

**Guidelines for Submission of Proposed Orders to
Judge Hursh¹**

To all parties submitting orders electronically, please note: failure to follow the following guidelines may delay consideration of the order.

1. The e-mail address bph_propord@mtb.uscourts.gov should be used for submitting proposed orders. Orders should not be e-mailed to individual members of chambers or the Clerk's Office unless you are instructed to do so.
2. The subject line of the email submission of all proposed orders shall contain the following items in the following order:
 - (a) date the item was ripe;
 - (b) case number, in conformity with Mont. LBR 9004-1;
 - (c) the last name or the business name of the debtor(s);
 - (d) the docket number of the filed motion corresponding to the proposed order; and
 - (e) a brief description of the item.

For example: 10/09/22; 0:01-bk-10001-BPH; Smith; ECF No. 10; (Order Granting Motion to Dismiss).

3. Proposed orders shall be submitted for matters listed in Mont. LBR 9013-1(h)(2) when the motion is filed. For all other matters, proposed orders may not be submitted unless:
 - (a) the applicable response or objection period has expired (including any additional time afforded to parties receiving service via mail under Fed. R. Bankr. P. 9006(f));
 - (b) no timely responses or objections to the motion have been filed; and
 - (c) the moving party has filed a certificate of no objection conforming to LBF 43.
4. All proposed orders shall be submitted in Times New Roman size 12 font.
 - (a) All proposed orders shall use the caption included on the court's website at: <https://www.mtb.uscourts.gov/proposed-orders>; and
 - (b) Proposed orders should be titled in the following format: Caption Number, Debtor's Name – Order Granting [Motion Title] (Docket Number of Motion) (e.g., 23-10000, Smith – Order Granting Motion to Modify Stay (14)).
5. Form of Proposed Orders (Motions & Applications)
 - (a) A proposed order should recite in the first paragraph the party seeking relief, the date the motion or application was filed and the ECF No., (e.g., "In this Chapter

¹ Effective December 31, 2023. These are guidelines and the Court acknowledges there may exist unique circumstances that require deviation from these guidelines. Further, circumstances and facts distinguish matters requiring counsel to be attentive and draft a proposed order that appropriately fits the circumstances and relief requested.

__ bankruptcy, the [Trustee/Debtor] filed an “[Motion/Application Title]” on [Date] at ECF No. __ (“Motion/Application”).

- (b) Next, the proposed order should recite that the required notice was provided, that the time to respond has passed, and no objections were filed, (e.g., Pursuant to Mont. LBR [], a “Notice” attached to the [Motion/Application] explains that the time to respond or object to the [Motion/Application] and schedule the matter for a hearing is [fourteen/twenty-one ()]² days. The time to respond or object has passed. No objections were filed.).
 - (c) Finally, the proposed order should grant the relief requested, be consistent with the underlying motion, and state with particularity the relevant law by section and the relevant procedure by rule upon which the moving party relies.³
6. Form of Proposed Orders (Confirmation in Chapter 12, 13, and Chapter 11, Subchapter V).
- (a) Following a hearing on confirmation, the Court may request Debtor prepare and submit a proposed order confirming the operative plan.

² Generally, notice will be fourteen or twenty-one days subject to exceptions, or when notice has been shortened.

³ Additional examples are posted on the Court’s website at <https://www.mtb.uscourts.gov/proposed-orders>.