

**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.
- Rule 39-1.6(b) requires that a request for an award of attorneys' fees must be supported by a memorandum showing that the party seeking fees is legally entitled to them and must be accompanied by Form 9 or a document that contains substantially the same information, along with:
 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 showing that the hourly rates claimed are legally justified; and
 3. an affidavit or declaration attesting to the accuracy of the information. All applications must include a statement that sets forth the application's timeliness.
- Do not include a cost bill 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> in addition to, but not in place of, Form 9. EAJA rates are posted on the court's website at <https://www.ca9.uscourts.gov/attorneys/statutory-maximum-rates/>

File Form 9 in CM/ECF cases using the electronic document filing type "Motion for Any Type of Relief" and select "motion for attorney fees" as the relief. Use the filing type "Motion for Attorneys Fees" in ACMS cases.

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

Feedback or questions about this form? Email us at forms@ca9.uscourts.gov