

INSTRUCTIONS FOR
MOTION AND ORDER FOR CONTINUANCE

Forms Included:

- Motion for Continuance
- Affidavit in Support of Motion to Continue
- Order on Motion for Continuance
- Affidavit of Mailing

A Motion and Order for Continuance may be submitted to the Court when you need to ask for the trial to be moved to a different date. You must have a good reason for asking the Court to move the trial date. (For example, you are hospitalized or you have not been able to hire an attorney.)

You should submit your request for a continuance to the Court as far ahead of time as possible. If you submit your request too late, the Court is more likely to deny it.

***** You MUST inform the other party, or the attorney if there is one, that you plan on asking the Court for a continuance. You must ask the other party, or the attorney if there is one, if they object to your motion *before* you file it. You must tell the Court whether or not the other side objects to a Continuance.*****

GENERAL INSTRUCTIONS

Print legibly and use black ink.

On each document, fill out the caption exactly as it appears in the original case filing, including the case number.

On the last page of each document, you will find a “certificate of document preparation” that looks like this:

CERTIFICATE OF DOCUMENT PREPARATION

I certify that the following statement is true:

2. I selected this document for myself, and I completed it without paid assistance.
- 2 I paid or will pay money to _____ for assistance in preparing this document.
3. I was provided this document by a lawyer and I completed it without paid assistance.

Dated: _____

 Petitioner Respondent, Pro Se

Check the appropriate box, then sign and date the certification.

On most pages you are asked for your address and telephone number. You must give a contact address and telephone, which may be your own. However if you do not wish the other side to know your address, you may give the address of some person who can be relied upon to get mail and messages to you promptly.

Instructions for Motion for Continuance

1. Fill in the blanks at the top of the page exactly as they are shown on the other papers you have received or served in this case. Spell your name and the other party's name exactly as they appear on the other papers. Be sure to put in the court case number. Check whether you are the Petitioner or Respondent at the top right of the page and at the bottom of the page on line 27.
2. Line 14. Write your name in the first blank, and check whether you are the Petitioner or the Respondent in the case.
3. Line 15. Write the name of the hearing in the blank, so that the Court knows what type of proceeding you are talking about. You should be able to tell what type of hearing you have by looking at the hearing notice. If you do not know what type of hearing it is, you can call the Courthouse and ask.
4. Line 19. If there is an attorney representing the other side, check the box in front of "counsel" and write the attorney's name in the blank. Otherwise check the box in front of "party" and write the other party's name in the blank. You must also tell the Court whether the other side objects to a continuance by checking "does" or "does not."
5. Line 21. Check whether you are the Petitioner or Respondent.
6. Lines 24-26 and Page 2, Line 1. List the reasons you are requesting the Court to allow you a Continuance. You must have a good reason to ask the Judge to move the Court date. Be sure to write neatly and tell the Judge why you need more time.
7. Page 2, Line 3/4 Check whether you are Petitioner or Respondent.
8. Page 2 - Lines 5 -10. Date the Motion on line 5, and put your signature on line 7 and check whether you are the Petitioner or the Respondent. Fill in your address and telephone contact information. Remember not to list your actual address if you do not want the other side to have it. You must check your mail consistently so that you receive adequate notice of any information about your case.
9. Page 2, Line 27. Check the box for Petitioner or Respondent

Instructions for Affidavit of [] Petitioner- [] Respondent in Support of Motion to Continue

1. Fill out the top of the document exactly as you filled out the top of the Motion for Continuance. On Line 27, at the bottom of the page, check whether you are the Petitioner or the Respondent.
2. Line 13. Fill in the name of the County in which you will SIGN the Affidavit.
3. Line 14. Write your name in the blank.

