RULE 9.3
COSTS

(a) Party Entitled to Costs. The party that substantially prevails on appeal shall be awarded costs on appeal. Costs will be imposed against a party whose appeal is involuntarily dismissed. Costs will be awarded in a case dismissed by reason of a voluntary withdrawal of an appeal only if the superior court so directs at the time the order is entered permitting the voluntary withdrawal of the appeal.

(b) How Claimed. Costs must be claimed by serving a cost bill on all parties and filing it in the superior court within 10 days after entry of the superior court decision on the appeal. The party should itemize each item of expense claimed in the cost bill.

(c) Expenses Allowed as Costs. Only the reasonable expenses actually incurred by a party for the following items which were reasonably necessary for review may be awarded to a party as costs: (1) statutory attorney fees allowed for a superior court nonjury trial, (2) the superior court filing fee, (3) the expense of obtaining a copy of the record of proceedings and the log for the record as provided in rule 6.3, (4) the cost of preparing the transcript as required by rule 6.3A, (5) the expense of bonds given in connection with the appeal, and (6) such other sums as provided by statute.

(d) Objections to Costs Claimed. A party may object to items in the cost bill of another party by serving on all parties and filing with the superior court objections to the cost bill within 10 days after service of the cost bill upon the party.

(e) Award of Costs. The superior court judge who decided the appeal shall be informed by the parties if a dispute arises over costs. The judge shall decide the dispute promptly after learning of it, without oral argument unless the judge otherwise directs.

(f) Judgment for Costs. The costs claimed by a party shall be deemed awarded unless another party files and serves written objections within the time provided by section (d). The clerk of the superior court shall transmit a copy of the cost bill and any superior court decision allowing costs to the court of limited jurisdiction and a copy of the decision to each party. The costs awarded to a party shall become a part of any judgment entered under rule 9.2(c).

(g) Reasonable Attorney Fees. A request for reasonable attorney fees should not be made in the cost bill. The request should be made as provided in rule 11.2.

[Amended effective November 25, 2003.]