

1 **Rule 6. Time.**

2 **(a) Computing time.** The following rules apply in computing any time period specified in these rules,
3 any local rule or court order, or in any statute that does not specify a method of computing time.

4 (a)(1) When the period is stated in days or a longer unit of time:

5 (a)(1)(A) exclude the day of the event that triggers the period;

6 (a)(1)(B) count every day, including intermediate Saturdays, Sundays, and legal holidays;

7 and

8 (a)(1)(C) include the last day of the period, but if the last day is a Saturday, Sunday, or legal
9 holiday, the period continues to run until the end of the next day that is not a Saturday, Sunday or
10 legal holiday.

11 (a)(2) When the period is stated in hours:

12 (a)(2)(A) begin counting immediately on the occurrence of the event that triggers the period;

13 (a)(2)(B) count every hour, including hours during intermediate Saturdays, Sundays, and
14 legal holidays; and

15 (a)(2)(C) if the period would end on a Saturday, Sunday, or legal holiday, the period
16 continues to run until the same time on the next day that is not a Saturday, Sunday, or legal
17 holiday.

18 (a)(3) Unless the court orders otherwise, if the clerk's office is inaccessible:

19 (a)(3)(A) on the last day for filing under Rule 6(a)(1), then the time for filing is extended to the
20 first accessible day that is not a Saturday, Sunday or legal holiday; or

21 (a)(3)(B) during the last hour for filing under Rule 6(a)(2), then the time for filing is extended
22 to the same time on the first accessible day that is not a Saturday, Sunday, or legal holiday.

23 (a)(4) Unless a different time is set by a statute or court order, filing on the last day means:

24 (a)(4)(A) for electronic filing, before midnight; and

25 (a)(4)(B) for filing by other means, the filing must be made before the clerk's office is
26 scheduled to close.

27 (a)(5) The "next day" is determined by continuing to count forward when the period is measured
28 after an event and backward when measured before an event.

29 (a)(6) "Legal holiday" means the day for observing:

30 (a)(6)(A) New Year's Day;

31 (a)(6)(B) Dr. Martin Luther King, Jr. Day;

32 (a)(6)(C) Washington and Lincoln Day;

33 (a)(6)(D) Memorial Day;

34 (a)(6)(E) Independence Day;

35 (a)(6)(F) Pioneer Day;

36 (a)(6)(G) Labor Day;

37 (a)(6)(H) Columbus Day;

38 (a)(6)(I) Veterans' Day;

39 (a)(6)(J) Thanksgiving Day;

40 (a)(6)(K) Christmas; and

41 (a)(6)(L) any day designated by the Governor or Legislature as a state holiday.

42 **(b) Extending time.**

43 (b)(1) When an act may or must be done within a specified time, the court may, for good cause,
44 extend the time:

45 (b)(1)(A) with or without motion or notice if the court acts, or if a request is made, before the
46 original time or its extension expires; or

47 (b)(1)(B) on motion made after the time has expired if the party failed to act because of
48 excusable neglect.

49 (b)(2) A court must not extend the time to act under Rules 50(b) and (d), 52(b), 59(b), (d) and (e),
50 and 60(c).

51 **(c) Additional time after service by mail.** When a party may or must act within a specified time after
52 service and service is made by mail under Rule 5(b)(3)(C), 3 days are added after the period would
53 otherwise expire under paragraph (a).

54 **(d) Additional time after filing for unrepresented parties.** When a party is unrepresented, does not
55 have an electronic filing account, and may or must act within a specified time after the filing of a
56 document and service of that document is made by mail under Rule 5(b)(3)(C), the period of time within
57 which the unrepresented party may or must act is calculated from the service date and not the filing date
58 of the document, and the extra 3 days under paragraph (c) would apply.

59 **(e) Filing or service by inmate.**

60 (e)(1) For purposes of Rule 45(i) and this paragraph (e), an inmate is a person confined to an
61 institution or committed to a place of legal confinement.

62 (e)(2) Papers filed or served by an inmate are timely filed or served if they are deposited in the
63 institution's internal mail system on or before the last day for filing or service. Timely filing or service
64 may be shown by a contemporaneously filed notarized statement or written declaration setting forth
65 the date of deposit and stating that first-class postage has been, or is being, prepaid, or that the
66 inmate has complied with any applicable requirements for legal mail set by the institution. Response
67 time will be calculated from the date the papers are received by the court, or for papers served on
68 parties that do not need to be filed with the court, the postmark date the papers were deposited in
69 U.S. mail.

70 (e)(3) The provisions of paragraph (e)(2) do not apply to service of process, which is governed by
71 Rule 4.