

Rule 54.1. Attorney's Fees and Expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d)

(a) Time for Filing. The court may award attorney's fees and expenses where authorized by law. Applications must be filed within 30 days after the court enters final judgment.

(b) Content of Application. Each application for attorney's fees and expenses under subdivision (a) must include citations to the authority authorizing the award, and must indicate how the prerequisites for an award have been fulfilled. In addition, each application must include a statement, under oath, specifying:

- (1) the nature of each service rendered;
- (2) the amount of time expended in rendering each type of service; and
- (3) the customary charge for each type of service rendered.

(c) Response and Reply. The responding party has 30 days from the date of service of the application to file a response. No other papers or briefs will be allowed, except as the court, on its own, directs.

PRACTICE COMMENT: An application for attorney's fees and expenses under this rule shall be substantially in the form set forth in Form 15 of the Appendix of Forms.

PRACTICE COMMENT: Pursuant to the renumbering of the USCIT Rules, the former Rule 68 now will be identified as Rule 54.1.

(Added Sept. 30, 2003, eff. Jan. 1, 2004; Nov. 25, 2008, eff. Jan. 1, 2009.)