

VERIFIED MOTION FOR CONTINUANCE

General Instructions

PLEASE READ FIRST: It is very important for you to know that when you sign a Court document, you may be helping or hurting your case. Before you sign any Court document or get involved with a Court case, it is important that you see a lawyer to make sure you are doing the right thing. Although there are risks in self-representation, should you choose to represent yourself you must be prepared. Although these forms have been prepared to help you represent yourself, you should know that certain Courts have their own procedures and may not accept every form. You may represent yourself in court, but you will have to abide by the appropriate court rules, Indiana Rules of Evidence, Indiana Rules of Trial Procedure, and any local rules. For additional information, you may refer to the Indiana Self-Service Legal Center that can be found at www.in.gov/judiciary/selfservice/index.html. For legal advice about your case, you should get in touch with a lawyer. -----

Step 1: Who should use this packet

You should use this form if:

1. You have filed a Court action against someone or someone has filed a Court action against you, and
2. A hearing has been scheduled in this action, and
3. You need more time to either prepare for the hearing, obtain an attorney, or cannot be in Court for the hearing.

Step 2: What this packet contains

This packet contains forms for you to fill out and take to the Court so you can ask the Court for a later hearing date in this Court action. There are three forms in this packet. This packet also contains instructions.

Step 3: Which forms to fill out

You must fill out all three forms.

1. Appearance form (only if you haven't already filed an appearance as a pro se individual)
2. Verified Motion for Continuance
3. Order Granting Verified Motion for Continuance

Step 4: How to File for a Continuance

1. Follow the instructions attached to each form to fill it out. You will need to look at a copy of your Court documents to answer questions on these forms. You will need to type or print neatly in black ink. Do not print on the back or sides of the forms, print only in the blanks provided.
2. Before filing these forms, check with your local Clerk to find out the number of copies you must provide and to find out the manner used by that Clerk of advising the other party of the hearing date.
3. Prepare the required number of copies of each of the forms that you have filled out.

4. Take the forms and copies to the Clerk in the Court where the action was originally filed. The Clerk will file stamp the forms, keep the originals and necessary copies, and hand back the rest of the copies to you. Leave two stamped envelopes, one with your address and one with the other side's address, with the Clerk for mailing the Order.
5. It is your responsibility to send a copy of your filings to the other side. Mail one stamped copy of each form to the other party's attorney. If the other party does not have an attorney, you are required to mail the copies to the other party.

Remember:

- A) Filing these forms does not automatically give you a continuance. Also, even if your motion is granted, you may not get the time you requested.
- B) You are encouraged to file these forms as soon as possible. It is best to file for a continuance NO LATER than seven (7) days before the hearing date, but some local Court rules might have a different time requirement. Call the Court to check on this.
- C) Before you file for a continuance, you should try contacting the other side and inform them of your continuance request. Most local rules in Indiana have a requirement similar to this. If the other side is represented, you must talk to their attorney. The Verified Motion for Continuance has a section where you should print the name of who you contacted, when you contacted them, and whether they agree or object to your request for a continuance. If you are aware of a protective order between yourself and the other side and if they do not have an attorney, DO NOT violate the protective order. Print the reason you did not contact them on line 25 of the Verified Motion for Continuance.
- D) It is your responsibility to find out if your motion was granted and to notify the other side's attorney whether it was granted or not. If you are aware of a protective order between yourself and the other side and if they do not have an attorney, DO NOT violate the protective order.

Instructions for filling out the *Appearance* (Form #1)

Fill out only if you haven't already filed an appearance as a pro se individual.

The instructions below correspond to the line numbers on the forms. Check the box in the first column as you complete each line.

	Line #	Instructions
	1 – 11	Look at the Court papers you have from this case. Copy the title as it appears on those court papers.
	17	In the first blank, print whether you are the Petitioner or Respondent as it appears on the Court papers you have from this case. In the second blank, print your complete name.
	21 & 22	If this is a family law case, print the names of all family members involved in this case.
	23	If this is a family law case, print the number of children involved in this case.
	24	Check "Yes" or "No" depending on whether there are other Court cases involving yourself and the other side.
	25	For each case, you should describe what kind of case it is, name the Court that the case is in, and give the case number of the case (this number should appear in the top right-hand corner of any Court documents that you have relating to that case).
	26	Sign your name.
	28	Print your name.
	30	Print your complete mailing address.
	32	Print your town, state, and zip code.
	34	Print your telephone number, with area code.

Instructions for filling out the Motion for Continuance (Form #2)

The instructions below correspond to the line numbers on the forms. Check the box in the first column as you complete each line.

	Line #	Instructions
	1 - 11	Look at the Court papers you have from this case. Copy the title as it appears on those court papers.
	15	Print your full name.

	17	Print the date and time of the hearing you want continued.
	19 & 21	Print the reason(s) you are asking for a continuance. Courts take continuance requests seriously. Make sure a continuance request was your last option.
	23	Print the amount of time you are requesting. Please remember that you may not get all the time you are requesting.
	25	Print the name of the person you contacted from the other side about your continuance request in the first blank. Print the date you contacted that person in the second blank. Print whether that person objected or agreed to your continuance request in the third line.
	31	Sign your name.
	33	Print your name.
	35	Print your mailing address.
	37	Print your town, state, and zip code.
	39	Print your telephone number, with area code.
	45	Print the date that you will send the stamped copy of your forms to the opposing party or their attorney.
	47	Sign your name when you mail a copy to the other side.
	49	Print your full name when you send a copy to the other side.

Instructions for filling out the Order (Form #3)

The instructions below correspond to the line numbers on the forms. Check the box in the first column as you complete each line.

	Line #	Instructions
	1 – 11	Look at the Court papers you have from this case. Copy the title as it appears on those court papers.
	17 – 30	These blanks will be filled out by the Court.
	34 – 40 left-hand side	Print your full name, your mailing address, your town, state and zip code, and your telephone number, with area code in the blanks provided on the left-hand side.
	34 – 40 right-hand side	Print the opposing side's or their attorney's full name, their mailing address, their town, state and zip code, and their telephone number, with area code in the blanks provided on the right-hand side.