

INSTRUCTIONS FOR THE MOTION TO CONTINUE

1. **CASE CAPTION:** The top of your Motion to Continue and the Order to Continue have a section called the case caption. Your case caption must be identical to the case caption on the Complaint. Fill out the case caption on your Motion to Continue so that the County, Plaintiff and Defendant names and the Case Number match the Complaint. Do the same for the Order to Continue.
2. **PARAGRAPH 7:** Paragraph 7 on page 3 requires you to check off at least one box. Read each box carefully and check off any of the boxes that apply to you. It is likely that you will check more than one box. If there is additional information you believe applies to your situation, you can check the other box and include it.
3. **SIGNATURE BLOCK:** At the bottom of page 3, you need to enter the date, sign your name, and fill in your contact information. You must sign the document in order for the court to accept it.
4. **CERTIFICATE OF SERVICE:** On page 3 of the motion is the section called "Certificate of Service." This certifies to the Court that you sent a copy of the motion to the other side.
 - a. Fill in the date and month in the blanks.
 - b. Enter the name and address of the other party if they don't have an attorney. If the other party has an attorney, enter the name and address of their attorney.
 - c. You must mail a copy of this motion to the other party if they don't have an attorney, or, you must mail a copy of the other party's attorney if they have an attorney.
5. **ORDER TO CONTINUE:** The only thing you need to do for the Order to Continue is fill out the case caption so that it matches the Motion to Continue. Do not fill in any of the blanks. The judge will fill in everything else.
6. **SAVE A COPY:** It is essential that you save a signed copy of the Motion to Continue for your records. If you do not have access to a scanner or a copier, you can take a picture with your phone.
7. **FILE YOUR ORDER:** Call your local District Court clerk. Tell them your case number and that you want to file a motion to continue your hearing because of COVID-19. Ask the best way to get the motion to the judge. The clerk should have an email address and fax number, if you have access to email or a fax machine. If you have enough time, you may be able to mail it,

but talk with the clerk before doing this. Make sure you are sending the documents to the right person and address. If you fax or email the documents, make sure to call the court that same day to confirm they received them. Here is a [link](#) to the contact information for every district court clerk's office in Nebraska.

8. **FOLLOW UP:** After you file your Motion to Continue and unsigned Order to Continue, you need to follow up with the Court by phone to learn the judge's decision. **The court is not going to call you with information.**
 - a. If the judge granted (or sustained) your motion, then make sure to write down the new hearing date and time. You will need to attend the court hearing on the new date and time.
 - b. If the judge denied (or overruled) your motion, then you need to still go to court at the date and time of the original hearing. If you do not go to court, the judge may dismiss the case (if you filed the case) or the judge may rule in the other party's favor.