

IN THE IOWA DISTRICT COURT FOR THE  
EIGHTH JUDICIAL DISTRICT OF IOWA

<b>IN RE: CONTINUANCE POLICY FOR CIVIL CASES</b>	<b>Administrative Order 2017-3</b>
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The Iowa Judicial Branch Mission Statement is “The Iowa Judicial Branch dedicates itself to providing independent and accessible forums for the fair and prompt resolution of disputes, administering justice under law equally to all persons.” In these times of limited resources being provided to the courts, ensuring for the prompt resolution of disputes is more challenging. Due to state budget cuts the number of days per week on which trials may be scheduled have been reduced. Consequently, if cases are continued from established trial dates there may be significant delay before they can be rescheduled for trial. To achieve our Mission of prompt resolution of disputes, unnecessary continuances of court events must be minimized. To protect the credibility of scheduled trial dates, the court especially discourages continuances of trials. To achieve this goal it had been determined a District wide continuance policy should be adopted.

The following policy applies to all civil cases, except small claims and juvenile cases.

**IT IS THEREFORE ORDERED AS FOLLOWS:**

Except in exigent or unusual circumstances, any continuance motion or request must be in writing, signed by the client, and filed not later than seven days before the court event for which rescheduling is requested. The court will grant a continuance only

for good cause shown. Each continuance motion must contain sufficient information and/or be supported by sufficient evidentiary materials to allow the court to determine whether there is good cause and whether the alleged cause for the continuance grows out of the fault or negligence of the moving party. For the purposes of this policy good cause is equated to "... 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." Iowa R.Civ.Pro. 1.911(1).

Unless and until a motion to continue is granted, the parties should consider the court event still proceeding. The parties are required to appear for the scheduled court event unless a motion to continue has been granted. The filing of a motion to continue in and of itself does not excuse the requirement for the parties or the attorneys to appear.

The clerk of court in each county is directed to provide a copy of this order to all attorneys practicing in their county. A copy of this order shall be issued to counsel and self-represented litigants along with the order scheduling the pretrial conference in civil cases.

This supervisory order becomes effective immediately upon this date.

Dated this 16<sup>th</sup> day of June, 2017.



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Mary Ann Brown, Chief Judge  
Eighth Judicial District