

## 6.02 Findings of fact and conclusions of law in civil cases and motions

### A. When Required

#### 1. Fed. R. Civ. P. 52(a)

- (a) *In all cases tried without a jury or with an advisory jury, "the court shall find the facts specially and state separately its conclusions of law thereon."*
- (b) *In granting or refusing interlocutory injunctions, "the court shall similarly set forth the findings of fact and conclusions of law which constitute the grounds of its action."*

*Note:* This is in addition to the requirements of Fed. R. Civ. P. 65(d), which requires that "[e]very order granting an injunction and every restraining order shall set forth the reasons for its issuance; shall be specific in terms; shall describe in reasonable detail, and not by reference to the complaint or other document, the act or acts sought to be restrained."

#### 2. Fed. R. Civ. P. 52(c)—Judgment on Partial Findings

"If during a trial without a jury a party has been fully heard with respect to an issue and the court finds against the party on that issue, the court may enter judgment as a matter of law against that party [on that issue]. . . . Such judgment shall be supported by findings of fact and conclusions of law as required by subdivision (a) of this rule."

#### 3. Fed. R. Civ. P. 41(a)(2)—Voluntary Dismissal

Plaintiff's motion for voluntary dismissal shall not be granted "save upon order of the court and upon such terms and conditions as the court deems proper."

### B. Not required:

*On any motions* (other than under Fed. R. Civ. P. 52(c)).

Fed. R. Civ. P. 52(a) states that findings of fact and conclusions of law "are unnecessary on decisions of motions