

## **DWI Continuance Policy - Effective June 21st**

Please review the revised DWI Continuance Policy which takes effect Monday, June 21, 2010:

- All first requests for DWI continuances, filed by attorneys, must be filed in the Traffic Clerk's Office by 3:00 p.m., at least two business days before the scheduled court date, with notice to the Commonwealth's Attorney's Office (or other prosecutor).
- The Clerk's Office will forward the request to Chambers where it will be reviewed by a judge and signed between 8:15-8:30 a.m. on the following morning.
- The Commonwealth's Attorney's Office (or other prosecutor) can notify the Clerk's Office between 3:00 - 4:00 p.m. or GDC Judges' Chambers by 8:15 a.m. if they object to a first time continuance request.
- First requests, filed by attorneys, will not require the prosecution's endorsement, but a prosecutor's signature is advised, particularly if requesting a future date other than the officer's next court date or if a Melendez-Diaz objection has already been filed by either the defendant or defense counsel.

Any second or subsequent continuance requests will require a Commonwealth's Attorney's (or other prosecutor) signature as seen/agreed/objected to prior to filing. Where an objection is raised by the prosecution, defense counsel should set the request for a motion in open court.