

# Agreement to Continue and Order



These forms must not be used to engage in the unauthorized practice of law. court is not responsible for (1) actions taken by the users of these forms or (2) their reliance upon the instructions or information provided.

# GENERAL INFORMATION & Frequently Asked Questions



## When should I use these forms?

You should file an *Agreement to Continue* and an *Order for Continuance* if you are unable to attend court on the time or day currently scheduled. You may also use this form to request more time to complete court ordered pre-trial statements or other documents.

The **other party must also agree** to a new court date or deadline. The Court does not automatically grant a request for Continuance. You must have an important reason for the request such as, a serious illness, surgery, or an unavoidable reason to be out of town. If the Continuance is not granted, you are required to attend the original hearing or comply with the original deadline.

## What if the other party does not agree?

If the other party does not agree to a changing the court date or deadline, you must file a *Motion to Continue* and request a hearing on that motion. These forms are available on the Pima County Superior Court family law forms website—

<http://www.sc.pima.gov/Default.aspx?tabid=119> or on the second floor of the courthouse at the self-help center in the law library.

Your request for a continuance and hearing must be filed as far in advance as possible because the court will need time to set the trial or hearing date. Also, the other party must be served with the motion and notice of hearing.

## How do I use this packet?

This packet will give you an overview of how to properly complete and file the necessary forms for the *Agreement to Continue* and the *Order for Continuance*. While the process may seem overwhelming and intimidating, please know that this packet is written with your needs in mind, and is intended to make this process as easy for you as possible. Please read the instructions and complete the forms carefully.

### **What do “Petitioner” and “Respondent” mean?**

On all documents filed with the court beginning with the first document, if you were initially the Respondent, then you will always be the Respondent. If you were initially the Petitioner, then you will always be the Petitioner. If you are unsure, please look at the initial paperwork you filed with the court.

### **This symbol is a warning. It can mean a few different things:**



- The topic can be confusing and you may need to ask a lawyer for help.
- You may need to make sure that something is done.

Whenever you see this symbol, ***make sure*** you read the information carefully and understand it fully.



## Instructions for Completing the *Agreement to Continue and Order for Continuance Form*

*You may type on the forms or write on them using black ink*

### **The Caption**

The Caption is the information in the upper left hand side of the first page of each form.

- **Personal information** – Fill in your name, street address, city, state, ZIP code, and telephone number.

**If you are a domestic violence victim, do not write your address on this form. Instead, write “Protected Address” and complete the *Request for Protected Address form* available at the Self Help center on the 2<sup>nd</sup> Floor of the Pima County Superior Court house or on the website provided on first page of this packet.**

- **Case No.** – Enter your Superior Court Number as found on the original Petition
  - **Petitioner** – Enter the Petitioner’s name, as found on the original Petition.
  - **Respondent** – Enter the Respondent’s name, as found on the original Petition.
1. Check the box to indicate the type of hearing or document deadline you wish to reschedule.
  2. Write the name of the judge assigned to your case.
  3. Check the same box as you checked above and provide the date and time currently scheduled for your case.
  4. Explain why you need the date changed. Be specific.
  5. Check the box to indicate that other court dates should be continued as well (Pretrial Statements, Settlement Conference).
  6. Both parties must date and sign the *Agreement to Continue*.
    - a. If this is a IV-D case and the hearing is regarding child support, the Arizona Attorney General must also agree to the continuance, and sign the Agreement

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner Case No. \_\_\_\_\_

**and AGREEMENT TO CONTINUE**

\_\_\_\_\_  
Respondent  Pretrial Statements  Hearing  
 Settlement Conference  Trial

ASSIGNED TO: \_\_\_\_\_

The Petitioner and Respondent and/or attorney for the Petitioner and Respondent agree that the  Hearing  Trial  Pretrial Statement  Settlement Conference currently set on:

\_\_\_\_\_ at \_\_\_\_\_ a.m. p.m. may be continued for the following reasons:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The following dates should also be continued:

Pretrial Statements  Settlement Conference

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Petitioner  Respondent or  
Attorney for  Petitioner  Respondent

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Petitioner  Respondent or  
Attorney for  Petitioner  Respondent

If this is a IV-D Case and the hearing is regarding child support, the Arizona Attorney General must also agree to a continuance:

Dated: \_\_\_\_\_

\_\_\_\_\_  
Arizona Attorney General



## How to fill out the *Order for Continuance* Form

*You may type on the forms or write on them using black ink*

### **The Caption**

The Caption is the information in the upper left hand side of the first page of each form.

- **Personal information** – Fill in your name, street address, city, state, ZIP code, and telephone number.

**If you are a domestic violence victim, do not write your address on this form. Instead, write “Protected Address” and complete the *Request for Protected Address form.***

- **Case No.** – Enter your Superior Court Number as found on the original Petition.
- **Petitioner** – Enter the Petitioner’s name, as found on the original Petition.
- **Respondent** – Enter the Respondent’s name, as found on the original Petition.
- **Assigned to** – Write the name of the judge assigned to your case.



**STOP: The Court will complete the rest of the form.**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, ZIP: \_\_\_\_\_

Daytime Telephone \_\_\_\_\_

Representing Self, Without a Lawyer

## ARIZONA SUPERIOR COURT, PIMA COUNTY

\_\_\_\_\_  
Petitioner Case No. \_\_\_\_\_

**and ORDER FOR CONTINUANCE**

\_\_\_\_\_  
Respondent ASSIGNED TO: \_\_\_\_\_

The Court has reviewed the Agreement to Continue.

The Agreement to Continue is:  Granted  Denied

The  Hearing is continued to:

Dated: \_\_\_\_\_ Time: \_\_\_\_\_

Location: Arizona Superior Court, Pima County Courtroom: \_\_\_\_\_  
110 W. Congress  
Tucson, Arizona 85745

Judicial Officer: \_\_\_\_\_

The trial and/or other dates are continued as follows:

Pretrial Statements are due: \_\_\_\_\_ or  no change

Settlement Conference are due due: \_\_\_\_\_ or  no change

Trial is continued to: \_\_\_\_\_

\_\_\_\_\_  
Dated: \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer

Copy mailed: \_\_\_\_\_

To:

Petitioner  Respondent or

Attorney for  Petitioner  Respondent

Arizona Attorney General



## Next Steps

1. Make 3 copies of the completed *Agreement to Continue* and the *Order for Continuance*.
2. Take the original forms and all copies to the clerk of the court for filing.
3. After you have filed the original forms, the clerk will deliver the Agreement to Continue to the assigned judge.
4. If the judge signs the Order for Continuance, you will receive a copy of the Order that contains the new court dates.
5. The clerk of the court will return two copies of the forms to you. One copy is for your records, and the other copy is for the other party.



**You** are responsible for mailing or delivering a copy of the Agreement to Continue and the Order for Continuance forms to the other party or the attorney of the other party.

6. After the documents have been mailed or delivered to the other party, be ready to proceed on the new Court date(s).



Do dress properly. Wear a suit, dress, or other neat, clean clothing.

Do turn off your cell phones and pagers while you are in the courtroom.

Always refer to the Judge as "Your Honor."

You may ask the Judge questions, but he/she cannot give you legal advice.

Be courteous and quiet while you are in the courtroom waiting for your hearing

DO NOT wear shorts, cut-offs, sleeveless t-shirts, other overly casual or suggestive clothing.

DO NOT bring drinks or food to court and don't chew gum in the Courtroom.

DO NOT bring your children to court. They are not permitted in the Courtroom.