

D.N.J. LBR 9013-2. Motions: Filing and Service; Hearing Date

(a) Filing and service.

- (1) Unless specified elsewhere in these Rules, a motion must be filed and served not later than 21 days before the hearing date.
- (2) Any (i) opposition to a motion or (ii) cross-motion must be filed and served not later than 7 days before the hearing date. A cross-motion must relate to the original motion.
- (3) Any (i) reply or (ii) opposition to a cross-motion must be filed and served not later than 4 days before the hearing date.

(b) Hearing date. Unless specified elsewhere in these Rules, the movant must schedule the hearing date for the motion. Hearing dates for each judge are available on the court's website.

(c) Application to shorten time. A movant seeking shortened time for hearing on a motion must file Local Forms *Application for Order Shortening Time* and *Order Shortening Time Period for Notice, Setting Hearing and Limiting Notice*.

2020 Comment

The changes to Bankruptcy Rule 9036 (effective December 1, 2019) do not eliminate the requirement that a motion or cross-motion must be served by non-electronic means because motions must be served in accordance with Bankruptcy Rule 7004.

2019 Comment

Subdivisions (a)(1) and (b) are amended to include the phrase “unless specified elsewhere in these Rules” to account for rules, such as Local Bankruptcy Rule 4001-4, that permit an expedited motion procedure.

2015 Comment

This Rule is new. It is derived from Local Bankruptcy Rule 9013-1.

A motion or cross-motion must be served by non-electronic means under Local Bankruptcy Rule 5005-1(c)(1)(B). Service of a motion or cross-motion by e-mail or Notice of Electronic Filing is not proper service.

Local Bankruptcy Rule 5071-1 addresses adjournment requests.

Local Bankruptcy Rule 7065-1 addresses use of an order to show cause.