

Rule 6. Time

(a) Computation. In computing any period of time specified by these Rules, or by Court order, or by any applicable statute, the following shall apply:

(1) Computation of the specified time period shall begin on the day after the operative act, event, or default;

(2) The last day of the specified time period shall be included in the computation unless: (A) it is a Saturday, Sunday, or legal holiday; or (B) the act to be done is the filing of a paper in Court, and the last day of the specified time period is a business day when the office of the Clerk is closed for all or part of the day. If the last day is one specified under subparagraph (A) or (B) above, then the time period extends until the end of the next day which is not so specified;

(3) When the specified time period is 10 days or fewer, Saturdays, Sundays, and legal holidays within that time period shall not be included in the computation. Accordingly, for the purposes of these Rules, periods of 10 days or fewer shall be computed by business days and periods over 10 days shall be computed by consecutive calendar days.

(b) Extension of time. When an act is required to be done or allowed to be done by a party at or within a specified time period, either by these Rules, or by notice or order of the Court, the Court may at any time in its discretion: (1) order an extension of the specified time period upon oral or written motion made before the expiration of the original specified time period or an earlier extension; or (2) notwithstanding the expiration of the specified time period, permit the act to be done by the party upon oral or written motion and for good cause shown; however, the Court may not extend the time allotted to a party to take any action if such extension is not in accordance with SCR-Dom Rel 52(b), 59(b) and (d), and 60(b), and the conditions stated in them.

(c) Additional time after service by mail. Whenever a party has the right to act or is required to act within a specified time period after service of a notice or other paper upon the party, if the notice is by regular first class mail, then the party shall have three additional days, separately computed pursuant to paragraph (a) of this Rule, to act. For the purpose of this Rule service by facsimile transmission is not service by mail.

COMMENT

Pursuant to paragraph (a), if a pleading is served on the 10th day of the month, the first day of the applicable time period is the 11th day of the month. If the pleading was served by mail, paragraph (c) permits three additional business days to be added to the specified time period after the initial period has been computed pursuant to paragraph (a). See *Wallace v. Warehouse Employees Union No. 730*, 482 A.2d 801 (D.C. App. 1984). For example, if the specified time period ended on Saturday, the 10th day of the month, the operative due date would become Monday, the 12th, which is the next business day. If paragraph (c) is applicable, the three additional days extends the prescribed time period to Thursday the 15th. The same computation applies when an order or judgment is rendered outside the presence of the parties and notice is mailed pursuant to SCR-Dom Rel 77(b). *Id.*