

## **SCHEDULING & COURT APPEARANCES**

### **Q. Do I have to be in court today?**

**A.** Court personnel may review whatever notice the party has to determine whether the party must appear in court and where the hearing (if any) will be held. Court personnel may also have access to the judicial calendar for the time period in question.

### **Q. How do I schedule a hearing?**

**A.** The type of case (civil, family, etc.) determines the process for scheduling hearings. In cases that use a summons process, the court may automatically schedule a hearing after an answer is filed. If the court does not schedule a hearing, the party may file a Motion/Request to Set or a Notice of Hearing. The local court may have forms with instructions available that a party can prepare, or the party may seek the help of an attorney. The clerk's office can inform the party of the current filing fee, if any.

### **Q. Can I reschedule (continue) my hearing to a later date?**

**A.** The judicial officer decides whether or not to continue a hearing. Depending on local practice, the party may file a written request with the clerk or court and provide a copy of the request to the other parties (or the prosecuting attorney in a criminal case), and the judicial officer will consider the request.

## ***CALCULATING NUMBER OF DAYS***

### **Rules of Civil Procedure 6(a). Computation**

In computing any period of time prescribed or allowed by these rules, by any local rules, by order of court, or by any applicable statute, the day of the act, event or default from which the designated period of time begins to run shall not be included. When the period of time prescribed or allowed, exclusive of any additional time allowed under subdivision (e) of this rule, is less than 11 days, intermediate Saturdays, Sundays and legal holidays shall not be included in the computation. When that period of time is 11 days or more, intermediate Saturdays, Sundays and legal holidays shall be included in the computation. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, a Sunday or a legal holiday.

### **Rules of Civil Procedure 6(e). Additional time after service by mail**

Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon the party, and the notice or paper is served by mail, five calendar days shall be added to the prescribed period. This rule has no application to the distribution of notice of entry of judgment required by Rule 58(e).