

**SECTION B | SCHEDULING, CONTINUANCES, AND EXTENSIONS OF TIME**

1. Attorneys must, except in extraordinary circumstances, communicate with opposing counsel before scheduling depositions, hearings, and other proceedings -- to schedule them at times that are mutually convenient for all interested persons. And unless there is an extraordinary circumstance to unilaterally schedule a deposition, hearing or other proceeding, attorneys should not unilaterally schedule any depositions, hearings or other proceedings,

2. On receipt of an inquiry concerning a proposed time for a hearing, deposition, meeting, or other proceeding, a lawyer should promptly agree to the proposal or offer a counter suggestion that is as close in time as is reasonably possible.

3. As soon as they become apparent to the lawyer or the lawyer's office, a lawyer should call to the attention of those affected, including the opposing lawyer, court or tribunal, potential scheduling conflicts or problems, and the lawyer should not wait until the eve of the conflicted date to notify the opposing lawyer, court or tribunal of the conflict.

4. Attorneys should cooperate with each other when conflicts and calendar changes are necessary and requested.

5. Counsel should never request a calendar change or misrepresent a conflict to obtain an advantage or delay. However, in the practice of law, emergencies will arise that affect our families or our professional commitments and create conflicts that make requests inevitable. We should be cooperative with each other whenever possible in agreeing to calendar changes and should make requests of other counsel only when absolutely necessary.

6. Attorneys must, except in extraordinary circumstances, provide opposing counsel, parties, witnesses, and other affected persons sufficient notice of depositions, hearings, and other proceedings.

7. When scheduling hearings and other adjudicative proceedings, a lawyer should request an amount of time that is calculated to permit full and fair presentation of the matter to be adjudicated and to permit equal response by the lawyer's adversary.

8. A lawyer should accede to all reasonable requests for scheduling, rescheduling, cancellations, extensions, and postponements that do not prejudice the client's opportunity for



full, fair, and prompt consideration and adjudication of the client's claim or defense.

9. Requests for reasonable extensions of time to respond to litigation deadlines, whether relating to pleadings, discovery, or motions, ordinarily should be granted between counsel as a matter of courtesy unless time is of the essence, and unless the Court or rules of procedure require a motion and order as to the requested extension, counsel should agree to extensions of time via email or other correspondence to create efficient and cost effective litigation, and to avoid unnecessary motion practice.

10. A lawyer should advise clients against the strategy of not granting time extensions for the sake of appearing "tough."

11. A lawyer should not seek extensions or continuances or refuse to grant them for the purpose of harassment or prolonging litigation.

12. A lawyer should not attach to extensions unfair and extraneous conditions. A lawyer is entitled to impose conditions, such as preserving the right to seek reciprocal scheduling concessions. However, when granting extensions, a lawyer should not seek to preclude an opponent's substantive rights, such as the right to move against a complaint.

13. A lawyer should not request rescheduling, cancellations, extensions, or postponements without reasonably legitimate reasons and never solely for the purpose of delay or obtaining unfair advantage.

14. Attorneys should promptly notify the court or other tribunal of any resolution between parties that renders a scheduled court appearance unnecessary or otherwise moot.

15. A lawyer should not impose arbitrary or unreasonable deadlines for action by others.

