

## **Rule 39-216. Grounds for Continuance**

**39-216.1.** If the identity of a witness is known and the witness is available for service, a subpoena shall be served at least four (4) days previous to the day on which the witness is to appear. A cause will not be continued on account of the absence of a witness who might have been found and served as herein required.

**39-216.2.** No application for a continuance shall be granted if based on a cause existing and known at the time of the Pre-trial Conference unless the same is presented to the Court at least one (1) week prior to the date fixed for trial of the case.

**39-216.3.** The Court may, on its own Motion, or upon application of a party, pass or continue a case pursuant to Pa.R.C.P. 216(E) after the Pre-trial Conference because of the absence of a witness, not a party, who has not been served with a subpoena.