

## Instructions: Request to Change Hearing Date or Other Deadline

These forms were prepared by the Justice & Diversity Center, a nonprofit organization, and are not official court forms.

### Checklist

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This packet provides a general form to ask the Court to change a hearing date or another deadline. **This packet is also available in a fillable pdf version on the Court's website at [www.cand.uscourts.gov/Legal-Help-Center-Templates](http://www.cand.uscourts.gov/Legal-Help-Center-Templates).** This packet includes the following forms:

- **Request to Continue**
- **Certificate of Service**

### General Instructions

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- A. This packet contains a form for a Request to Continue and a Certificate of Service which can be used in the Northern District Court of California. This form can be used when you want to change a court hearing date or another deadline, such as a deadline for filing a document with the Court. Convenience or a mere conflict with a date is **NOT** a valid reason to request a change.
- B. **This request should be filed with the Court as soon as possible and well before the date or deadline. The Court has full discretion to grant or deny your request. Unless you hear from the Court otherwise, you should assume that the current date stands and you should attend the hearing or file the document as scheduled.**
- C. Before filling out the form, ask the other side if they will also agree to change the date. If they agree, indicate that on the form. If the other side does not agree or it is not possible to contact the other side, for instance, if you have not served them with the lawsuit, then complete this form on your own behalf.
- D. **Fill out the included forms completely.** Suggestions and instructions are provided [*in brackets and/or italics that look like this*] to help you. **Be sure to sign and date the form.**
- E. Make sure that **one copy of the Request to Continue and the Certificate of Service is served on the opposing party** in one of the ways listed on the Certificate of Service. Then, mail or hand-deliver the **original plus two copies of the forms to the Clerk's Office** at the court to which your case is assigned. The Clerk will take the original and one copy. The other copy is for you to keep after it is stamped by the Clerk. If you file by mail, include a self-addressed, stamped envelope so that the Clerk can send a copy back to you.
- F. You must tell the Clerk right away if your mailing address changes. If the Court is unable to contact you, you may miss important deadlines, causing you to lose your case.

## **More Information**

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This packet does NOT tell you everything you need to know about requesting to change a hearing date or deadline. For further advice, please contact one of the following for legal assistance:

- If your case is in the San Francisco/Oakland federal courthouse, make an appointment with the **Legal Help Center** for free legal information and advice by calling 415-782-8982 OR  
sign up at 450 Golden Gate Ave., S.F., 15<sup>th</sup> Floor, Room 2796 OR  
sign up 1301 Clay Street, Oakland, 4<sup>th</sup> Floor, Room 470S.
- If your case is in the San Jose federal courthouse, make an appointment with the **Federal Legal Assistance Self Help Center** for free legal information and advice by calling (408) 297-1480 OR  
sign up 280 South First Street, S.J., Room 2070.

1 Your Name: \_\_\_\_\_  
2 Address: \_\_\_\_\_  
3 Phone Number: \_\_\_\_\_  
4 Fax Number: \_\_\_\_\_  
5 E-mail Address: \_\_\_\_\_  
6 Pro Se

7  
8 **United States District Court**  
9 **Northern District of California**

10  
11 \_\_\_\_\_  
12 \_\_\_\_\_  
13 **Plaintiff(s),**  
14 **vs.**  
15 \_\_\_\_\_  
16 \_\_\_\_\_  
17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 **Defendant(s).**

Case Number: \_\_\_\_\_

**REQUEST TO CONTINUE** [*name of hearing or other deadline*] \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

20  
21 **Plaintiff/ Defendant** [*your name*] \_\_\_\_\_ respectfully requests  
22 the Court to continue the [*name of hearing or other deadline*]  
23 \_\_\_\_\_, currently scheduled for [*current date or*  
24 *deadline*] \_\_\_\_\_ for [*number of days you want extension, generally 15,*  
25 *30, or 60 days*] \_\_\_\_\_ or as long as the Court sees fit. [*Provide the reason for your request.*  
26 *Convenience or a mere scheduling conflict is NOT a valid reason to request a change.*]  
27 \_\_\_\_\_  
28 \_\_\_\_\_

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*[State whether the other side agrees to this continuance. If you were not able to ask them, explain why. If you did not get a response, explain when and how you asked.]*

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Date: \_\_\_\_\_ Sign Name: \_\_\_\_\_

Print Name: \_\_\_\_\_

Pro Se

REQUEST TO CONTINUE \_\_\_\_\_

CASE NO. \_\_\_\_\_

**CERTIFICATE OF SERVICE**

1 \*Use this form to show that a paper or document (other than a complaint) was served (sent or  
2 delivered) to an opposing party in accordance with Federal Rule of Civil Procedure 5.  
3 A different form is needed to serve a complaint under Federal Rule of Civil Procedure 4.\*

4 **Case name:** \_\_\_\_\_

5 **Case number:** \_\_\_\_\_

6 **What document was served?** (Write the full name or title of the document or documents, e.g.,  
7 "Plaintiff's Opposition to Defendant's Motion for Summary Judgment.")

8 Title(s): \_\_\_\_\_

9  
10 **How was the document served?** (Check one.)

- 11  Placed in U. S. Mail  
12  Sent by fax  
13  Hand-delivered  
14  Sent by delivery service (e.g., FedEx or UPS)

15 **To whom was the document sent?** (Write the full name, address, and fax number of everyone  
16 who was sent the document. Usually, they will be the lawyers for the opposing parties.)

17 \_\_\_\_\_  
18 \_\_\_\_\_  
19 \_\_\_\_\_

20 **When were the documents served?** (When were they mailed, faxed, or delivered?)

21 Date: \_\_\_\_\_

22 **Who served the documents?** (Whoever puts it into the mail, faxes, hand-deliveres, or sends by  
23 delivery service should print his/her name, address and sign. You can also do this yourself.)

24 I declare under penalty of perjury under the laws of the United States of America that the  
25 information in this certificate of service is true and correct.

26 Signature: \_\_\_\_\_

27 Printed name: \_\_\_\_\_

28 Address: \_\_\_\_\_