

1 **Rule 15. Amended and supplemental pleadings.**

2 (a) **Amendments.** A party may amend his pleading once as a matter of course at
3 any time before a responsive pleading is served or, if the pleading is one to which no
4 responsive pleading is permitted and the action has not been placed upon the trial
5 calendar, he may so amend it at any time within ~~20~~21 days after it is served. Otherwise
6 a party may amend his pleading only by leave of court or by written consent of the
7 adverse party; and leave shall be freely given when justice so requires. A party shall
8 plead in response to an amended pleading within the time remaining for response to the
9 original pleading or within ~~40~~14 days after service of the amended pleading, whichever
10 period may be the longer, unless the court otherwise orders.

11 (b) **Amendments to conform to the evidence.** When issues not raised by the
12 pleading are tried by express or implied consent of the parties, they shall be treated in
13 all respects as if they had been raised in the pleadings. Such amendments of the
14 pleadings as may be necessary to cause them to conform to the evidence and to raise
15 these issues may be made upon motion of any party at any time, even after judgment;
16 but failure so to amend does not affect the result of the trial of these issues. If evidence
17 is objected to at the trial on the ground that it is not within the issues made by the
18 pleadings, the court may allow the pleadings to be amended when the presentation of
19 the merits of the action will be subserved thereby and the objecting party fails to satisfy
20 the court that the admission of such evidence would prejudice him in maintaining his
21 action or defense upon the merits. The court shall grant a continuance, if necessary, to
22 enable the objecting party to meet such evidence.

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

27 (d) **Supplemental pleadings.** Upon motion of a party the court may, upon
28 reasonable notice and upon such terms as are just, permit him to serve a supplemental
29 pleading setting forth transactions or occurrences or events which have happened since
30 the date of the pleading sought to be supplemented. Permission may be granted even

Rule 15.

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31 though the original pleading is defective in its statement of a claim for relief or defense.

32 If the court deems it advisable that the adverse party plead to the supplemental

33 pleading, it shall so order, specifying the time therefor.

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