

Rule 18. Attorney's Fees

(a) IN GENERAL. Attorney's fees are not awarded in an action in this branch unless the plaintiff's attorney:

(1) provides to the court the instrument or agreement on which the claim for attorney's fees is based;

(2) certifies in writing that the fee claimed is payable only and entirely to him or her;

(3) certifies in writing that he or she has no agreement with the plaintiff and will not enter one that will make any part of the attorney's fees payable to anyone other than the attorney; and

(4) in an action initiated by a debt collector to collect a consumer debt as defined in D.C. Code § 28-3814, provides any information required by D.C. Code § 28-3814.

(b) LIMITATION ON ATTORNEY'S FEES. Attorney's fees awarded under this rule may not exceed:

(1) 15 percent of the plaintiff's recovery unless the plaintiff establishes exceptional circumstances; or

(2) in an action initiated by a debt collector to collect a consumer debt as defined in D.C. Code § 28-3814, any limit in D.C. Code § 28-3814.

COMMENTS TO 2022 AMENDMENTS

The rule was amended to reflect the provisions concerning attorney's fees included in emergency, temporary, and permanent legislation amending D.C. Code § 28-3814.

COMMENT TO 2018 AMENDMENTS

Formerly Rule 19, this rule has been renumbered as Rule 18. This rule has also been amended consistent with the stylistic changes to the civil rules.