

Rule 5.02

EXTENSION OF TIME

- (a) **Motion for Extension of Time.** A party that may or must perform an act required under these rules within a specified time may file with the clerk of the appellate courts a motion for an extension of time. The motion must be served on all parties and must state:
 - (1) the present due date;
 - (2) the number of extensions previously requested;
 - (3) the amount of additional time needed; and
 - (4) the reason for the request.
- (b) **Adverse Party's Consent.** An adverse party's consent to an extension of time will be considered, but is not controlling.
- (c) **Motion Filed After Time Expired.** A motion for an extension of time filed after the time to act has expired must state the reasons constituting excusable neglect.
- (d) **Extension of Time.** The clerk of the appellate courts or the court may grant an extension of time not exceeding 20 days without waiting for a response.

[**History:** Restyled rule and amended effective July 1, 2012; Am. (d) effective December 19, 2016.]