

## **Motion for Continuance** **And Instructions for Completing the Form**

If you want to ask the Court to reschedule a hearing, you must file a **Motion for Continuance**. The Court may reschedule a hearing upon the request of a party if the Court finds that a continuance is appropriate.

The Motion for Continuance **must contain the following**:

1. A detailed explanation of your reasons for the continuance along with any supporting documentation if applicable;
2. A detailed explanation of your effort to contact the opposing party/attorney regarding the continuance;
3. Your signature; and
4. A statement verifying that you mailed, faxed, or delivered a copy of the Motion for Continuance to opposing counsel or any other party who is not represented by an attorney.

For the requirements regarding filing a motion to continue, see Local Rule 2.11 of this Court's Local Rules at <http://www.co.tuscarawas.oh.us/Courts/local-rules-of-practice>.

### **How to Complete the Motion for Continuance:**

1. List the reason(s) why you need to have the hearing continued. **Identify any documents supporting your reasons and attach these documents to your Motion for Continuance.**
2. On page two you must describe the efforts you made to contact the other party/attorney to obtain agreement or why you did not contact the opposing party/attorney to obtain an agreement. **The Court expects you to have contacted the other party/attorney to obtain agreement.**
3. Write the number of previous continuance(s) that have been granted to either party in this case.

4. Sign your name on the first line. Print your name on the second line, and print your address and daytime telephone number on the lines provided.
5. **Certificate of Service:** You must send a copy of the Motion for Continuance to opposing counsel. If the other party has no counsel, you must send the Motion for Continuance to the other party. To certify that you have done so, fill in the name and address of the person to whom you mailed the Motion and the date on which you mailed the Motion in the spaces provided, and sign the form.
6. **Make three copies of the Motion for Continuance.**
7. **File the Motion for Continuance:** Take the original and three copies to the Clerk of Common Pleas Court located on the second floor of the Tuscarawas County Annex Building located at 125 E. High St., New Philadelphia, OH 44663. Keep one time-stamped copy for your records.
8. **Mail the Motion to the person listed in the certificate of service.**

**In the Court of Common Pleas  
Tuscarawas County, Ohio  
General Trial Division**

\_\_\_\_\_ :  
Plaintiff/Petitioner, :  
vs. : Case No. \_\_\_\_\_  
\_\_\_\_\_ :  
Defendant/Petitioner : Judge: \_\_\_\_\_  
Respondent. : **Motion for Continuance**  
:

Plaintiff  Petitioner  Defendant  Respondent \_\_\_\_\_  
moves the Court for an order continuing the hearing scheduled on the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ (time), before  
Judge/Magistrate \_\_\_\_\_.

The reason(s) for this request is/are: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

- I have not attempted to contact the opposing party/attorney about my request for the continuance. (Please explain why)

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Or

- I have attempted to contact the opposing party/attorney about my request for continuance and received the following response:
  - the person consented.
  - the person objected.
  - I left a message and have received no response.

I have been granted \_\_\_\_\_ previous continuances.

Respectfully submitted,

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Signature

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Print Name

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Address

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City/State/Zip

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Telephone Number(s)

**Proof of Service**

I certify that I mailed a copy of the attached Motion for Continuance by ordinary U.S. mail  
or \_\_\_\_\_(describe other method)

on \_\_\_\_\_, 20\_\_\_\_ to:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

\_\_\_\_\_  
Signature