposition of a penalty of up to $50 upon the moving party if, absent statutory grounds or good cause, a motion for continuance of an action is first made within 5 days of the trial week scheduled.
Hawaii	Rule 12.2	(b) Motion for advancement or continuance of trial. When ruling upon a motion for advancement or continuance of a trial under this Rule 12.2, the court shall consider the totality of the circumstances, including, but not limited to, the following: (1) a defendant's rights to a speedy and fair trial, effective assistance of counsel, the right to confront and cross-examine witnesses and other rights guaranteed by the constitutions of the State of Hawaiʻi and the United States; (2) any substantial adverse impact the time of trial may have on the witness.
Idaho	Rule 2.5	The parties to any action may present to the court a stipulation as to any procedural matter involved in any proceeding, including a stipulation to vacate or continue a hearing or trial, but the stipulation is to be considered as a joint motion by the parties to the court for its consideration, and is not binding on the court. The court may approve or disapprove the stipulation in the same manner as the court rules on a motion. The court may by oral or written notice to the parties limit the time within which a motion or stipulation to vacate or continue a hearing or trial must be made in order to be considered by the court.
Illinois		

Indiana	Rule 53.5	Continuances Upon motion, trial may be postponed or continued in the discretion of the court, and shall be allowed upon a showing of good cause established by affidavit or other evidence. The court may award such costs as will reimburse the other parties for their actual expenses incurred from the delay. A motion to postpone the trial on account of the absence of evidence can be made only upon affidavit, showing the materiality of the evidence expected to be obtained, and that due diligence has been used to obtain it; and where the evidence may be; and if it is for an absent witness, the affidavit must show the name and residence of the witness, if known, and the probability of procuring the testimony within a reasonable time, and that his absence has not been procured by the act or connivance of the party, nor by others at his request, nor with his knowledge and consent, and what facts he believes to be true, and that he is unable to prove such facts by any other witness whose testimony can be as readily procured. If, thereupon, the adverse party will consent that, on the trial, the facts shall be taken as true if the absent evidence is written or documentary, and, in case of a witness, that he will testify to said facts as true, the trial shall not be postponed for that cause, and in such case, the party against whom such evidence is used, shall have the right to impeach such absent witness, as in the case where the witness is present, or his deposition is used.
Iowa	Rule 1.911	(1) A continuance may be allowed for any cause not growing out of the fault or negligence of the movant, which satisfies the court that substantial justice will be more nearly obtained. It shall be allowed if all parties so agree and the court approves.
Kansas		
Kentucky	Rule 23	(1) If the court grants an extension of time or a continuance for any hearing other than the annual permanency hearing, it shall make written or oral findings on the record that the continuance is necessary in the best interest of the child, for discovery or presentation of evidence or witnesses, to protect the rights of a party, or for other good cause shown.

Louisiana	Art. 707	A motion for a continuance shall be in writing and shall allege specifically the grounds upon which it is based and, when made by a defendant, must be verified by his affidavit or that of his counsel. It shall be filed at least seven days prior to the commencement of trial. Upon written motion at any time and after contradictory hearing, the court may grant a continuance, but only upon a showing that such motion is in the interest of justice.
Maine	Rule 7	Continuances, while not favored, may be granted by the court at any time for good cause.
Maryland	Rule 2-508	(a) Generally. On motion of any party or on its own initiative, the court may continue a trial or other proceeding as justice may require.
Massachusetts	Rule 40	(b) Continuances. Continuances shall be granted only for good cause, in accordance with general rules and orders which the court may from time to time adopt.
Michigan		
Minnesota		
Mississippi		
Missouri	Rule 65.03	An application for a continuance shall be made by a written motion accompanied by the affidavit of the applicant or some other credible person setting forth the facts upon which the application is based, unless the adverse party consents that the application for continuance may be made orally. In any application for continuance made within thirty days of the date the matter is scheduled to be heard, the lawyer shall certify that the party for whose benefit the motion is filed has been consulted, that the party is aware of the contents of the motion, and the party's position with respect to the motion.
Montana	Rule 14	Requests for continuance of any hearing or proceedings in the water court must be made in accordance with the Uniform District Court Rules, and served upon all interested parties not less than 5 days before the date set for hearing or proceedings. The water court will grant the continuance upon a substantial showing of good cause. The water court may grant an untimely request for a continuance upon a showing of exigent circumstances.

Nebraska	25-1148	Whenever application for continuance or adjournment is made by a party or parties to any cause or proceeding pending in the district court of any county, such application shall be by written motion entitled in the cause or proceeding and setting forth the grounds upon which the application is made, which motion shall be supported by the affidavit or affidavits of person or persons competent to testify as witnesses under the laws of this state, in proof of and setting forth the facts upon which such continuance or adjournment is asked. After the filing of such application and the affidavits in support thereof, the adverse party shall have the right to file counter affidavits in the matter. Either party may, upon obtaining leave of the court, introduce oral testimony upon the hearing of such application. The court may, upon the hearing, in its discretion, grant or refuse such application, and no reversal of such cause or proceeding shall be had on account of the action of the court in granting or refusing such application except when there has been an abuse of a sound legal discretion by the court.
Nevada		
New Hampshire	Rule 49	All Motions for continuance shall be made in writing setting forth the grounds relied on and shall be signed and dated by the Pro Se Party or Attorney. Other Parties wishing to join in any such Motion shall also do so in writing. Motions filed by Attorneys shall contain a statement that the client has been notified of the reasons for the continuance, has assented thereto either orally or in writing, and has been forwarded a copy of the Motion. All such Motions shall be filed within ten (10) days from the date of the mailing of the notice of a hearing or trial. Any such Motion that is filed after the (10) days from the date of the mailing of such notice shall not be considered by the Court, except for good cause shown.
New Jersey		
New Mexico		
New York	Rule 4402	At any time during the trial, the court, on motion of any party, may order a continuance or a new trial in the interest of justice on such terms as may be just.

