

LOCAL RULE 54.1
ATTORNEY'S FEES

(a) In any case in which an attorney's fees are recoverable under the law applicable to that case, a motion for attorney's fees shall be filed with the Clerk, with proof of service, within fourteen (14) days after the entry of judgment or an order of dismissal under circumstances permitting the allowance of attorney's fees. In the event a post-trial motion is filed, this 14-day period shall not commence until entry of the order granting or denying the post-trial motion. Objections to an allowance of fees must be filed within fourteen (14) days after service on the party against whom the award to attorney's fees is sought. A failure to present a timely petition for an award of attorney's fees may be considered by the Court to be a waiver of any claim for attorney's fees.

(b) On its own motion, the Court may grant an allowance of reasonable attorney's fees to a prevailing party in appropriate cases.

(c) The petitioner shall attach to his motion an affidavit setting out the time spent in the litigation and factual matters pertinent to the petition for attorney's fees. The respondent may, by counter affidavit, controvert any of the factual matters contained in the petition and may assert any factual matters bearing on the award of attorney's fees.

(d) The 14-day period set forth in subsection (a) shall not apply to cases wherein the statute creating the right to attorney's fees also provides its own limitation period for filing such motions.

Adopted and effective September 1, 1982
Amended January 2, 1990
Amended November 10, 2009