Instructions-continuance

DOU*RC-11:6/00

4. Line 15. Check whether you are the Petitioner or the Respondent in the case.
5. Line 17. Write the reasons you are asking the Judge for a continuance. Make sure your reasons are substantial and would justify the Court's rearranging the trial schedule.
6. Page 2, Line 2-3. Describe how you contacted the opposing party or the opposing party's attorney to let him/her know of your request for a continuance. Remember, you are required to attempt to contact the other side before you ask the Judge for a continuance.
7. Line 5. You must tell the Judge if the other side objects or not. Check the appropriate boxes.
8. Line 9. DO NOT sign until you are in front of a Notary Public.

Instructions for proposed Order on Motion for Continuance

1. Fill out the top of the Order exactly as you filled out the top of the Motion and Affidavit for Continuance.
2. Lines 15/16. Check whether you are the Petitioner or Respondent.
3. Lines 16/17. Write the date the hearing/trial is currently scheduled.
4. **DO NOT WRITE ANYTHING BETWEEN LINES 19 AND 24.**
5. Line 25. Write the name of the judge to which your case has been assigned.
6. Page 2, lines 2-5. Complete and sign the Certificate of Document Preparation.
7. Page 2, lines 9-12. Check whether you are the Petitioner or Respondent, and fill in your name, contact address and contact telephone information.

Instructions for Serving the Other Side

1. Fill out the Affidavit of Mailing and sign it in front of a Notary Public.
2. You must make 2 copies of all the papers. You will serve one copy of the papers on the other party, or on the attorney if there is one.
3. Mail a copy of the papers to the other side or to the attorney if there is one.
4. Keep one copy for yourself.

Instructions for Filing the Documents with the Court

1. Take the **original** Motion for Continuance, Affidavit of Petitioner/Respondent, proposed Order, Certificate of Mailing, and certificates of document preparation to the Courthouse, or mail them to the Court clerk.
2. Keep a copy of the above documents for your records.
3. Call the Court after a day or two to find out whether the Judge granted or denied your Motion for a Continuance.
4. If your Motion was denied, you **MUST** show up for Court at the originally scheduled date and time, or the matters could be resolved against you. If your Motion was granted, you will need to speak to the Court Clerk to find out the date and time of your rescheduled hearing.

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4 IN THE CIRCUIT COURT OF THE STATE OF OREGON
5 FOR THE COUNTY OF DOUGLAS

6 In the Matter of [] the Marriage of :)
7 _____)
8 (name))
9)
10 _____)
11 (name))
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25)
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27)
Petitioner,
and
Respondent.

Case No. _____

[] PETITIONER'S
[] RESPONDENT'S
MOTION FOR CONTINUANCE

1. _____

Comes now _____, [] Petitioner [] Respondent, and
(Your name)
respectfully moves this Court for an Order continuing the _____ Hearing
(Type of hearing)
scheduled for the _____ day of _____, 20 _____, at _____ am/pm to a later
date.

2. _____

The opposing [] party [] counsel, _____ [] does [] does
(name of opposing party or counsel)
not object to the requested continuance.

3. _____

This Motion is supported by the Affidavit of [] Petitioner [] Respondent, attached
hereto and incorporated herein by reference.

4. _____

This continuance is requested for the following reason(s): _____

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5.

This Motion is not made for the purpose of delay. This is Petitioner's
 Respondent's first request for a continuance.

Respectfully Submitted this _____ day of _____, 20____.

(Signature) Petitioner Respondent, Pro Se

Name

Street Address or Contact Address

Mailing Address

City, State, Zip Code

Telephone or Contact Telephone

Points and Authorities
ORCP 52A; UTCR 6.030

CERTIFICATE OF DOCUMENT PREPARATION

I certify that the following statement is true:

- A. I selected this document for myself, and I completed it without paid assistance.
- B. I paid or will pay money to _____ for assistance in preparing this document.
- C. I was provided this document by a lawyer and I completed it without paid assistance.

Dated: _____

 Petitioner Respondent, Pro Se

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IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF DOUGLAS

In the Matter of [] the Marriage of:)
)
_____,)
(name))
)
Petitioner,)
)
and)
)
_____,)
(name))
)
Respondent.)

