

MOTION FOR CONTINUANCE

INSTRUCTIONS

Attached is a form requesting that the Court change a hearing date or time. These instructions are not intended to be a legal analysis of your request or of whether you should win your Motion. These instructions are just to help you in preparing and presenting your Motion.

A. FILLING OUT THE FORMS - TYPEWRITTEN OR IN INK

1. The enclosed forms should be filled out before you go to the Court to file them. The Clerk of Court's staff will not help you in completing the forms.
2. **Motion for Continuance** - You will be the same party you were in the order for the hearing which you want to change. Looking at a copy of that order, fill in the name of the county and court division (i.e., Juvenile, Domestic Relations), the Plaintiff/Petitioner and the Defendant/Petitioner, the case number, address, phone #, and birth date for each party.

You must have a valid address for the Clerk's office to mail the Motion to the other party. If you do not have a valid address for the other party, you should not even file the papers. The Court has no authority to grant your Motion unless the other party has been served with a copy of it and has had a chance to respond to it.

Fill in your name as the person asking the Court to change the time or date of the hearing. Fill in the reason you need the hearing changed. It must be a good reason.

Under **Instructions for Service**, sign your name.

3. **Entry** - Fill in the name of the county and court division, the Plaintiff and Defendant, and the case number.
4. Remove the instructions sheets and make three copies of each page of each form.

B. FILING THE MOTION

1. After the forms are filled out and copied, YOU MUST TAKE THEM to the Clerk of Court's office to be filed.
2. When you file your papers, the Clerk's staff will take the original and two copies of each form. You should ask the Clerk to time-stamp your remaining copy, which you will then keep as your proof of what you filed and where and when you filed it.
3. You should check with the court to see if your motion was granted. **THERE IS NO GUARANTEE THAT THE HEARING TIME WILL BE CHANGED.**

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

DIVISION

(Name)

(Address)

(City, State, Zip)

(Telephone Number)

(Birth Date)

Plaintiff/Petitioner,

VS.

(Name)

(Address)

(City, State, Zip)

(Telephone Number)

(Birth Date)

Defendant/Petitioner.

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CASE NUMBER _____

JUDGE _____

MAGISTRATE _____

MOTION FOR CONTINUANCE

_____ asks this honorable Court to reschedule the hearing set

in this matter on _____ for the reasons appearing below: _____

Respectfully Submitted,

Movant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was served by regular Mail this _____ day of _____ 20____ upon: _____

Movant

IN THE COURT OF COMMON PLEAS

COUNTY, OHIO

DIVISION

_____, *
Plaintiff/Petitioner *
vs. * CASE NO. _____
_____, * JUDGE _____
Defendant/Petitioner. * ENTRY

The Court finds the Motion of _____ well taken and
Continues the hearing to _____.

IT IS SO ORDERED.

JUDGE

pc: All parties and counsel of record