

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_  
(Plaintiff)

Case No. \_\_\_\_\_

PLAINTIFF,

Vs

REQUEST FOR:

EXTENSION

CONTINUANCE

\_\_\_\_\_

(Defendant)

DEFENDANT.

I am a party to this action and request:

An extension of time to file an answer or to respond to a motion in this case. If the extension is granted, the answer or response will be filed by \_\_\_\_\_.

A continuance of a hearing or trial scheduled in this matter. I request that the hearing or trial be continued for \_\_\_\_\_ days.

The reason I am making this request is: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

A copy of this request is being provided to all other parties in this action at the same time it is being filed with the Court.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Typed or Printed Name*

\_\_\_\_\_  
*Address*

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
*City State Zip Code*

(\_\_\_\_\_) \_\_\_\_\_  
*Telephone Number*

## INSTRUCTIONS FOR CONTINUANCE/EXTENSION REQUEST FORM

ND Legal Self Help Center Staff and Court employees cannot help you fill out forms. If you are unsure how to proceed, you should consult a lawyer.

There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.

Do not include this instruction sheet when you serve or file the completed form.

THE [GUIDE TO A CIVIL ACTION](#) on the ND Legal Self Help Center website has additional information and resources about court processes in North Dakota civil actions.

After a civil action is filed with the court, a party in a civil action may ask the court for a hearing to be continued for a different day and time, or ask for an extension of time to answer a summons and complaint or answer a motion. The court decides whether to grant the request.

A copy of the request must be served on all other parties in the civil action. You must file proof of service with the court that you served copies of the request on all other parties.

**Top of Form (Caption):** Fill in the caption exactly as it appears in the summons.

If you are requesting a continuance, put a checkmark (✓) in the box next to “Continuance.”

If you are requesting an extension, put a checkmark (✓) in the box next to “Extension.”

**Paragraph:** Complete the information for your request. Attach additional sheets, as needed.

**Date and Signature:** Complete the date and signature block.

- Fill in the date you sign this document.
- Sign the signature line.
- Fill in the address lines. If you have a physical address and a mailing address, type or write both addresses using the lines provided, and the space next to the address lines.
- Fill in the telephone number line.

**Make at least two copies of the completed Request.** Keep one copy for your records. You will serve the other copy or copies on the other party or parties. You will file the original with the Clerk of Court.

**Serve the copies on all other parties.**

**File the original with the Clerk of Court. File the completed affidavit(s) of service of the copies.**

**See service by mail instructions and an affidavit of service by mail form below.**

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF \_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

\_\_\_\_\_  
)  
)  
(Plaintiff) )

**AFFIDAVIT OF SERVICE BY MAIL**

**PLAINTIFF,** )

Case No. \_\_\_\_\_

**Vs** )

\_\_\_\_\_  
)  
(Defendant) )

**DEFENDANT.** )

STATE OF NORTH DAKOTA COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_,  
swear that I am at least 18 years of age, and on \_\_\_\_\_, 20\_\_\_\_,  
I served the Request for Continuance/Extension, in the above entitled case, on the following  
party by placing a true and correct copy of each in an envelope to the last known address of:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and depositing the envelope, with sufficient postage, in the United States mail at the Post  
Office located in \_\_\_\_\_.

Dated: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Signature of Person Who Mailed Envelope)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk or Notary Public \_\_\_\_\_ County, North Dakota

If notary, my commission expires: \_\_\_\_\_

## INSTRUCTIONS FOR AFFIDAVIT OF SERVICE BY MAIL FORM

(The *Affidavit of Service by Mail* form is designed to be used to prove service by mail of a copy of the completed *Request for Continuance/Extension* form.)

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**There is no guarantee that all judges and courts will accept forms available through the ND Legal Self Help Center. Use at your own risk.**

**Do not include this instruction sheet when you serve or file the completed form.**

### **THE PERSON WHO SERVES A COPY OF THE REQUEST FOR CONTINUANCE/EXTENSION FORM COMPLETES THIS AFFIDAVIT OF SERVICE BY MAIL FORM.**

A copy of the completed Request for Continuance/Extension form must be served on every other party in the civil action.

The prevailing party must file proof of service with the Clerk of Court. A completed, signed and notarized affidavit of service is your proof of service.

**Top of Form (Caption):** Fill in the caption exactly as it appears in the summons.

**County:** Fill in the name of the County.

**Person Serving Documents:** Fill in the full, legal name of the person serving the document.

**Address Block:** Fill in the full, legal name of the other party or parties. Fill in the mailing address. This is the address where the copies of the documents were mailed.

**Post Office City/State:** Fill in the city and state of the U.S. Post Office from which the copies of the documents were mailed.

**Date, Signature and Notary Public Block:** The person serving the documents DOES NOT complete the Date, Signature or Notary Public lines until they are in front of a North Dakota Clerk of District Court or a notary public. The clerk or notary public will witness the signature and fill out and sign the Notary Public lines.

**Make a copy for your records.**

**File the original, completed Affidavit of Service by Mail form(s) with the Clerk of Court.**

**You can find more information about service at [www.ndcourts.gov/ndlshc](http://www.ndcourts.gov/ndlshc) by clicking on the "Service" link.**