

D.N.J. LBR 7007-1. Declaration, Certification, or Affidavit

Factual allegations presented in support of a motion must be contained in a sworn statement of the type referenced in 28 U.S.C. § 1746. The statement must be limited to facts within the personal knowledge of the signatory and attested to under penalty of perjury. The statement may not be combined with any legal argument.

2025 Comment

This Rule is amended for clarity. The signature of a notary public is not required but the statement must contain wording in substantially the following form: “I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).” The sworn statement takes the place of live testimony which is generally not permitted on motion days without prior court authorization. See, D.N.J. LBR [9013-3\(e\)](#).

Additional amendments to this Rule are stylistic to conform with the Bankruptcy Rules.

2017 Comment

This Rule is new. It requires that certified submissions to the court contain only facts, and that the party signing the document have personal knowledge of those facts. To the extent any adversary proceeding, motion under Local Bankruptcy Rule [9013-1](#) or other paper seeks relief based on factual matters, compliance with this Rule is required.