

MONROE VILLAGE JUSTICE COURT

Hon. Forrest Strauss
Village Justice

Hon. Lawrence L. Lezak
Acting Village Justice

APPEARANCE AND ADJOURNMENT POLICIES

Note Well:

Unless and until the court confirms that your adjournment request has been granted, you are expected to appear as originally scheduled!

1. ATTENTION ALL ATTORNEYS:

In order for this Court to avoid any appearance of impropriety, all attorneys must notify the court of the name of the actual lawyer who will be appearing in court on the scheduled return date no less than twenty-four (24) hours before their appearance. Failure to comply with this rule may result in your client's case being adjourned without being heard by the Court.

2. ALL PARTIES MUST BE PRESENT at each and every scheduled court appearance, even when represented by counsel.

Failure to appear may result in further appropriate legal action by the Court, where permitted, including but not necessarily limited to:

- (a) the issuance of a warrant for the party's arrest, and/or
- (b) the forfeiture of monies/bonds previously paid to secure a party's release, and/or
- (c) the scoffing (i.e., suspension) of the party's driver's license or registration, and/or
- (d) an inquest with entry of judgment by default in civil litigation matters, and/or
- (e) any such other and further action as the Court deems just and appropriate by law.

3. ADJOURNMENT REQUESTS are generally frowned upon.

Adjournments (limited to one per party per action) will only be entertained when timely made for "**good cause shown,**" pursuant to Section 3. of these rules and are:

- (a) submitted to the Court in writing (by fax transmission or hard-copy mail),
- (b) on timely notice (i.e. opposing party is simultaneously provided a copy of said request, early enough for an opportunity to have meaningful input),

(c) with appropriate supporting documentation, (including the requesting party's emergency contact information)

4. THE DETERMINATION OF "GOOD CAUSE SHOWN" is solely within the Court's discretion and will usually be granted only for a documented:

(a) inability to arrange transportation to court by personal motor vehicle, or from within a reasonable walking distance or zone of available public transportation, taxi or car service, and/or

(b) illness of the party or a member of the party's family whose care has been solely entrusted to him/her, documented *prior* to any such request being granted, and/or

(c) a one-time conflict with a party's work schedule that cannot be changed.

5. NO ADJOURNMENTS will be granted less than 48 hours before a scheduled court appearance.

A request for an exception to this rule will be rejected unless exigent and previously unknown circumstances are properly demonstrated and documented, in compliance with Sections 3. and 4. of these rules, no less than 24 hours prior to the scheduled appearance.

NOTE WELL: Failure to comply with this policy will result in a denial of the adjournment request.

5. APPEARANCE BY AFFIDAVIT:

Appearance by affidavit is frowned upon and usually only permitted in traffic matters. To appear by affidavit, the party, through their attorney must submit a written request for permission to do so on the basis of **good cause shown**, in compliance with the procedures stated in Sections 3., 4. and 5. of these rules.

NO EXCEPTIONS!

Please do not ask the clerks to call the judge and seek otherwise as they have been expressly instructed not to do so.

**SO ORDERED THIS 30th
DAY OF AUGUST, 2015**
(supersedes 8-29-14 rules)

ENTER:

FORREST STRAUSS
Village Justice