

Preparing Proposed Orders

Compliance with the local rules pursuant to the Northern District of Georgia is a must. Common omissions include:

- 1. Unsigned, incomplete and/or omission of the preparer's block. See BLR 9013-3(b).**
- 2. Omission of hearing date, if applicable. See BLR 9013-3(a).**
- 3. Omission of the distribution list. See BLR 9013-3(c)(2).**

If you are instructed by the Court to prepare a proposed order on a motion that was actually contested, you must serve it on all other interested parties before submitting it to Chambers. If after submitting the order and before it is entered, you become aware that another party takes the position that the proposed order does not accurately reflect the court's ruling, telephone Chambers and let us know. Proposed orders based on defaults need not be served before their submission.

If all interested parties have *not* indicated consent or no opposition to a proposed order submitted after a hearing, the proposed order may NOT recite findings of fact or conclusions of law but must instead state that the order is based on the findings of fact and conclusion of law stated on the record at the hearing.

A proposed order on a motion which the respondent(s) did not oppose may NOT recite findings of fact or conclusions of law but instead should contain (1) a brief statement of the facts alleged in the motion essential to entitling the movant to the relief demanded and (2) a statement that the respondent(s) did not appear or indicated no opposition to the motion.

A proposed order, including consent orders, must identify the motion in sufficient detail so that the Clerk's Office will be able to easily identify it on the docket in order to relate the order to the motion. Even if the motion is the only one on the docket, it is NOT sufficient to refer to "the above styled motion" in the first line of the proposed order below the style of the case. To identify the motion to which the proposed order is directed, the drafter must state in the first paragraph of the motion (1) the name of the movant, (2) the type of motion and (3) either the date on which the motion was docketed or filed or the document number. This information is available on the docket report which may be accessed through PACER. If an ECF participant who has elected to receive e-mail concerning the filing of documents in the participant's cases, docketing dates and document numbers are stated in such e-mail messages.

A proposed order, including consent orders, must state in the ORDERED portion how the motion is to be disposed of. For, example, if the motion is to be granted, the first line should state: "ORDERED that the motion is GRANTED." It is not sufficient to state what disposition is being made of the motion solely in the style.