

Rule 15. Amended and Supplemental Pleadings

(a) Amendments. A pleading may be amended once as a matter of course at any time before a responsive pleading is served or, if the pleading is one to which no responsive pleading is permitted, the pleading may be amended at any time within 20 days after it is served or before the initial status hearing has been held, whichever occurs first.

Otherwise a pleading may be amended only by leave of court or by written consent of the adverse party; and leave shall be freely given when justice so requires. No motion to amend will be granted unless it recites that the movant sought to obtain the consent of parties affected, and that such consent was denied. If a pleading is dismissed or stricken with leave to amend, an amended pleading must be filed within 20 days unless otherwise provided by order of court. A party shall plead in response to an amended pleading within the time remaining for response to the original pleading or within 10 days after service of the amended pleading, whichever period may be the longer, unless the Court otherwise orders.

(b) Amendments to conform to the evidence. When issues not raised by the pleading are tried by express or implied consent of the parties, they shall be treated in all respects as if they had been raised in the pleadings. The pleadings may be amended to conform to the evidence and to raise those issues upon motion made by any party before or after judgment, but failure so to amend does not affect the result of the trial of those issues. If evidence is objected to at the trial on the ground that it is not within the issues raised by the pleadings, the Court may allow the pleadings to be amended unless amendment would unduly prejudice the party in maintaining the party's action or defense upon the merits. The Court may grant a continuance to enable the objecting party to meet such evidence.

(c) Relation back of amendments. Whenever the claim or defense asserted in the amended pleading arose out of the conduct, transaction, or occurrence set forth or attempted to be set forth in the original pleading, the amendment relates back to the date of the original pleading.

(d) Supplemental pleadings. Upon motion of a party the Court may, upon reasonable notice and upon such terms as are just, permit the party to serve a supplemental pleading setting forth transactions or occurrences or events which have happened since the date of the pleading sought to be supplemented. A supplemental pleading stating a claim required to be made pursuant to SCR-Dom Rel 13(e) shall be permitted in accordance with that rule. Permission may be granted even though the original pleading is defective in its statement of a claim for relief or defense. If the Court deems it advisable that the adverse party respond to the supplemental pleading, it shall so order, specifying the time therefor.