

Circuit Court for Howard County
Juvenile Postponement Policy
Effective February 27, 2007
Updated May 7, 2007

- A. Background:** The policy of the Circuit Court for Howard County is to hear all cases in a timely manner. The timeliness of case processing is outlined in the Annotated Code of Maryland and the Adoptions and Safe Families Act of 1997.
- B. Types of Cases:** This policy applies to all requests made to postpone or continue any Juvenile cause. Specifically, it applies to all of the cases listed below:
1. Delinquency Detention
 2. Delinquency Non-Detention
 3. Peace Orders
 4. Voluntary Commitment
 5. Child in Need of Assistance Shelter
 6. Child in Need of Assistance Non-Shelter
 7. Child in Need of Supervision
 8. Termination of Parental Rights/Guardianship or Long-term Care short of Adoption
 9. Adoption (as a result of Termination of Parental Rights)
- C. Types of Hearings:** This policy applies to all scheduled court events. A scheduled court event is defined as any event in which the court issued a notice of the event. The Annotated Code of Maryland mandates strict scheduling of many Juvenile Causes. Postponements may not be granted in all case types in order to meet those time frames.
- D. Requirements:**
1. All requests shall be in the form of a motion, with documentation establishing the need for a postponement and a proposed order (with the exception of oral motions made in court).
 2. The motion should include the position of all parties and a re-set date provided by the Calendar & Caseflow Management Office (CCMO) that has been cleared with all counsel/parties.
 - i. ***For Judges' Events*** – please contact the Calendar & Caseflow Management Office at 410-313-3057 or 410-313-3579.
 - ii. ***For Masters' Events*** – please contact the Masters' Division of the CCMO at 410-313-4857 or 410-313-4870
 3. If a postponement is granted, the provisions of the scheduling order shall remain in effect except as may be amended by the terms of the postponement order.
 4. **With the exception of emergency hearings, the request for postponement shall be submitted no later than 5 days prior to the scheduled event.**

E. Procedures:

1. All requests for postponement should be submitted in writing except as previously stated.
2. The motion and any proposed order should be submitted to the juvenile clerk.
3. The clerk will docket the original motion, attach it to the corresponding file(s) and send it to the appropriate Judicial Officer. Only those motions for postponement that adhere to the established policy will be considered.

F. Examples of Good Cause: The policy in the Circuit Court for Howard County is to deny requests for postponement unless “**good cause**” is shown. Examples of “**good cause**” are as follows:

5. Trial date conflict: The first case set takes precedence (See Chief Judge Robert C. Murphy’s Revised Administrative Order for Continuances for Conflicting Case Assignments or Legislative Duties effective May 15, 1995).
6. Death or Illness: Serious illness of, or death in the family of a party, counsel, or necessary witness is usually a “good cause” for postponement.
7. Conflicting vacation schedule: vacation scheduled before a hearing, motion, or trial date is set, is “good cause” for a postponement. Vacation scheduled after establishing a date is not “good cause” for a postponement.
8. Trial/Hearing Carryover: If counsel is scheduled for a matter before this court, but becomes involved in a carryover matter in another court is usually a “good cause” for postponement.

G. Examples that are NOT “good cause”:

1. No previous request for postponement has been made.
2. An agreed upon request for postponement.
3. Outstanding motions at a date of hearing or trial.
4. Discovery is incomplete at date of hearing or trial.
5. Change of counsel.
6. Any matter known or which should have been known when the trial date becomes firm is not “good cause” for postponement.

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Lenore R. Gelfman

Howard County Administrative Judge