

**PROBATE COURT OF CUYAHOGA COUNTY, OHIO**  
**ANTHONY J. RUSSO, PRESIDING JUDGE**  
**LAURA J. GALLAGHER, JUDGE**

## **Instructions for Completing and Filing a Motion for Continuance of Hearing**

If you have a scheduled hearing and would like the Court to consider continuing the hearing, you may use the Motion for Continuance of Hearing to make the request. The motion must be supported by an explanation of why you believe the hearing should be continued. The motion must also be filed with the Court and sent to all interested parties and attorneys of record with enough time for a party and/or attorney to object to the request for a continuance.

**Caption:**        **For estate (EST) cases:** on the line labeled "IN RE:" write the name of the deceased person. Write the Case Number and Judge assigned in the spaces provided.

**For guardianship (GRD) cases:** on the line labeled "IN RE:" write the name of the incompetent or minor person. Write the Case Number and Judge assigned in the spaces provided.

**For trust (TRS) cases:** on the line labeled "IN RE:" write the name of the trust. Write the Case Number and Judge assigned in the spaces provided.

**For miscellaneous (MSC) cases:** on the line labeled "IN RE:" write the matter of the filing (i.e. Change of Name of...). Write the Case Number and Judge assigned in the spaces provided.

**Paragraph 1:** Write your name after "Now comes...", the date the hearing is scheduled, the Judge/Magistrate the hearing is scheduled before, and the reason(s) why you are requesting a continuance.

**Paragraph 2:** Write the subject matter (i.e. Application, motion, etc.) that is set for hearing.

**Paragraph 3:** Check the applicable box indicating whether the matter has not previously been continued or how many times the matter has been continued. This can be found on the Court Docket.

**Paragraph 4:** Check the applicable box indicating whether the interested parties and attorneys of record are in agreement to continue the matter or whether they were not contacted and/or are not in agreement to continue the matter.

### **Filing the Motion**

You must file the motion with the Probate Court Clerk's Office, located in Room 119 on the first floor of the Old Courthouse, 1 W. Lakeside Ave, Cleveland, OH 44113. **There is no cost to file a Motion for Continuance of Hearing with the Court.**

### **Certificate of Service**

You must mail a copy of the motion to all other interested parties. If the other parties have a lawyer who has appeared on their behalf regarding the pending matter, you must send a copy of the motion to that lawyer. To certify that you have sent copies of the motion to all parties, you must attach a Certificate of Service to the motion. A Certificate of Service form is included with the blank motion packet. Indicate in the spaces provided how you served the copy of your motion and the names and addresses/email addresses of the parties you served, then sign the Certificate.