United States Bankruptcy Court
Northern District of Florida

Proposed Order Guidelines

(Rev. 01/12/18)

CASE STYLE: The case style must include the chapter, complete and correct debtor or plaintiff and defendant name(s), and case number including the assigned judge's initials once known.

TITLE: The title of the proposed order should contain the disposition of the motion, contain the name of the movant and the docket number of the motion, and should completely match the title of the related motion (ONLY ONE MOTION PER ORDER):

- Order Granting ABC Bank's Motion for Relief from Stay (Doc. 51)
- Order Approving Trustee's Application for Compensation (Doc. 123)
- Orders "on" a motion/application/objection will not be accepted; they must include a disposition

DISPOSITION: The correct disposition terminology should be used:

- Motions are granted or denied
- Objections are sustained or overruled
- Applications are approved or disapproved
- Non-dispositional language such as "Order on Motion" will not be accepted

BODY: The opening paragraph of the proposed order should contain the document number of the motion or document to which the order is related:

- *"This case came before the Court on Creditor ABC Bank's Motion to Dismiss Case (Doc. 57)..."*

PREPARED BY: The name of the attorney who prepared the proposed order is to be indicated at the end of the document.

AMENDED ORDERS: Amended orders must contain a footnote explaining why the original order is being amended.

REFERENCED DOCUMENTS: Proposed orders which contain references to Proofs of Claim or items on the docket such as responses, amendments, etc., should contain the name(s) and docket or claim number(s) of those items as shown in the examples above.

OBJECTIONS TO CLAIMS: Orders sustaining objections to claims should clearly indicate the amount of the claim to be disallowed. Do not simply state "claim is disallowed in its entirety."

SERVICE LANGUAGE: Proposed orders will be required to include one of these service statements:

- **For an Attorney**: "Attorney [Name of submitting attorney] is directed to serve a copy of this order on interested parties and file a certificate of service within 3 business days of entry of the order"
- **For a Trustee**: "Trustee [Name of submitting trustee] is directed to serve a copy of this order on interested parties and file a certificate of service within 3 business days of entry of the order"

The statement should be located after the signature block with two hard returns preceding it. Proposed orders that do not include this statement will be rejected and the submitting party will be required to submit a new order with the appropriate language included. Failure to serve an order within the time allotted may result in the order being vacated.

SUBMISSION RULES: Proposed orders must be submitted in Word (.doc or .docx) or Rich Text Format (.rtf). PDF FILES WILL NOT BE ACCEPTED. Use the electronic submission link through CM/ECF **only** to submit proposed orders.

COMPETING ORDERS: If there is a dispute between counsel about all or a portion of a proposed order that cannot be resolved by the time the proposed order is to be submitted, then the submitting attorney must check a box located on the CM/ECF proposed order document upload screen labeled "Competing order may be submitted." In addition, a letter must be included (as the first page of the proposed order) that states:

- The order is not agreed to by opposing counsel;
- Whether a competing order is expected; and
- The issue that is in dispute.

The letter and the proposed order must be copied to opposing counsel.

PLAIN LANGUAGE: Utilize plain language as follows:

- **CORRECT:** "It is Ordered."
- **INCORRECT:** Accordingly; Hereby; Therefore; Adjudged and Decreed; Whereas
- **INCORRECT:** "The Court is of the opinion…"
- **CORRECT:** "No party filed an objection within the prescribed time period, the court considers the matter unopposed."
- **INCORRECT:** "No response having been filed, the court is of the opinion that the Motion is due to be granted."

FORMAT:

- Documents must be double spaced and contain only basic formatting.
- Use the same font type and size throughout the document (preferably 14 pt. font).
- Ensure that the correct judge's initials appear after the case number within the header.
- Ensure that the Chapter identification, e.g., Chapter 7, appears above or below the case number within the header.
- When using properly spelled Latin terms (e.g. *in rem*), you must either underline the term or use Italic font.
- The name of the attorney who prepared the order is to be indicated at the end of the document.
- To save space, position the judge's signature line approximately one (1) inch below the date line.
- Use the following date and judge signature block format on all proposed orders:

[Indent] DONE AND ORDERED on <u><blank line - court to add date></u>

[Tab Right] _____

[Tab Right] KAREN K. SPECIE

[Tab Right] U.S. Bankruptcy Judge

EXAMPLE:

DONE AND ORDERED on <u> November 19, 2012 </u>.

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KAREN K. SPECIE

U.S. Bankruptcy Judge