

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1694

Amending Civil Rule 6(a),
Criminal Rule 40(a), and
Appellate Rule 502(a) concerning
the computation of additional
days for mailing.

IT IS ORDERED:

1. Civil Rule 6 is amended to read as follows:

Rule 6. Time.

(a) **Computation.** In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run is not to be included. The last day of the period is to be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. When the period of time prescribed or allowed is less than seven days, not counting any period for mailing added under subsection (c) of this rule, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. A half holiday shall be considered as other days and not as a holiday.

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(c) **Additional Time After Service or Distribution by Mail.**

Whenever a party has the right or is required to act within a prescribed period after the service or distribution of a document, other than documents served under Civil Rule 4(h), and the document is served or distributed by mail, three

calendar days shall be added to the prescribed period. However, no additional time shall be added if a court order specifies a particular calendar date by which an act must occur.

2. Criminal Rule 40 is amended to read as follows:

Criminal Rule 40. Time.

(a) **Computation.** Except as otherwise specifically provided in these rules, in computing any period of time, the day of the act or event from which the designated period of time begins to run is not to be included. The last day of the period ~~so computed~~ is to be included, unless it is a Saturday, Sunday, or a legal holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or legal holiday. When a period of time prescribed or allowed is less than seven days, not counting any period for mailing added under subsection (d) of this rule, intermediate Saturdays, Sundays, and legal holidays shall be excluded in the computation. A half holiday shall be considered as other days and not as a holiday.

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(d) **Additional Time After Service or Distribution by Mail.**

Whenever a party has the right or is required to act within a prescribed period after the service or distribution of a document, and the document is served or distributed by mail, three calendar days shall be added to the prescribed period. However, no additional time shall be added if a court order specifies a particular calendar date by which an act must occur.

3. Appellate Rule 502 is amended to read as follows:

Appellate Rule 502. Time—Computation and Extension.

(a) **Computation.** In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute, the day of the act, event, or default from which the designated period of time begins to run is not to be included. The last day of the period ~~so computed~~ is to be included, unless it is a Saturday, Sunday, or legal holiday, in which event the period runs until the end of the next day which is ~~neither~~ not a Saturday, Sunday, or legal ~~nor a~~ holiday. When the period of time prescribed or allowed is less than seven days, not counting any period added for mailing under subsection (c) of this rule, intermediate Saturdays, Sundays and holidays shall be excluded in the computation. A half holiday shall be considered as other days and not as a holiday.

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(c) **Additional Time After Service or Distribution by Mail.**

Whenever a party has the right or is required to act within a prescribed number of days after the service or distribution of a document, and the document is served or distributed by mail, three calendar days shall be added to the prescribed period. However, no additional time shall be added if a court order specifies a particular calendar date by which an act must occur.

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DATED: February 19, 2009

EFFECTIVE DATE: October 15, 2009

/s/
Chief Justice Fabe

/s/
Justice Matthews

/s/
Justice Eastaugh

/s/
Justice Carpeneti

/s/
Justice Winfree