

JUVENILE COURT
POLICY/PROCEDURE

CHANGE IN COURT TIME

INTRODUCTION

It is important that all parties in the Juvenile Court system understand the importance of proceeding with juvenile cases in a timely and efficient manner. It is therefore expected that all parties will be prepared to proceed at the time(s) scheduled and that changes and other continuances will be granted only when absolutely necessary.

POLICY

Changes in scheduled court time and/or date may only be made for good cause and with the approval of the Judge or Commissioner with whom the matter is scheduled **and** only after presentation of information which justifies the change **and** permits the rescheduling of the matter within statutory time limits.

In the event rescheduling of the hearing is not possible within statutory time limits the matter may not be canceled/rescheduled. In this case the court must go on the record and take whatever action may be necessary to continue the matter until a later date.

Attorneys or Social Workers making a request for a change in court time which is less than five days of the scheduled hearing are responsible for verbally notifying **all** parties of the change if granted. For changes further than five days ahead, written notification to **all** parties is sufficient.

PROCEDURE

The following steps should occur relative to a request for change in time:

1. The party/parties desiring a change in court time/date should contact the Court Branch Clerk (for hearings set with the Judge) or the central Juvenile Court office (for hearings set with the Commissioner) to request the change.
2. The Clerk shall first determine whether rescheduling the hearing within statutory time limits is possible. If not, the request may not be granted. If possible to reschedule within time limits, the Clerk shall obtain information as directed by their Judge/Commissioner as to the reason for the request and provide that information to the Judge or Commissioner to review. If the requesting party is an attorney or social worker they must solicit information from **all** other parties related to the request for change in time/date and provide that information to the Clerk as well.

3. The Judge/Commissioner shall approve or deny the change within no more than one working day of the request. All changes/setovers must be approved/reviewed by the **Judge** or **Commissioner**. Clerks may not approve a change/setover request in other than extreme emergencies.
4. The Branch Clerk (administrative staff if approved by Commissioner) will verbally notify the requesting party of the approval/denial, make the change on the CCAP system, and send notices to all parties within one working day of that notification. All parties are to assume that the hearing is not changed unless otherwise notified.

EXCEPTIONS/COMMENTS

Court staff should assist parents and/or other "non-professional" parties in completing this process as may be necessary. Attorneys, Social Workers, DA's and other professional parties are expected to carry a greater responsibility in making this aspect of the system work smoothly and responsibly.

Note that §938 has expanded the circumstances under which time limits may be extended. Refer to §938.315 and 48.315 for a list of those circumstances/exceptions.