

**Ferguson Municipal Court
Policy and Procedure Manual**

FMC Policy 2.0: Requests for Continuance

Date issued:

PURPOSE: This policy describes how Defendants can request a continuance of the court date listed on their citation, summons, or other notification from the Ferguson Municipal Court to appear on a particular date and time.

PROCEDURES:

A. First Requests for Continuance

1. If a Defendant has not yet received a continuance for a particular charge, the Defendant may request a First Continuance by phone by calling the Court Clerk at least 48 hours prior to their first scheduled court appearance. The Court Clerk can be reached at 314-524-5264, Monday through Friday, from 8:30am to 4:30pm.
2. A Defendant may also request a First Continuance by filling out the Continuance Request Form located at <https://www.fergusoncity.com/567/Request-a-Continuance> and at the Ferguson Municipal Court Clerk's Window.
 - a. The Continuance Request Form may be submitted:
 - i. In-person at the Clerk's Window at Ferguson Municipal Court (located at 222 S Florissant Rd. Ferguson, MO 63135) during normal business hours:
 - ii. By e-mail, to FergusonCourt@fergusoncity.com; or
 - iii. By fax, at 314-524-4127.
 - b. The Court Clerk will date-stamp the request once it is received.
3. A Defendant may also request a First Continuance by appearing in court on the scheduled date and requesting a continuance from the Judge in person.
4. The Municipal Court Judge will grant all requests for a First Continuance.

B. Second or Subsequent Requests for Continuance


1. Any second or subsequent request for a continuance must be submitted in writing at least 48 hours prior to the scheduled court date, or by appearing in person on the scheduled court date.
2. The Judge will grant second or subsequent requests for a continuance if the Judge finds that the request was made in good faith and that there is good cause to continue the matter to a later date.
 - a. Absent extraordinary circumstances, the Judge will grant a subsequent continuance for any matter that has not previously been granted more than two continuances.
 - b. Good cause for granting a continuance may include, among other circumstances:

- i. That the Defendant is ill and under the care of a medical professional, or caring for someone who is disabled or under the care of a medical professional;
 - ii. The Defendant is unable to secure care for a dependent on the court date provided;
 - iii. The Defendant is attempting to secure a lawyer to assist him or her in the defense of the charge;
 - iv. The Defendant needs additional time to prepare his or her defense; or
 - v. Any other circumstances that demonstrate that a continuance is necessary for the Defendant.
- c. The Defendant should submit any supporting documentation along with the Continuance Request Form, or present such supporting documentation to the Judge if the request for a subsequent continuance is made in person.
3. The Judge may deny a Defendant's request for a second or subsequent continuance if the Defendant is scheduled for a bond forfeiture hearing, a probation revocation hearing, or if the Defendant has already received two or more continuances in the matter.

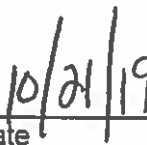
C. Notice of Continued Court Date

1. Once a decision is made regarding the continuance request, the Court Clerk will inform the Defendant of the decision, and if granted, of the new court date, either in person or by mail (depending on whether the request was made in person, or by mail, phone, email, or fax).
2. The Defendant may also call the Clerk's Office to learn about the status of their continuance request and if a new court date and time has been scheduled.
3. If the continuance request is granted, the Court Clerk will provide the Defendant with written notice of the new court date and time, either in person or by mail.
4. If the continuance request is denied, the Defendant will be expected to proceed with the court date originally scheduled.

Attachments: Continuance Request Form



William Goldstein
Ferguson Municipal Judge



Date

IN THE MUNICIPAL DIVISION OF FERGUSON
STATE OF MISSOURI

CITY OF FERGUSON

Plaintiff,

Vs

Defendant

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Case #: _____

REQUEST FOR CONTINUANCE

COMES NOW _____, and requests a continuance from
the _____ docket to the next available docket. The reason for this
request is _____

Phone # _____

Respectfully Submitted,

X _____
Defendant

Dated: _____

SO ORDERED:

Judge