

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

**GENERAL ORDER PENDING AMENDMENT
OF D.N.J. LBR 9013-4. MOTIONS: PROPOSED ORDER**

The Court having determined the need for a General Order amending Local Rule 9013-4, Motions: Proposed Order to address the prevailing practice of attorneys requesting calendars to be marked, “order to be submitted,” it is hereby

ORDERED that pending amendment of *D.N.J. LBR 9013-4, Motions: Proposed Order*, under the Court’s 2018 Annual Rule Making Cycle, parties who have been instructed by the Court to submit a new order to reflect its ruling, or parties who request that a calendar be marked as “order to be submitted” must submit the order to the chambers’s email address. The Order will be held for a 7 day objection period. Parties who want the order entered immediately must inform the Court in their email that they have filed Local Form *Certification Concerning Order to Be Submitted*, and it is further

ORDERED that the provisions of this General Order are effective immediately.

DATE: June 23, 2017

/s/ Kathryn C. Ferguson

KATHRYN C. FERGUSON, CHIEF JUDGE
UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

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.

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.

2017 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.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

In Re:

Case No.: _____

Chapter: _____

Hearing Date: _____

Judge: _____

CERTIFICATION CONCERNING ORDER TO BE SUBMITTED

I, _____, certify that with respect to the order submitted to the court, the following is true and correct to the best of my knowledge.

The matter captioned _____ filed on _____ was marked "order to be submitted," and

The proposed order comports with the Court's ruling, and all interested parties have reviewed the proposed order and consent to its entry.

OR

The parties have resolved this matter, and all interested parties have reviewed the proposed order and consent to its entry.

The parties to the proposed order have been served. Their name and relationship to the case are:

NAME	RELATIONSHIP TO CASE
	<input type="checkbox"/> Trustee
	<input type="checkbox"/> U.S. Trustee

I certify under penalty of perjury that the foregoing is true.

Date: _____

Signature