

Rule 54. Judgment; Costs

(a) **DEFINITION; FORM.** "Judgment" as used in these rules includes a decree and any order from which an appeal lies. A judgment should not include recitals of pleadings, a master's report, or a record of prior proceedings.

(b) **JUDGMENT ON MULTIPLE CLAIMS OR INVOLVING MULTIPLE PARTIES.** When an action presents more than one claim for relief—whether as a claim, counterclaim, crossclaim, or third-party claim—or when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay. Otherwise, any order or other decision, however designated, that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or parties and may be revised at any time before the entry of a judgment adjudicating all the claims and all the parties' rights and liabilities.

(c) **DEMAND FOR JUDGMENT; RELIEF TO BE GRANTED.** A default judgment must not differ in kind from, or exceed in amount, what is demanded in the pleadings. Every other final judgment should grant the relief to which each party is entitled, even if the party has not demanded that relief in its pleadings.

(d) **COSTS; ATTORNEY'S FEES.**

(1) *Costs Other Than Attorneys' Fees.* Unless an applicable statute, these rules, or a court order provides otherwise, costs—other than attorney's fees—should be allowed to the prevailing party. But costs against the United States, the District of Columbia, or officers and agencies of either may be imposed only to the extent allowed by law. The clerk may tax costs on 14 days' notice. On motion served within the next 7 days, the court may review the clerk's action.

(2) *Attorneys' Fees.*

(A) *Claims to Be by Motion.* A claim for attorney's fees and related nontaxable expenses must be made by motion unless the substantive law requires those fees to be proved at trial as an element of damages.

(B) *Timing and Contents of the Motion.* Unless a statute or a court order provides otherwise, the motion must:

- (i) be filed no later than 14 days after the entry of judgment;
- (ii) specify the judgment and the statute, rule, or other grounds entitling the movant to the award;
- (iii) state the amount sought or provide a fair estimate of it; and
- (iv) disclose, if the court so orders, the terms of any agreement about fees for the services for which the claim is made.

(C) *Proceedings.* Subject to Rule 23(h), the court must, on a party's request, give an opportunity for adversary submissions on the motion in accordance with Rule 12-l or 43(f). The court may decide issues of liability for fees before receiving submissions on the value of services. The court must find the facts and state its conclusions of law as provided in Rule 52(a).

(D) *Reference to a Magistrate Judge or a Master.* The following rules govern reference to a magistrate judge or a master:

- (i) The Chief Judge may refer a motion for attorney's fees to a magistrate judge under Rule 73 as if it were a dispositive pretrial matter.

(ii) The court may refer issues concerning the value of services to a special master under Rule 53 without regard to the limitations of Rule 53(a)(2).

(E) *Exceptions.* Rule 54(d)(2)(A)–(D) do not apply to claims for fees and expenses as sanctions for violating these rules.

COMMENT TO 2017 AMENDMENTS

This rule is substantially similar to *Federal Rule of Civil Procedure 54*, as amended in 2007 and 2009, but maintains the following local distinctions: 1) in subsection (d)(1), “applicable statute” has been substituted for “federal statute” and a reference to District of Columbia and its officers or agencies has been added; 2) in subsection (d)(2)(C), the reference to Rule 78 has been replaced with a reference to Rule 12-I; 3) subsection (d)(2)(D) has been modified to reflect local practice; and 4) in subsection (d)(2)(E), the reference to 28 U.S.C. § 1927 has been omitted.