

LR 6 – Computing Time After Service (See Fed. R. Civ. P. 6(d))

~~When a party may or must act within a specified time after service under Fed. R. Civ. P. 5(b)(2), three days are added after the period would otherwise expire under Fed. R. Civ. P. 6(a), regardless of the method of service.~~

Commentary

~~Under LR 6, three days are added to the response deadline regardless of the means by which the triggering paper is served. This is intended to remove the incentive to serve papers (including, without limitation, discovery requests) by hand under Fed. R. Civ. P. 5(b)(2)(A) or by leaving at a person's office or dwelling under subsection (B), in order to keep the receiving party from having the three-day period provided by Fed. R. Civ. P. 6(d) for other means of service.~~

Practice Tip

Local Rule 6 has been eliminated due to amendments to Fed. R. Civ. P. 6(d). Under amended Fed. R. Civ. P. 6(d), three days will no longer be added to the response time when service is by electronic means.

Amendment History to LR 6

March 1, 2013

LR 6	New rule.
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March 1, 2014

LR 6 Commentary	Changed "electronic service" to "service by electronic means" in second sentence of first paragraph.
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May 1, 2015

LR 6	Moved first paragraph of Commentary into text of rule, simplified rule text.
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March 1, 2017

<u>LR 6</u>	<u>Replaced rule with the following Practice Tip: "Local Rule 6 has been eliminated due to amendments to Fed. R. Civ. P. 6(d). Under amended Fed. R. Civ. P. 6(d), three days will no longer be added to the response time when service is by electronic means."</u>
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