

RULE 5. CONTINUANCES**Rule 5.01. Compliance with Timelines**

Subd. 1. Generally. Upon its own motion or motion of a party or the county attorney, the court may continue a scheduled hearing or trial to a later date so long as the timelines for achieving permanency as set forth in these rules are not delayed.

Subd. 2. Trials. Trials may not be continued or adjourned for more than one week unless the court makes specific findings that the continuance or adjournment is in the best interests of the child.

Rule 5.02. Notice of Continuance

The court shall, either in writing or orally on the record, provide notice to the parties and the county attorney of the date and time of the continued hearing or trial.

Rule 5.03. Existing Orders; Interim Orders

Unless otherwise ordered, existing orders shall remain in full force and effect during a continuance. When a continuance is ordered, the court may make any interim orders it deems to be in the best interests of the child in accordance with the provisions of Minnesota Statutes, sections 260C.001 to 260C.637.

2019 Advisory Committee Comment

Rule 5 is amended in 2019 as part of a revision of the Rules of Juvenile Protection Procedure. The amendments to Rule 5 are not intended to substantively change the rule's meaning.

Although a court may grant a continuance in appropriate circumstances, the court should not grant a continuance that would defeat the federal and state time requirements for permanency determinations.