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Effective September 1, 2014

### **RULE 137. TRIAL**

(a) Trial Date. The trial shall commence on the date established in the scheduling order, unless otherwise ordered by the court.

(b) Trial Location. The trial will be held in the geographic area of the originating court unless (1) the court approves another location upon the agreement of the parties, or (2) the court determines that unusual circumstances, including scheduling requirements, warrant conducting the trial at another location.

(c) Continuances. Any request to continue a trial date must strictly comply with Rule 40. The court will not grant continuances based upon the unavailability of a witness in circumstances where the matter may be resolved by securing the agreement of the other parties or an order of the court concerning alternative methods for the presentation or admission of evidence. Because the purpose and goals of the BCD include providing predictable judicial action and promoting an effective and efficient process for resolving such disputes, continuances are disfavored and the granting of continuances shall be considered the exception and not the rule. The pendency of any motion shall not delay the start of trial.