

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

(a) Computing Time.

The following rules apply in computing any time period specified in these rules, any court order, or statute:

(1) Day of the Event Excluded. Exclude the day of the act, event, or default that begins the period.

(2) Exclusions from Brief Periods. Exclude intermediate Saturdays, Sundays, and legal holidays when the period is less than 11 days.

(3) Last Day. Include the last day of the period unless it is a Saturday, Sunday, legal holiday, or – if the act to be done is the filing of a paper in court – a day on which weather or other conditions make the clerk’s office inaccessible. When the last day is excluded, the period runs until the end of the next day that is not a Saturday, Sunday, legal holiday, or day when the clerk’s office is inaccessible.

(4) “Legal Holiday” Defined. As used in these rules, “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 other day declared a holiday by the President or the Congress of the United States.

(b) Extending Time.

(1) In General: 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) Exceptions: The court must not extend the time to act under Rules 50(b) and (c)(2), 52(b), 59(b), (d) and (e), and 60(b), except as those rules allow.

(c) Motions.

(1) Contents. 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) Effect. No disposition of the underlying matter will be made until the court acts on the motion for extension of time.

(d) Additional Time after Certain Kinds of Service.

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.)