

1       **Rule 54. Judgments; costs.**

2       (a) **Definition; form.** "Judgment" as used in these rules includes a decree and any  
3 order from which an appeal lies. A judgment need not contain a recital of pleadings, the  
4 report of a master, or the record of prior proceedings. Judgments shall state whether  
5 they are entered upon trial, stipulation, motion or the court's initiative; and, unless  
6 otherwise directed by the court, a judgment shall not include any matter by reference.

7       (b) **Judgment upon multiple claims and/or involving multiple parties.** When  
8 more than one claim for relief is presented in an action, whether as a claim,  
9 counterclaim, cross claim, or third party claim, and/or when multiple parties are  
10 involved, the court may direct the entry of a final judgment as to one or more but fewer  
11 than all of the claims or parties only upon an express determination by the court that  
12 there is no just reason for delay and upon an express direction for the entry of  
13 judgment. In the absence of such determination and direction, any order or other form of  
14 decision, however designated, that adjudicates fewer than all the claims or the rights  
15 and liabilities of fewer than all the parties shall not terminate the action as to any of the  
16 claims or parties, and the order or other form of decision is subject to revision at any  
17 time before the entry of judgment adjudicating all the claims and the rights and liabilities  
18 of all the parties.

19       (c) **Demand for judgment.**

20       (c)(1) **Generally.** Except as to a party against whom a judgment is entered by  
21 default, and except as provided in Rule 8(a), every final judgment shall grant the  
22 relief to which the party in whose favor it is rendered is entitled, even if the party has  
23 not demanded such relief in his pleadings. It may be given for or against one or  
24 more of several claimants; and it may, when the justice of the case requires it,  
25 determine the ultimate rights of the parties on each side as between or among  
26 themselves.

27       (c)(2) **Judgment by default.** A judgment by default shall not be different in kind  
28 from, or exceed in amount, that specifically prayed for in the demand for judgment.

29       (d) **Costs.**

30 (d)(1) **To whom awarded.** Except when express provision therefor is made either  
31 in a statute of this state or in these rules, costs shall be allowed as of course to the  
32 prevailing party unless the court otherwise directs; provided, however, where an  
33 appeal or other proceeding for review is taken, costs of the action, other than costs  
34 in connection with such appeal or other proceeding for review, shall abide the final  
35 determination of the cause. Costs against the state of Utah, its officers and agencies  
36 shall be imposed only to the extent permitted by law.

37 (d)(2) **How assessed.** The party who claims his costs must within ~~five~~14 days  
38 after the entry of judgment serve upon the adverse party against whom costs are  
39 claimed, a copy of a memorandum of the items of his costs and necessary  
40 disbursements in the action, and file with the court a like memorandum thereof duly  
41 verified stating that to affiant's knowledge the items are correct, and that the  
42 disbursements have been necessarily incurred in the action or proceeding. A party  
43 dissatisfied with the costs claimed may, within ~~seven~~7 days after service of the  
44 memorandum of costs, file a motion to have the bill of costs taxed by the court.

45 A memorandum of costs served and filed after the verdict, or at the time of or  
46 subsequent to the service and filing of the findings of fact and conclusions of law, but  
47 before the entry of judgment, shall nevertheless be considered as served and filed on  
48 the date judgment is entered.

49 (e) **Interest and costs to be included in the judgment.** The clerk must include in  
50 any judgment signed by him any interest on the verdict or decision from the time it was  
51 rendered, and the costs, if the same have been taxed or ascertained. The clerk must,  
52 within two days after the costs have been taxed or ascertained, in any case where not  
53 included in the judgment, insert the amount thereof in a blank left in the judgment for  
54 that purpose, and make a similar notation thereof in the register of actions and in the  
55 judgment docket.

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