

#### **D.N.J. LBR 4001-4. Status of Automatic Stay**

- (a) Relief by Application.** A party seeking an order confirming the status of the automatic stay under § 362(b)(22), § 362(b)(23), § 362(c)(4) or § 362(n) of the Code must file Local Form *Application for Order Confirming Automatic Stay is Not in Effect*.
- (b) Service.** A party seeking an order under this rule must file and serve Local Form *Application for Order Confirming the Automatic Stay is Not in Effect* and a proposed order on the debtor, the debtor's attorney, secured creditors, official committees, trustees, and parties in interest.
- (c) Objection.** An objection must be filed and served within 7 days after the filing of the application. The court may conduct a hearing on the objection in its discretion.

#### 2018 Comment

This Rule is new. A party may, by application, seek an order in a case where the automatic stay is not in effect by operation of law.

This Rule does not include requests for relief under § 362(c)(3) of the Code, for which a motion must be filed.