

## **D.N.J. LBR 9013-1. Motions: Form**

**a) Required documents.** A motion or cross-motion must consist of the following documents:

- (1) a notice of motion stating the date, time, and place of the hearing;
- (2) a certification containing the facts supporting the relief requested in compliance with Local Bankruptcy Rule [7007-1](#);
- (3) a memorandum of law stating the legal basis for the relief requested, or a statement why a memorandum of law is unnecessary;
- (4) a proposed order; and
- (5) Local Form *Certification of Service*.

**(b) Waiver of 14 day stay.** A request for a waiver of the stay imposed by Bankruptcy Rules 4001(a)(3), 6004(h), or 6006(d) must appear in the notice of motion.

### 2015 Comment

Subdivision (a) has been amended to specify the documents required for a motion. Each item specified in subdivisions (a)(1) – (5) must be a separate document. A motion or cross-motion must be served by non-electronic means under Local Bankruptcy Rule 5005-1(c)(1)(B).

Former Local Bankruptcy Rules 9013-2 and 9013-3 have been incorporated into this Rule.

The proposed order must comply with Local Bankruptcy Rules [9009-1](#) and [9013-4](#).

Certain former subdivisions of this Rule have been incorporated in Local Bankruptcy Rules [9013-2](#) through [9013-4](#).

### 2017 Comment

This Rule is amended to cross reference Local Bankruptcy Rule [7007-1](#).