

**FAMILY COURT DIVISION
ADMINISTRATIVE REGULATION #02-02**

CONTINUANCE POLICY - DOMESTIC RELATIONS DIVISION

EFFECTIVE IMMEDIATELY, the Domestic Relations Division institutes the following policy relating to continuance requests:

- (1) Continuances shall be granted only for good cause shown, and agreements to continue the matter by the parties or counsel are not sufficient to stay the provisions of this Administrative Regulation.
- (2) A continuance request by an attorney for a case will only be considered if the attorney has already filed a formal entry of appearance in the case.
- (3) Except as otherwise provided by this Administrative Regulation, all requests for continuance must be submitted in writing and within ten (10) calendar days from the date that the notices for the proceeding were served. If the scheduled event is a courtroom proceeding the request must be submitted to the presiding judge; if the scheduled event is not a courtroom proceeding, the request must be submitted to the supervisor of the presiding quasi-judicial officer. The addresses and fax numbers for all judges and operational units within the Domestic Relations Division are available on its internet website at: <http://courts.phila.gov/cpfd.html>.
- (4) If a continuance request is based on an emergency and/or other unanticipated situation, the request must be submitted in writing to the presiding judge or the supervisor of the presiding quasi-judicial officer within twenty-four (24) hours from the time that the party or attorney becomes aware of, or should have become aware of the situation, and at least twenty-four (24) hours prior to the proceeding, if possible. **Failure** of a party to retain counsel in a timely fashion shall not constitute an emergency and/or unanticipated situation.
- (5) All continuance requests must specify the reason therefor and include documentation, to the extent possible, and all opposing parties and/or counsel must be copied with said request.
- (6) In order for the court or supervisor to accurately and easily identify the specific event for which the continuance is being requested, the request must include the caption of the case, the names of the parties and presiding officer, the matter pending, the date, time and place of the scheduled event, the position of the opposing parties or counsel with regard to the continuance request, and a copy of the scheduling notice if a time conflict is alleged.
- (7) Unless the party or attorney requesting the continuance receives approval of the continuance by the court or appropriate supervisor, the event shall proceed as scheduled. If either party fails to appear for the scheduled event, and a continuance request has not been approved, the underlying petition, complaint, motion, or other pleading may be disposed by the court or presiding officer under applicable law.

- (8) Filing advance notices of unavailability with the Clerk of Family Court will only prevent an attorney from being scheduled on unavailable dates in custody, divorce, and protection from abuse cases in which the attorney has entered an appearance. The Pennsylvania Child Support Enforcement System (PACSES) on which support cases are administered does not have the ability to prevent scheduling an attorney for a support proceeding, notwithstanding that the attorney has previously filed a notice of unavailability with the Clerk of Family Court. Therefore, any attorney of record in a support case who receives a notice for a proceeding on a date that the attorney had previously filed as unavailable, must submit a request for continuance in accordance with this Administrative Regulation within ten (10) calendar days from the date that the notice for the proceeding was served, and include a copy of the letter of unavailability that had been filed with the Clerk of Family Court.
- (9) This Administrative Regulation specifically supercedes Family Court Administrative Regulation #00-04, which is hereby RESCINDED.

Date:

Honorable Myrna P. Field
Administrative Judge
Family Court Division