Case No. _____

AFFIDAVIT OF
[] PETITIONER
[] RESPONDENT
IN SUPPORT OF
MOTION TO CONTINUE

STATE OF OREGON)
)
County of _____) ss.

I, _____, being first duly sworn, do hereby depose and say:

- 1. I am the [] Petitioner [] Respondent in the above-entitled matter.
- 2. I request a continuance in the above-entitled matter for the following reasons:

_____.

1 3. I contacted or attempted to contact the opposing party or the opposing party's attorney
2 about this continuance at the following times and in the following ways: _____
3 _____

4 4. The opposing party or the opposing party's attorney does does not object to
5 this request for a continuance.

6 5. This Motion for Continuance is not made for the purposes of delay.

7 Dated this _____ day of _____, 20_____.

8 _____
9 (Signature) Petitioner Respondent, Pro Se
10 Name _____
11 Street Address or Contact Address _____
12 Mailing Address or Contact _____
13 City, State, Zip Code _____
14 Telephone or Contact Telephone _____

15 **SUBSCRIBED AND SWORN** before me by _____,
16 this _____ day of _____, 20_____.

17 _____
18 Court Clerk
19 NOTARY PUBLIC FOR OREGON
20 My Commission Expires _____

21 **CERTIFICATE OF DOCUMENT PREPARATION**

I certify that the following statement is true:

- 22 A. I selected this document for myself, and I completed it without paid assistance.
- 23 B. I paid or will pay money to _____ for assistance in preparing this document.
- 24 C. I was provided this document by a lawyer and I completed it without paid assistance.

25 Dated: _____

26 _____
27 Petitioner Respondent, Pro Se

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IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR DOUGLAS COUNTY

In the Matter of [] the Marriage of

Petitioner,

and

Respondent.

)
) Case No. _____
)
)
) ORDER ON MOTION FOR
) CONTINUANCE
)
)
)

THIS MATTER HAVING COME BEFORE THE COURT upon the Motion of [] Petitioner [] Respondent to continue the trial date scheduled on the _____ day of _____, _____, and the Court having considered said Motion and being fully informed;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

The Motion is allowed. The trial is reset for the _____ day of _____, 20____, at _____ o'clock __.m. in Courtroom _____.

The Motion is denied.

DATED THIS _____ day of _____, 20____.

CIRCUIT JUDGE _____

///
///

1 CERTIFICATE OF DOCUMENT PREPARATION

I certify that the following statement is true:

- 2 C. I selected this document for myself, and I completed it without paid assistance.
3 D. I paid or will pay money to _____ for assistance in preparing this document.
4 E. I was provided this document by a lawyer and I completed it without paid assistance.

Dated: _____

5 _____
6 Petitioner Respondent, Pro Se

7
8 Submitted by:

9 _____
10 Petitioner Respondent (Printed Name)

11 _____
12 Street Address

13 _____
14 Mailing Address

15 _____
16 City, State, Zip Code

17 _____
18 Area code/telephone number

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IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR DOUGLAS COUNTY

In the Matter of)
)
_____,)
Petitioner,)
and)
_____,)
Respondent.)

Case No. _____

AFFIDAVIT OF SERVICE

STATE OF _____)
) ss:
County of _____)

I certify that on the _____ day of _____, 20____,
I served true copies of the following:

- _____
- _____
- _____

upon Petitioner/Respondent by:

- personally delivering at the address below
 - mailing by first class mail, with postage prepaid, addressed as follows:
- _____
- _____
- _____

(Signature)

(Print Name)

SUBSCRIBED AND SWORN TO before me this ____ day of _____, 20____.

Notary Public for Oregon / Court Clerk

My Commission Expires: _____

(Notary Seal)

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I certify that: (check all that apply)

- I selected this document for myself.
- I was provided this document by an attorney.
- I completed this document without paid assistance.
- I paid or will pay money to _____ for assistance in preparing this document/form.

(signature)

Submitted by:

(Name) (Petitioner/Respondent), pro se

(Street Address)

(Mailing Address)

City, State, Zip Code)

(Area Code, Telephone Number)