

COMMONWEALTH OF MASSACHUSETTS
Supreme Judicial Court

At the Supreme Judicial Court held at Boston within and for
said Commonwealth on the 13th day of July, in the year two
thousand and twenty-six:

present,

<u>KIMBERLY S. BUDD</u>	)	
	)	Chief Justice
	)	
<u>FRANK M. GAZIANO</u>	)	
	)	Justices
	)	
<u>SCOTT L. KAFKER</u>	)	
	)	
	)	
<u>DALILA ARGAEZ WENDLANDT</u>	)	
	)	
	)	
<u>SERGE GEORGES, JR.</u>	)	
	)	
	)	
<u>ELIZABETH N. DEWAR</u>	)	
	)	
	)	
<u>GABRIELLE R. WOLOHOJIAN</u>	)	

ORDERED: That the Massachusetts Rules of Appellate Procedure,
as amended by order effective March 1, 2019, are
hereby amended as follows:

Rule 25 By deleting Mass. R. A. P. 25 and inserting in lieu
thereof the following Mass. R. A. P. 25:

Rule 25. Appellate Attorney's Fees and Costs

(a) Award of Fees and Costs. Where (i) a party makes
a request for appellate attorney's fees and costs
pursuant to Rule 16(a)(10), and (ii) the appellate
court determines that such fees and costs are
permitted or required by contract, statute,
regulation, rule, or other law, or that an appeal in a
civil case is frivolous, the appellate court may, or

shall if required, award appellate attorney's fees and costs. If the appellate court determines that an appeal in a civil case is frivolous, the appellate court may also award double costs, or such interest as may be allowed by law, or both.

(b) Procedure. Within 14 days of a decision or order granting a request pursuant to Rule 25(a), or such other time as the appellate court may order, the party seeking appellate attorney's fees and costs shall file a written application, supported by affidavits and any appropriate supporting materials. Any other party may respond within 14 days of service of such application, or within such other time as the appellate court may order.

(c) Enforcement. Any proceedings to enforce an amount awarded under this rule shall be commenced in the lower court.

The amendments accomplished by this order shall take effect on September 1, 2026.

ORDERED:

<u>KIMBERLY S. BUDD</u>	)	
	)	Chief Justice
	)	
<u>FRANK M. GAZIANO</u>	)	
	)	Justices
	)	
<u>SCOTT L. KAFKER</u>	)	
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<u>DALILA ARGAEZ WENDLANDT</u>	)	
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<u>SERGE GEORGES, JR.</u>	)	
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<u>ELIZABETH N. DEWAR</u>	)	
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<u>GABRIELLE R. WOLOHOJIAN</u>	)	