

# *BOUND BROOK MUNICIPAL COURT*

## *ADJOURNMENT POLICY*

**Purpose:** To provide for a uniform standard for Municipal Court adjournment requests from participants and attorneys for both trials and hearings. This policy shall be administered with equal courtesy and respect to all parties.

**Policy:** All matters will proceed on the scheduled date unless, prior to said date, there is an emergency that does not allow you to appear in court. Proof of that emergency must be provided to the court before or a day after the court session to prevent from a bench warrant being issued. This policy applies to the Bound Brook Municipal Court only. Adjournments of trials shall not be granted as a matter of course. It shall be presumed that the time and date set forth in the trial notice are firm and final. If there is a scheduling conflict with another court, you must provide a copy of that notice to our court for review. If our matter is a DWI case and the violation date is older than your other court, please note we take precedence and the adjournment request will be denied.

**DWI:** Special attention shall be paid to DWI matters ensuring that all such matters are disposed of as reasonably close to the suggested guideline of 60 days as possible. Adjournments that cause delays past that time frame are to be granted only for the most valid and compelling reasons.

**Procedure:** First Appearances – all defendants with court mandatory matters must appear for their arraignment. First appearances will not be waived for anyone unless the requests falls under the allowable reasons listed below. If Counsel has been retained by a defendant, the defendant must still appear in court for their first appearance, the Attorney's appearance is not required.

Unrepresented defendants at first appearance shall be allowed a reasonable amount of time to obtain counsel if so desired.

All requests for an adjournment are to be in writing and submitted to the court at least 4 business days prior to the scheduled court date (if not possible, emergent reasons should be indicated). All requests are to contain a name, address, telephone and fax number. Requests are to contain the reason for the adjournment with back-up if required.

### **Acceptable reasons for adjournment:**

- Unavailability due to pre-planned, pre-paid vacation, conference, etc;
- Sudden illness of a party, witness or attorney (in appropriate cases, a medical certificate may be required);
- Conflicts in an attorney's schedule that cannot be resolved after good faith efforts by that attorney;
- Conflicts with the Superior Court of that vicinage (liaisons with each judge has been distributed to the municipal court staff, copy enclosed);
- Inability to obtain or review discovery only if it is demonstrated that defense or defense counsel made timely requests and paid any required fees for such discovery;
- Such other reasons as deemed appropriate by the executive component of that court.
- Adjournment requests shall be reviewed and assessed based on the content and detail of the written submission.
- The request from counsel should indicate that the adversary has been notified (and if consent has been given), the witnesses have been notified (witnesses should be listed), and the age of the case.
- It will not be presumed that an adjournment has been granted because a request has been submitted.
- It will be the responsibility of the court to contact the party to inform him/her if the request has been granted and if so, the new court date and time.
- The use of "Ready Holds" should be granted based upon attorney requests to facilitate the timely movement of cases. (If Court can accommodate)