

Rule 77-II. Uncontested Motions for Security for Costs

The clerk has authority to make appropriate entries granting uncontested motions for security for costs on the basis of \$100 cash or \$200 bond where the amount claimed is \$5,000 or over; \$50 cash or \$100 bond where the amount claimed is \$3,000 or more but less than \$5,000; \$25 cash or \$50 bond in all cases where the amount claimed is more than \$750 but less than \$3,000. The clerk also has authority to accept a praecipe confessing judgment for costs.

COMMENT TO 2017 AMENDMENTS

Sections (a) and (c) were deleted, and the rule was renamed to reflect the substance of the remaining provision (formerly section (b)). Subsections (a)(2) and (3) were deleted because only a judge or magistrate judge has the authority to order substitution of attorneys or to approve/set the amount of supersedeas bonds or undertakings. Remaining subsection (a)(4) was deemed unnecessary as it did not give the clerk any additional authority beyond what was already addressed by other rules and statutes. Section (c) was deleted because the bond requirement for motor vehicle cases was eliminated when the Motor Vehicle Owners' Financial Responsibility Act was repealed in 1982. For the current requirements for proof of financial responsibility in motor vehicle cases, see D.C. Code §§ 50-1301.01 to -.86 (2014 Repl.). Stylistic changes were also made to this rule to conform with the 2007 amendments to the Federal Rules of Civil Procedure.