

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**INSTRUCTIONS for Form 9.  
Application for Attorneys' Fees under Circuit Rule 39-1.6**

- Refer to Circuit Rule 39-1.6 when preparing an application for attorneys' fees.
- A request for an award of attorneys' fees must be submitted using Form 9 or its equivalent, and must be accompanied by a memorandum showing both legal entitlement to fees and:
  1. a detailed itemization of the tasks performed each date and the amount of time spent by each lawyer and paralegal on each task,
  2. a summary for each lawyer and paralegal of the total hours spent in the categories set forth above,
  3. a showing that the hourly rates claimed are consistent with the prevailing rates in the relevant market, and
  4. an affidavit attesting to the accuracy of the information submitted.
- Do not include a cost bill or request for costs on appeal in your application. Use Form 10 to file a cost bill separately.
- To request attorneys' fees pursuant to the Equal Access to Justice Act, you may use the form at <http://cdn.ca9.uscourts.gov/datastore/uploads/forms/EAJA-Fees.pdf> instead of Form 9.

File Form 9 using the electronic document filing type "Motion for Any Type of Relief" and select "motion for attorney fees" as the relief.

**How to prepare fill-in forms for filing:**

- If you have Adobe Acrobat or another tool that lets you save completed forms:
  1. Complete the form.
  2. Print the completed form to your PDF printer (File > Print > select Adobe PDF or another PDF printer listed in the drop-down list).
- If you do not have Adobe Acrobat or another tool that lets you save completed forms:
  1. Complete the form.
  2. Print the completed form to your printer.
  3. Scan the completed form to a PDF file.

***Do not file this instruction page***