

**Rule 22. Computation and ~~enlargement~~extension of time.**

(a) **Computation of time.** In computing any period of time prescribed by these rules, by court order, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run is not included. If the designated period of time begins to run from the date of entry of an order or judgment and the order or judgment is entered on a Saturday, Sunday, or legal holiday, the date of entry will be deemed to be the first day following the entry that is not a Saturday, Sunday, or legal holiday. The last day of the period must be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period extends until the end of the next day that is not a Saturday, a Sunday, or a legal holiday. When the period of time prescribed or allowed, without reference to any additional time under paragraph (d), is less than 11 days, intermediate Saturdays, Sundays, and legal holidays must be excluded in the computation.

(1) "Legal holiday" is any holiday that is recognized and observed by the State of Utah, as specified here:

<https://www.utcourts.gov/en/about/miscellaneous/law-library/holidays.html>

(b) ~~Extensions~~Enlargement of time for briefs by notice of stipulation.

~~(1) Motions for an enlargement of time for filing briefs beyond the time permitted by stipulation of~~ Unless prohibited by the court in a particular case, the parties ~~under Rule 26 are not favored.~~ may file one or more notices of stipulation to extend the time to file a brief.

~~(2)~~(1) Form of notice of stipulation. A motion for extension of time need not accompany the stipulation.

(2) Time to file. A ~~n~~Notices of stipulation to extend time must be filed before the expiration of the period sought to be extended.

(3) Length of time. The total amount of stipulated extensions for any brief may not exceed 60 days.

(4) Automatic effectiveness. A timely filed notice of stipulation will automatically extend the time to file without the need for a court order granting the extension.

(c) Extensions of time by motion. The court for good cause shown may upon motion extend the time prescribed by these rules or by its order for doing any act, ~~or may permit an act to be done after the expiration of time.~~ This rule does not authorize the court to extend the jurisdictional deadlines specified by any of the rules listed in Rule 2. ~~For the purpose of this rule, good cause includes, but is not limited to, the complexity of the case on appeal, engagement in other litigation, and extreme hardship to counsel.~~

~~(3)~~1) Time to file. A motion ~~for an enlargement of~~ to extend time must be filed ~~prior to before~~ the expiration of the time for which the ~~enlargement~~ extension is sought. But the court may permit an act to be done after the expiration of time.

~~(4)~~2) Motion content. A motion for ~~enlargement~~ extension of time must state:

(A) with particularity the good cause for granting the motion;

(B) whether the movant has previously been granted an ~~enlargement~~ extension of time and, if so, the number and duration of ~~such enlargements~~ the previous extensions;

(C) when the time will expire for doing the act ~~for which~~ without the ~~enlargement~~ extension of time ~~is sought~~;

(D) the length of ~~the enlargement of~~ time requested and the new due date if the motion is granted; and

(E) ~~except as to a motion under paragraph (c),~~ the position of every other party on the requested extension or why the movant was unable to learn a party's position.

~~(5)~~3) Good cause. For the purpose of this rule, good cause includes, but is not limited to, the complexity of the case on appeal, engagement in other litigation, and extreme hardship to counsel.

(A) If the good cause relied upon is engagement in other litigation, the motion must:

(A~~i~~) identify ~~such~~that litigation by caption, number, and court;

~~(B) describe the action of the court in the other litigation on a motion for continuance;~~

~~(C) state the reasons why the other litigation should take precedence over the subject appeal;~~

~~(D) state the reasons why associated counsel cannot prepare the brief for timely filing or relieve the movant~~(ii) explain how engagement in the other litigation has prevented or will prevent a timely filing; and

~~(E~~iii) identify any other relevant circumstances.

~~(6~~B) If the good cause relied upon is the complexity of the appeal, the ~~movant~~motion must state the reasons why the appeal is so complex that ~~an adequate brief~~the current due date cannot reasonably be ~~prepared by the due date~~met.

~~(7~~C) If the good cause relied upon is extreme hardship to counsel, the ~~movant~~motion must state in detail the nature of the hardship.

~~(8~~D) All facts supporting good cause must be stated with specificity. Generalities, such as “the motion is not for the purpose of delay” or “counsel is engaged in other litigation,” are insufficient.

~~(c) Ex parte motion. Except as to enlargements of time for filing and service of briefs under Rule 26, a party may file one ex parte motion for enlargement of time not to exceed 14 days if no enlargement of time has been previously granted, if the time has not already expired for doing the act for which the enlargement is sought, and if the motion otherwise complies with the requirements and limitations of paragraph (b) of this rule.~~

~~(4) When motions disfavored. A motion~~ Motions for an extension of time for filing a briefs  
beyond the time permitted by stipulation of the parties is ~~are~~ not favored.

(d) Additional time after service by mail. Whenever a party is required or permitted to  
do an act within a prescribed period after service of a document and the document is  
served by mail, three days shall be added to the prescribed period.

*Effective ~~May 1, 2024~~*

#### **Advisory Committee Note**

The court may grant an extension of time after the original deadline has expired, but the  
motion to enlarge the time must be filed prior to the deadline.

Both appellate courts place appeals in the oral argument queue in accordance with the  
priority of the case and after principal briefs have been filed. Delays in the completion of  
briefing will likely delay the date of oral argument.

*Note adopted May 1, 2024*