North Carolina	Rule 40	(b) No continuance shall be granted except upon application to the court. A continuance may be granted only for good cause shown and upon such terms and conditions as justice may require. Good cause for granting a continuance shall include those instances when a party to the proceeding, a witness, or counsel of record has an obligation of service to the State of North Carolina, including service as a member of the General Assembly or the Rules Review Commission.
North Dakota	Rule 6.1	(b) Other Continuances. Motions for continuance shall be promptly filed as soon as the grounds therefor are known and will be granted only for good cause shown, either by affidavit or otherwise. Stipulations for continuance will not be recognized except for good cause shown. Every continuance granted upon motion must be to a future date consistent with the docket currency standards for district courts, except for good cause shown.
Ohio	Rule 23	Continuances shall be granted only when imperative to secure fair treatment for the parties.
Oklahoma		
Oregon		
Pennsylvania	Rule 2313	(b) Continuance. Continuance of the argument of a case to a later argument list than that designated in the notice from the prothonotary shall be allowed only on application. The appellate court or a designated judge of the appellate court may grant a continuance upon application of less than all parties without notice to the other parties when exigent. A continuance shall be granted only for compelling and persuasive reasons.
Rhode Island	Rule 40	(b) Continuances. Continuances shall be granted only upon motion and for good cause shown and upon such terms and conditions as the court shall determine.
South Carolina	Rule 7	(c) Continuance for Good Cause. If other good sufficient cause for continuance is shown, a continuance may be granted by the chief administrative judge for General Sessions Court.

South Dakota	15-11-6	All applications for continuance must be made, by motion, not less than ten calendar days prior to the day set for commencement of the trial, unless the cause for continuance shall have arisen or come to the knowledge of the party subsequent to that time, in which case the motion shall be made as soon as practicable. All such motions shall be in writing and accompanied by affidavits in support of the motion, which affidavits shall set forth with particularity the grounds and cause for such motion as well as the efforts of the party or the party's attorney to avoid such delay. Upon receipt of such a motion, the court shall schedule a hearing, which may be by telephone conference, and shall decide the motion without delay in order to avoid trial delay awaiting such decision. The adverse party may be heard by affidavits or by argument presented, filed, and served at the time of the hearing.
Tennessee	Rule 8	(d) Continuances of Oral Argument. When a case is set for submission, it will not be continued or reset to the next docket except upon motion in conformity with Rule 22, T.R.A.P. The motion must state whether or not the opposing party consents to the continuance. Motions for continuance of oral argument which are filed after the last Thursday before the case is set for oral argument will only be granted under exigent circumstances.
Texas		
Utah		

Vermont	Rule 40	(c) Continuances.(1) An action that is among the first twenty cases assigned for trial on a trial list issued under paragraph (a)(2) of this rule, or an action that has been specially assigned for trial, may be continued by agreement of the parties only (A) upon notice to the clerk 24 hours before the time set for trial and (B) if the assigned trial date is less than one year from the date of entry of the action. If so continued, an action shall thereafter be placed on a trial list or specially assigned only upon motion and a showing that the parties are, or reasonably can be, ready for trial. An action listed on a trial list that is not among the first twenty cases assigned for trial may be continued at any time by agreement of the parties, subject to the provisions of Rule 41(b)(1).(2) A motion for continuance of an action shall be made not later than the opening of the court on the second day of the term in which the action is in order for trial; but if the cause or ground of the motion is not then known, the motion may be made as soon as practicable after the cause or ground becomes known. Ordinarily, the only grounds for continuance after the second day of the term will be the sickness of counsel or parties, the unavoidable absence of a material witness or evidence, or the rulings of the Administrative Judge as to conflicting appointments of trial attorneys.(3) The entry "continued" shall carry with it an enlargement of all former orders not complied with, executed, or expressly discharged. The court may continue the action on such conditions as to costs and other matters as may be fair and equitable.
Virginia	Rule 3 (Uniform Pretrial Schedluing Order 8:14 (Juvenile and Domestic Relations District Courts)	(a) Continuance Granted for Good Cause. Continuances should not be granted except by, and at the discretion of, a judge for good cause shown, or unless otherwise provided by law. The judge may, by order, delegate to the clerk the power to grant continuances consented to by all parties under such circumstances as are set forth in the order. Such an order of delegation should be reasonably disseminated and posted so as to inform the bar and the general public. (d) Continuances Requested at the Time of Hearing. Where a request for a continuance has not been made prior to the hearing or trial and other parties or witnesses are present and prepared for trial, a continuance should be granted only upon a showing that to proceed with the trial would not be in the best interest of justice.
Washington		

West Virginia	Rule 7	Except as provided for in Rule 5, extensions of time and continuances beyond the times specified in these rules or by other applicable law shall be granted only for good cause, regardless of whether the parties are in agreement. If a continuance is granted in accordance with this rule, the court shall set forth in a written order its reasons for finding good cause.
Wisconsin		
Wyoming		