

D.N.J. LBR 9013-4. Motions: Proposed Order

(a) Separate document. A proposed order must be a separate document.

(b) Order Template. A party submitting a proposed order must use Local Form *Order Template*.

(c) Title. The title of a proposed Order must identify the relief sought.

(d) Order to be submitted. During a hearing, if the court instructs a party to submit a new order to reflect its ruling, the new order must be submitted to the chambers's email address. The same procedure is used if the parties resolve a pending motion prior to the hearing and request that the calendar be marked "order to be submitted." The order will be held for a 7-day objection period. If the parties want the order entered immediately, they must inform the court in their email that they have filed Local Form *Certification Concerning Order to be Submitted*.

(e) Objection period. An objection to an order submitted under subdivision (d) must be submitted to the chambers's email address and served on all interested parties not later than 7 days after submission of the order. The objection must include an alternative proposed order. The court may conduct a hearing in its discretion.

2018 Comment

This Rule has been amended to reflect the prevailing practice of attorneys asking that the calendar be marked "order to be submitted." Local Form *Certification Concerning Order to be Submitted* is new and is intended to provide a better record of the consent of parties to the form of the order.

Consent orders resolving adversary proceedings and those filed in lieu of a motion are still governed by Local Bankruptcy Rule 9021-1.

2015 Comment

This Rule is new. It is derived from former Local Bankruptcy Rules 9072-1 and 9072-2, which have been deleted.

The 7-day objection period in subdivision (e) does not apply if the parties inform the court that they agree to entry of the revised order.

Local Bankruptcy Rule 7058-1 addresses proposed judgments in adversary proceedings.

Local Bankruptcy Rule 9021-1 addresses consent orders.