

D.N.J. LBR 9013-3. Motions: Hearing

(a) Duty to confer on opposed motion. If opposition to a motion is filed, the parties must confer before the hearing to determine whether the issue can be resolved.

(b) Duty to report settlement or withdrawal of motion. If the parties settle a motion, or the movant withdraws a motion, the movant must immediately notify chambers and file Local Form *Status Change Form*.

(c) Telephonic appearance. Each judge's policy regarding appearance by telephone is available on the court's website.

(d) Oral argument. All motions will be decided on the papers unless opposition is filed. The court will permit oral argument from only the movant or a party that has filed opposition to a motion.

(e) Oral testimony. A party may not, without prior court authorization, present oral testimony at a hearing on a motion, except for a motion under § 363(b), (c), (f), or § 364 of the Code.

2015 Comment

This Rule is new. It is derived from former Local Bankruptcy Rule [9013-1](#).

An appearance is permitted, but not required, on an unopposed motion. On an opposed motion, a party may choose not to appear and rely on its papers, but the party must inform chambers.

Except as provided in subdivision (e), and consistent with Local Bankruptcy Rule [9013-1\(a\)\(2\)](#), factual evidence in support of a motion must be presented through the certification of a person with personal knowledge.

Local Bankruptcy Rule [9021-1](#) addresses consent orders.

Local Bankruptcy Rule [5071-1](#) addresses a request for an adjournment.