

Motions to Continue Oral Arguments

Because of its high volume of work, the Iowa Court of Appeals grants oral argument in only a small percentage of the cases it decides each year. The chief judge, in consultation with other members of the court and staff, carefully screens those appeals in which oral argument will significantly aid in the decision-making process. The Court of Appeals strives to provide timely notice of those argument schedules to litigants.

If after receiving that notice, a litigant files a motion to continue oral argument, that motion must “state with particularity the grounds on which it is based.” Iowa R. App. P. 6.1002(1). Because continuing oral argument constitutes extending a deadline, the litigant requesting the continuance must show good cause. Iowa R. App. P. 6.1003(2). Good cause for an extension includes the unavailability of counsel based on “unusual and compelling circumstances.” *Id.* The motion also should describe whether another attorney in counsel’s firm or organization, or otherwise associated with the case, may be available on the date scheduled for oral argument.

In deciding if it is appropriate to grant a motion to continue oral argument, the court of appeals also will examine whether counsel seeking the continuance has conferred or attempted to confer in good faith with counsel for all other parties to the appeal. Counsel should state in the motion whether the other parties consent to the continuance.

Please be aware that if the Court of Appeals cannot accommodate a motion to continue, we may decide to consider the appeal without oral argument.