

Sec. 31-272-4. Postponement requests

(a) Requests to postpone a hearing for good cause must be made as soon as possible after the issuance of the notice of hearing before the Referee or Board. Last minute requests will not be granted except under extraordinary circumstances.

(b) If an authorized agent believes that a critical witness will not be available for a scheduled hearing and requests a postponement in order to produce the witness, the authorized agent shall, after consulting with the client, provide the Appeals Division with the name, address, and title of the witness, the reason the witness is unable to attend, the general nature of the witness's testimony, and the reason another witness would not testify. Upon request, the authorized agent shall submit a written statement of its request and supporting documentation or sworn affidavit to the Appeals Division.

(c) If a postponement request is denied, the authorized agent shall notify the client that the hearing will go forward as scheduled and advise the client to appear. In the event that a postponement request made pursuant to subsection (b) of this section is denied, the client should be advised to appear with or without the critical witness or another witness. The client should be advised that it may renew the postponement request at the hearing by requesting a continuance of the hearing.

(d) In the event that a postponement request is properly denied and the agent or the client does not appear, no further hearings will be scheduled at the client's request.

(Effective July 1, 1992)