

**Continuance Policies, Operating Hours, and Scheduling  
Portsmouth General District Court  
August 1, 2025**

**Continuance Policy (Civil)**

All civil continuance requests must be submitted in writing. The Court's Motion and Notice of Hearing form is available to use for continuance requests. The continuance date must be an available date provided by the clerk's office. Continuance requests should be made as far in advance as possible.

If the request is an agreed *first* continuance request from the regular or trial docket and is received at least 3 business days in advance of the court date, then the request will be sent to chambers for the case to be continued, pending availability of the chosen date. If the case is contested, provide pleading dates in the correspondence along with the agreed trial date. *Second or subsequent* continuance requests, agreed to by all parties and received at least 3 business days before the court date, will be forwarded to chambers to be *approved or denied* before court. The decision whether to continue the case lies within the discretion of the court. If the request is denied, the case will remain on the docket on its originally scheduled date.

If the agreed continuance request is not received at least 3 business days in advance of the court date, then the request will be sent with the case into court on the upcoming court date. On the court date, the judge will approve or deny the request per the guidelines set forth in the previous paragraph.

Continuances requested without agreement of all parties may be granted only by a judge for good cause shown. Contested continuance requests must be made by personal appearance in open court, after written motion, with at least five (5) days' notice to the Court and all parties and/or counsel of record. Continuance requests that are not agreed to or noticed for a hearing will be sent with the case into court on the upcoming court date and the judge will approve or deny the request at that time. If the judge determines there is no good cause for the continuance, the case will be heard on its originally scheduled date even if all parties are not present.

For Small Claims, trials are heard on the initial return date. Prior to the initial court date, a continuance may be granted if the new date is available (available date provided by the clerk's office) and agreed to by all parties. Continuances requested without agreement of all parties may be granted for good cause shown.

## **Criminal and Traffic Continuances**

### **Misdemeanor and Traffic Continuances**

- File in person, by phone, or by mail at least 2 business days prior to court for Judge to review. If a private citizen is the complainant, their written consent to the continuance must be submitted with the request. It is your responsibility to call back the next business day to confirm whether your request was granted or denied. You may also check online at [www.vacourts.gov](http://www.vacourts.gov) after **noon** the next business day to view the court date.

### **Felony Continuances**

- Both the Commonwealth and the Defense must consent to the continuance (with the new date provided by the clerk's office) and a proposed order with all parties' signatures shall be submitted before a judge will review.
- If either the Commonwealth's Attorney or the Defense Attorney does not consent, a written motion must be filed and be docketed.
- The court will conduct telephone motions/waivers if needed. Contact the Judges' judicial assistant by phone or email to schedule. If the judicial assistant is unavailable, a forwarding number and /or email will be provided upon contact.

Rebecca Reilly, judicial assistant, 757-393-8681 ext. 3104 [rreilly@vacourts.gov](mailto:rreilly@vacourts.gov)

All written continuance requests shall include:

- Full name and address
- Name of police officer or civil case number
- Charge(s)
- Original court date
- Proposed court date
- Reason for continuance

**There is no guarantee that the case will be continued or that the Judge will not initiate a court action for your failure to appear. If the continuance request is denied, the case may be heard in your absence.**

### **Fax Guidelines**

The Court may temporarily allow submission of fax in certain instances WITH prior approval by the Clerk's Office. To obtain approval please call the appropriate division.

**Phone**

Civil (757) 393-8624  
Criminal (757) 393-8681  
Traffic (757) 393-8506

**Motions and Arraignments**

Monday and Friday 8:00am

**Arraignments**

Tuesday, Wednesday, Thursday 8:30am

**Note: Motions upon approval by clerk's office Tuesday, Wednesday, Thursday**

**Clerk's Office Operating Hours**

M-F 8:00am – 4:00pm