

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

2 **(a) Definition; form.** "Judgment" as used in these rules includes a decree or order that adjudicates
3 all claims and the rights and liabilities of all parties or any other order from which an appeal of right lies. A
4 judgment should not contain a recital of pleadings, the report of a master, or the record of prior
5 proceedings.

6 **(b) Judgment upon multiple claims and/or involving multiple parties.** When an action presents
7 more than one claim for relief—whether as a claim, counterclaim, cross claim, or third party claim—and/or
8 when multiple parties are involved, the court may enter judgment as to one or more but fewer than all of
9 the claims or parties only if the court expressly determines that there is no just reason for delay.
10 Otherwise, any order or other decision, however designated, that adjudicates fewer than all the claims or
11 the rights and liabilities of fewer than all the parties does not end the action as to any of the claims or
12 parties, and may be changed at any time before the entry of judgment adjudicating all the claims and the
13 rights and liabilities of all the parties.

14 **(c) Demand for judgment.** A default judgment must not differ in kind from, or exceed in amount,
15 what is demanded in the pleadings. Every other judgment should grant the relief to which each party is
16 entitled, even if the party has not demanded that relief in its pleadings.

17 **(d) Costs.**

18 **(d)(1) To whom awarded.** Unless a statute, these rules, or a court order provides otherwise,
19 costs should be allowed to the prevailing party. Costs against the state of Utah, its officers and
20 agencies may be imposed only to the extent permitted by law.

21 **(d)(2) How assessed.** The party who claims costs must within 14 days after the entry of
22 judgment file and serve a verified memorandum of costs. A party dissatisfied with the costs claimed
23 may, within 7 days after service of the memorandum of costs, object to the claimed costs.

24 **(d)(3) Memorandum filed before judgment.** A memorandum of costs served and filed after the
25 verdict, or at the time of or subsequent to the service and filing of the findings of fact and conclusions
26 of law, but before the entry of judgment, is deemed served and filed on the date judgment is entered.

27 **(e) Amending the judgment to add costs or attorney fees.** If the court awards costs under
28 paragraph (d) or attorney fees under Rule 73 after the judgment is entered, to include the award in the
29 judgment, the party must file and serve an amended judgment including the costs or attorney fees, and
30 the court will enter the amended judgment unless another party objects within 7 days after the amended
31 judgment is filed.

32 **Advisory Committee Notes**

33 2016 amendments

34 Paragraph (e) describes the process by which the determination of costs or fees becomes part of the
35 judgment. If there is legal error in entering judgment for costs or attorney fees, that error is reviewable on
36 appeal just like any other. But if the underlying basis for the award of costs or attorney fees, such as the

37 defendant's liability in the action, is not upheld on appeal, the party should not be liable for costs or fees
38 even if the award of costs or fees was entered without error or was not reviewed.
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