

## CIRCUIT COURT FOR HOWARD COUNTY POSTPONEMENT POLICY

All requests for postponements (**with the exception of family law scheduling/status conferences and telephone scheduling conferences**– see separate policies below) submitted by counsel or any other registered MDEC user, shall be filed electronically in accordance with the MD Rules. Self-represented litigants (who have not registered for MDEC) can file postponement requests in accordance with the MD Rules, in paper form, in the Clerk’s office. Verbal or telephone requests will not be considered, and the Clerk cannot accept faxed or emailed copies of postponement requests.

### **Postponement Requirements:**

1. All postponements shall be filed in the form of a motion documenting “**good cause**” for a postponement, with necessary documentation.
  - a. The following are examples of “**good cause**”:
    - i. 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 of Legislative Duties effective May 15, 1995).  
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.
    - ii. Conflicting vacation schedule: vacation scheduled before a hearing, motion, or trial date set, is “good cause” for a postponement. Requests for postponement must be made within ten (10) calendar days of notification of scheduled event. Vacation scheduled after establishing a date is not “good cause” for postponement.
    - iii. Trial/Hearing Carryover – Counsel becoming involved in a carryover matter in another court is usually a “good cause” for postponement.
2. The motion shall be filed as soon as possible. All motions will be held for ruling as required by the MD Rules. Motions filed incorrectly or immediately preceding the hearing date, may not be ruled on and parties must appear on the originally scheduled date.
3. The motion must include the position of all parties and a proposed re-set date provided by the Calendar and Caseflow Management Office (CCMO), that has been agreed to by all parties. If proposed dates are not included in the motion, counsel/parties will be notified and must re-submit the motion with cleared dates.
  - a. In criminal cases CCMO will not provide proposed dates that exceed *Hicks*, unless the Defendant has previously waived *Hicks* on the record;
  - b. In civil, domestic, and juvenile cases the proposed re-set date cannot exceed case time standards.
  - c. The motion must include a proposed order (see <https://www.mdcourts.gov/sites/default/files/import/circuit/howard/pdfs/postponementprose.pdf> for an example of a motion and proposed order)

The Calendar Management Office can be reached at 410-313-3575 or [Paige.Morris@mdcourts.gov](mailto:Paige.Morris@mdcourts.gov), 410-313-1496 or [Sharon.Cains@mdcourts.gov](mailto:Sharon.Cains@mdcourts.gov), or [Lindsay.Shimek@mdcourts.gov](mailto:Lindsay.Shimek@mdcourts.gov) or 410-313-3579.

If a motion for postponement is denied, all proposed re-set dates will be vacated. 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.

**Postponement procedure for family law scheduling/status conferences:**

Requests for postponements of **family law scheduling/status conferences** must also be in writing. The request may be in letter form and can be emailed directly to the Family Law Coordinator at [HcFamilyLawOffice@mdcourts.gov](mailto:HcFamilyLawOffice@mdcourts.gov). The attorney or party requesting the postponement shall first contact the Family law Office at [HcFamilyLawOffice@mdcourts.gov](mailto:HcFamilyLawOffice@mdcourts.gov) or 410-313-2403 to obtain a new date and then contact the opposing party to clear a new date. The Request must include an agreed upon date, or if the opposing party refuses to agree to a re-set date, then the request shall include three available dates. Family law scheduling/status conferences will be rescheduled within 30 days of the original date.

**Postponement procedure telephone conferences:**

Requests for postponements of **telephone scheduling conferences** shall be made by contacting the Civil Case Manager at [Paige.Morris@mdcourts.gov](mailto:Paige.Morris@mdcourts.gov) or (410) 313-3575 and clearing a new date with the court and the opposing parties. The Calendar Management Office will then reschedule the telephone conference.

Revised November 5, 2011

Revised March 23, 2022



William V. Tucker

Howard County Administrative Judge