

OFFICE OF THE CLERK
UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

ANASTASIA DUBROVSKY
CLERK

JOHN JOSEPH MOAKLEY
UNITED STATES COURTHOUSE
1 COURTHOUSE WAY, SUITE 2500
BOSTON, MA 02210
(617) 748-9057

NOTICE OF PROPOSED AMENDMENTS TO
LOCAL RULE 39.0

The United States Court of Appeals for the First Circuit provides notice that it proposes the attached amendments to Local Rule 39.0.

The amendments are made to maintain consistency with the amendments to the Federal Rules of Appellate Procedure, which go into effect December 1, 2025, updating the language and numbering of Fed. R. App. P. 39.

Additions are noted in *italic* print; deletions are noted in ~~strikeout~~ print.

The court hereby invites public comment on the amendments. Comments should be submitted by November 17, 2025, and addressed to:

Office of the Clerk
U.S. Court of Appeals for the First Circuit
United States Courthouse
1 Courthouse Way, Suite 2500
Boston, MA 02210

October 16, 2025

Anastasia Dubrovsky, Clerk

Local Rule 39.0. Taxation of Reproduction Costs

- (a) The maximum rate at which costs may be taxed shall be fixed from time to time by the clerk of the court of appeals. See Fed. R. App. P. 39~~(e)~~(e)(2). A schedule of Maximum Rates for Taxation of Costs is posted on the court's website at www.ca1.uscourts.gov and is available by request to the clerk's office. Costs are taxed at the maximum rates set by the clerk or at the actual cost, whichever is lower.
- (b) Costs may be recovered for reproducing the following number of copies, unless the court directs filing of a different number:
- (1) **Briefs.** Nine copies of each brief plus two for the filer and two for each party required to be served with paper copies of the brief. See 1st Cir. R. 31.0(b).
 - (2) **Appendices.** Five copies of each appendix plus one for the filer and one for each unrepresented party and each separately represented party. See 1st Cir. R. 30.0(a).
- (c) Requests for taxation of costs must be made on the Bill of Costs form available on the court's website at www.ca1.uscourts.gov and by request to the clerk's office, and must be accompanied by a vendor's itemized statement of charges, if applicable, or a statement by counsel if reproduction was performed in-house. Bills of costs must be filed in the clerk's office within fourteen days after *judgment is entered* ~~of judgment~~, even if a petition for rehearing or other post-judgment motion is filed. See Fed. R. App. P. 39~~(d)~~(1)(e)(3)(A). Payment of costs should be made directly to the prevailing party or counsel, not to the clerk's office.