Rule 6. Computing and Extending Time; Time for Motion Papers

(a) <u>Computing Time</u>. The following rules apply in computing any time period specified in these rules, any court order, or any statute that does not specify a method of computing time.

(1) <u>Period Stated in Days or a Longer Unit</u>. When the period is stated in days or a longer unit of time:

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

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

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

(2) <u>Period Stated in Hours</u>. When the period is stated in hours:

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

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

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

(3) <u>Inaccessibility of the Clerk's Office</u>. Unless the court orders otherwise, if the clerk's office is inaccessible:

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

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

(4) "Last Day" Defined. Unless a different time is set by a statute, local rule, or court order, the last day ends:

(A) for electronic filing, at midnight in the court's time zone; and

(B) for filing by other means, when the clerk's office is scheduled to close.

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

(6) "Legal Holiday" Defined. "Legal holiday" means:

(A) the day set aside by statute for observing New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, or Christmas Day; and

(B) any day declared a holiday by the President or Congress.

(b) <u>Extending Time</u>.

    (1) <u>In General</u>: When an act may or must be done within a specified time, the court may, for good cause, extend the time:

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

        (B) on motion made after the time has expired if the party failed to act because of excusable neglect or circumstances beyond the control of the party.

    (2) <u>Exceptions</u>: The court must not extend the time to act under Rules 50(b) and (d), 52(b), 59(b), (d) and (e), and 60(b).

(c) <u>Motions.</u>

    (1) <u>Contents</u>. The motion for extension of time must set forth:

        (A) the specific number of additional days requested;

        (B) the date to which the extension is to run;

        (C) the extent to which the time for the performance of the particular act has been previously extended; and

        (D) the reason or reasons on which the motion is based.

    (2) <u>Effect</u>. No disposition of the underlying matter will be made until the court acts on the motion for extension of time.

(d) <u>Additional Time after Certain Kinds of Service</u>. When a party may or must act within a specified time after service and service is made under Rule 5(b)(2)(C), (D) (E) (F), or (G), 5 days are added after the period would otherwise expire under Rule 6(a).

(As amended, eff. Jan. 1, 1985; June 19, 1985, eff. Oct. 1, 1985; Apr. 28, 1987, eff. June 1, 1987; July 28, 1988, eff. Nov. 1, 1988; Oct. 3, 1990, eff. Jan. 1, 1991; Nov. 29, 2005, eff. Jan. 1, 2006; Nov. 27, 2007, eff. Jan. 1, 2008; Nov. 25, 2008, eff. Jan. 1, 2009; Dec. 7, 2010, eff. Jan. 1, 2011.)