

RULE 106 CONTINUANCES IN SUMMARY AND COURT CASES

(a) All Motions for Continuance shall be filed at least two (2) working days before the scheduled event. Motions shall be filed pursuant to Pa.R.Crim.P. 575 or can be filed by utilizing the attached form titled Motion for Continuance - Criminal. All continuances must indicate the case number, defendant's name, type of event being continued, date of the event being continued and number of previous continuances. A Rule 600 speedy trial waiver must be attached if the defendant consents to this motion for continuance. The moving party shall secure the signature or indicate the position of the opposing party.

(b) When a Motion for Continuance is requested because of counsel's attachment in another Court, a copy of the attachment shall accompany the Motion for Continuance. If the reason for filing a continuance is that the defendant is ill, receiving medical treatment or in rehabilitation, the attorney/pro se party must provide documentation from the treating physician or other qualified person documenting the defendant's illness or treatment, and, in the case of defendant's rehabilitation, a written statement from the facility at which the defendant is receiving treatment, confirming admission and continued care at such facility.

(c) When a defendant has two or more cases scheduled for the same date and time, only one continuance motion/form listing all the case numbers is required to be filed. When a continuance is requested for events scheduled for different dates or at different times, a separate continuance motion/form must be filed for each event.

(d) Upon filing the motion/form in the Clerk of Courts Office, concurrent service of the Motion/Form for Continuance shall be pursuant to Pa.R.Crim.P. 576.

(e) Any motion filed that is not in compliance with this rule shall be entertained only if the opportunity to timely file it did not exist previously, the defendant was not aware of the grounds for the motion, or the interests of justice so require.

Failure of any motion/form for continuance to comply with this rule shall be grounds for denying the requested continuance.