

Rule 62. Stay of Proceedings to Enforce a Judgment

(a) **AUTOMATIC STAY.** Except as provided in Rule 62(c) and (d), execution on a judgment and proceedings to enforce it are stayed for 30 days after its entry, unless the court orders otherwise.

(b) **STAY BY BOND OR OTHER SECURITY.** At any time after judgment is entered, a party may obtain a stay by providing a bond or other security. The stay takes effect when the court approves the bond or other security and remains in effect for the time specified in the bond or other security.

(c) **STAY OF AN INJUNCTION OR RECEIVERSHIP.** Unless the court orders otherwise, an interlocutory or final judgment in an action for an injunction or receivership is not stayed after being entered, even if an appeal is taken.

(d) **INJUNCTION PENDING AN APPEAL.** While an appeal is pending from an interlocutory order or final judgment that grants, continues, modifies, refuses, dissolves, or refuses to dissolve or modify an injunction, the court may suspend, modify, restore, or grant an injunction on terms for bond or other terms that secure the opposing party's rights.

(e) **STAY WITHOUT BOND ON AN APPEAL BY THE UNITED STATES, THE DISTRICT OF COLUMBIA, OR AN OFFICER OR AGENCY OF EITHER.** The court must not require a bond, obligation, or other security from the appellant when granting a stay on an appeal by the United States, the District of Columbia, or an officer or agency of either or on an appeal directed by a department of either.

(f) [Deleted].

(g) **APPELLATE COURT'S POWER NOT LIMITED.** This rule does not limit the power of the appellate court or one of its judges or justices:

(1) to stay proceedings—or suspend, modify, restore, or grant an injunction—while an appeal is pending; or

(2) to issue an order to preserve the status quo or the effectiveness of the judgment to be entered.

(h) **STAY WITH MULTIPLE CLAIMS OR PARTIES.** A court may stay the enforcement of a final judgment entered under Rule 54(b) until it enters a later judgment or judgments, and may prescribe terms necessary to secure the benefit of the stayed judgment for the party in whose favor it was entered.

COMMENT TO 2019 AMENDMENTS

This rule was amended and reorganized consistent with the 2018 federal amendments to *Federal Rule of Civil Procedure 62*. The period of the automatic stay was extended to 30 days, eliminating the gap between the automatic stay and the 28-day time period for filing one of the motions previously listed in section (b). While the term “supersedeas” has been eliminated from the rules, the concept remains in section (b).

COMMENT TO 2017 AMENDMENTS

This rule is substantially similar to *Federal Rule of Civil Procedure 62*, as amended in 2007 and 2009, but maintains the following local distinctions: 1) the addition of the

District of Columbia to section (e), which exempts the government from the requirement of posting security to stay enforcement of a judgment on appeal; and 2) the deletion of inapplicable references to patent accountings, three judge District Court panels, and state law on stay of judgments in sections (a), (c) and (f) of the federal rule, respectively.