



# POST-JUDGMENT INTEREST RATES

This rate will be applied to judgments of the courts affected by the provisions of 28 U.S.C. 1961, 18 U.S.C. 3612, and 40 U.S.C. 258(e)(1) and calculated in the manner prescribed therein.

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## EFFECTIVE DECEMBER 21, 2000

On December 21, 2000, the President signed legislation, amending 28 U.S. C. 1961(a), 18 U.S.C. 3612(f)(2)(B) and 40 U.S.C. 258(e)(1), which eliminated using Treasury's 52-week United States Treasury Bills auction in determining the interest on post judgment debts. Under the new legislation, the government will use the interest rate from "**the weekly average 1-year constant maturity Treasury yield**, as published by the Board of Governors of the [Federal Reserve System](#), for the calendar week preceeding." This changes the effective date of new interest rates from quarterly to weekly.

### 28 U.S.C. 1961

Interest shall be allowed on any money judgment in a civil case recovered in a district court. Execution therefor may be levied by the marshal, in any case where, by the law of the State in which such court is held, execution may be levied for interest on judgments recovered in the courts of the State. Such interest shall be calculated from the date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the judgment. The Director of the Administrative Office of the United States Courts shall distribute notice of that rate and any changes in it to all Federal judges.

### 18 U.S.C. 3612 and 40 U.S.C 258(e)(1)

Interest on a fine shall be computed:

- daily (from the first day on which the defendant is liable for interest under paragraph (1)); and
- at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the first day on which the defendant is liable for interest under paragraph(1)

The revised sections took effect on all judgments entered on and after December 21, 2000. Only the rate that is applied to judgments has changed. All other computational procedures remain the same.

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United States District Court, District of Utah. 350 South Main Street, Room 150, Salt Lake City, UT 84101. (801) 524-6100. E-mail: [Ut\\_support@utd.uscourts.gov](mailto:Ut_support@utd.uscourts.gov)