

## LBR 9004.1

### FORM OF PLEADINGS AND DOCUMENTS

#### (a) Pleadings, Motions, Briefs and Other Documents.

(1) *Generally.* Pleadings, motions, briefs, and other documents submitted for filing, including all exhibits and/or attachments, must be:

- submitted on 8-1/2 x 11 inch paper;
- typewritten, printed, or computer-generated with type no smaller than 12 points set no more than an average of 12 characters per inch; and
- double-spaced where practicable.

(2) *Pagination.* Pleadings, motions, briefs, and other documents submitted for filing (other than exhibits and/or attachments) must be paginated beginning with the first page of the filing and sequentially numbering all pages that follow. Numbered pages include the cover page, table of contents, table of authorities, indices, and all other parts of the document.

(3) *Subsequent Filings.* All pleadings and documents filed subsequent to those commencing a case must be endorsed on the upper right-hand corner of the first page with the case number. The title of the subsequent pleading or document must describe its contents, and state on whose behalf the document is filed.

(4) *Adversary Proceedings.* Fed. R. Bankr. P. 7010 and Official Bankruptcy Forms apply to all pleadings and documents filed in adversary proceedings.

#### (b) Citation Formats.

(1) *Unpublished Decisions.* An unpublished decision cited in a pleading, motion, brief or other document shall be attached as an exhibit only if it is unavailable via electronic means (e.g., Westlaw or LEXIS). Parties citing unpublished decisions that are available via electronic means must not furnish a copy to the court or to opposing parties unless requested. Unpublished decisions should be cited as follows: *In re Smith*, No. 02-12345 (Bankr. D. Kan. Jan. 7, 2005).

#### (c) Orders.

(1) *Generally.*

(A) The following information must appear at the top of the signatory page of all orders:

- (i) the name of the court;
- (ii) the case caption, the case number and chapter; and
- (iii) the caption of the order and page number.

(B) The top margin on the first page of an order must be four inches; all subsequent pages of the order must have a top margin of one inch.

(C) The last line of the order preceding attorney signatures must consist of 3 pound symbols (###), centered, to indicate the end of the order. Omit a signature line for the judge because all orders will be signed electronically in the top margin of the first page.

(2) *Resulting from Hearing.* Unless the court directs otherwise, orders resulting from an actual hearing are due 14 days from the date of the hearing. The first paragraph of the order must begin with the actual date of the hearing, e.g.,: “Now on this 23rd day of March, 2013, this matter came before the court...”

(3) *No Hearing Held.* Orders resulting from the failure to object or respond to a notice with objection deadline are due 14 days after the deadline expires. The first paragraph of the order must begin by stating that the matter was noticed with opportunity for hearing but no objections were filed and no hearing was held.

**(d) Requests for Relief in Pleadings.** The pleading’s caption must contain a short statement of the relief requested. Pleadings may not contain an unrelated request for relief, e.g., a motion for relief from the automatic stay may request adequate protection, but may not request unrelated relief, such as a request to dismiss the case. A responsive pleading may not request relief except as permitted by the Federal Rules of Bankruptcy Procedure.

**(e) Orders Addressing Requests for Relief.** Orders resolving pleadings must address all the requests for relief made in the pleading and, to assist the clerk with docketing and quality control, must identify in the caption of the order the relief granted and/or denied.

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As amended 3/17/16, 3/17/12, 3/17/10, 10/17/05, 3/17/05.