

1 **Rule 19A. Motions and Orders.**

2 (a) Motions. A request for an order must be made by motion. The motion must be in writing
3 unless made during a hearing or trial, must state the relief requested, and must state the grounds
4 for the relief requested. A written motion, other than one which may be heard ex parte, and
5 notice of the hearing shall be served not later than seven days before the time specified for
6 hearing, unless a different period is fixed by these rules or by court order.

7 (b) Name and content of motion.

8 (b)(1) The rules governing captions and other matters of form in pleadings apply to motions
9 and other papers. The moving party must title the motion substantially as: “Motion [short
10 phrase describing the relief requested].” The motion must include the supporting memorandum.
11 The motion must include under appropriate headings and in the following order:

12 (b)(1)(A) A concise statement of the relief requested and the grounds for the relief requested
13 and

14 (b)(1)(B) One or more sections that include a concise statement of the relevant facts claimed
15 by the moving party and argument citing authority for the relief requested.

16 (b)(2) If the moving party cites documents or materials of any kind, relevant portions of those
17 documents or materials must be attached to or submitted with the motion.

18 (b)(3) The motion may not exceed 25 pages, not counting attachments unless a longer motion
19 is permitted by the court.

20 (c) Name and content of memorandum opposing the motion.

21 (c)(1) A nonmoving party may file a memorandum opposing the motion within 14 days after
22 the motion is filed unless otherwise ordered by the Court. The nonmoving party must title the
23 memorandum substantially as “Memorandum opposing motion [short phrase describing the relief
24 requested].” The memorandum must include under appropriate headings and in the following
25 order:

26 (c)(1)(A) A concise statement of the party’s preferred disposition of the motion and the
27 grounds supporting that disposition;

28 (c)(1)(B) One or more sections that include a concise statement of the relevant facts claimed
29 by the nonmoving party and argument citing authority for that disposition; and

30 (c)(1)(C) Objections to evidence in the motion, citing authority for the objection.

31 (c)(2) If the nonmoving party cites documents or materials of any kind, relevant portions of
32 those documents or materials must be attached to or submitted with the memorandum.

33 (c)(3) The memorandum may not exceed 25 pages, not counting attachments, unless a longer
34 memorandum is permitted by the court.

35 (d) *Name and content of reply memorandum.*

36 (d)(1) Within 7 days after the memorandum opposing the motion is filed, unless otherwise
37 ordered by the Court, the moving party may file a reply memorandum, which must be limited to
38 rebuttal of new matters raised in the memorandum opposing the motion. The moving party must
39 title the memorandum substantially as “Reply memorandum supporting motion [short phrase
40 describing the relief requested].” The memorandum must include under appropriate headings
41 and in the following order:

42 (d)(1)(A) A concise statement of the new matter raised in the memorandum opposing the
43 motion;

44 (d)(1)(B) One or more sections that include a concise statement of the relevant facts claimed
45 by the moving party not previously set forth that respond to the opposing party’s statement of
46 facts and argument citing authority rebutting the new matter

47 (d)(1)(C) Objections to evidence in the memorandum opposing the motion, citing authority
48 for the objection; and

49 (d)(1)(D) Response to objections made in the memorandum opposing the motion, citing
50 authority for the response.

51 (d)(2) If the moving party cites any documents or materials, relevant portions of those
52 documents or materials must be attached to or submitted with the memorandum.

53 (d)(3) The reply memorandum may not exceed 15 pages, not counting attachments, unless a
54 longer reply memorandum is permitted by the court.

55 (e) *Objection to evidence in the reply memorandum; response.* If the reply memorandum
56 includes an objection to evidence, the nonmoving party may file a response to the objection no
57 later than 7 days after the reply memorandum is filed, unless otherwise ordered by the court. If
58 the reply memorandum includes evidence not previously set forth, the nonmoving party may file
59 an objection to the evidence no later than 7 days after the reply memorandum is filed, and the
60 moving party may file a response to the objection no later than 7 days after the objection is filed,
61 unless otherwise ordered by the court. The objection or response may not be more than 3 pages.

62 (f) *Request to Submit for Decision.* When briefing is complete or the time for briefing has
63 expired, either party may file a “Request to Submit for Decision” but if no party files a request,
64 the motion will not be submitted for decision. The request to submit for decision must state
65 whether a hearing has been requested.

66 (g) *Hearings.* The court may hold a hearing on any motion. A party may request a hearing
67 in the motion, in a memorandum or in the request to submit for decision. A request for hearing
68 must be separately identified in the caption of the document containing the request.

69 (h) The court may decide any motion at a hearing without a Request to Submit for Decision.

70 (i) *Notice of Supplemental authority.* A party may file notice of citation to significant
71 authority that comes to the party’s attention after the party’s motion or memorandum has been
72 filed or after oral argument but before decision. The notice must state the citation to the
73 authority, the page of the motion or memorandum or the point orally argued to which the
74 authority applies, and the reason the authority is relevant. Any other party may promptly file a
75 response, but the court may act on the motion without waiting for a response.

76 (j) All dispositive motions shall be heard at least fourteen days before the scheduled trial date
77 unless otherwise ordered by the court. No dispositive motions shall be heard after that date
78 without leave of the court.

79 (k) Stipulated Motions. A party seeking relief that has been agreed to by the other parties
80 may file a stipulated motion which must

81 (k)(1) Be titled substantially as: “Stipulated Motion [short phrase describing the relief
82 requested]

83 (k)(2) Include a concise statement of the relief requested and the grounds for the relief
84 requested

85 (j)(3) Include language indicating the name of the parties that stipulated to the motion or a
86 signed stipulation in or attached to the motion and

87 (k)(4) Be accompanied by a proposed order that has been approved by the other parties.

88 (l) Ex parte motions. If a statute or rule permits a motion to be filed without serving the
89 motion on the other parties, the party seeking relief may file an ex parte motion which must:

90 (l)(1) Be titled substantially as: “Ex parte motion [short phrase describing relief requested]

91 (l)(2) Include a concise statement of the relief requested and the grounds for the relief
92 requested

93 (l)(3) Cite the statute or rule authorizing the ex parte motion

94 (l)(4) Be accompanied by a proposed order

95 (m) Orders.

96 (m)(1) Verbal Orders. A verbal order of the juvenile court is effective and enforceable when
97 delivered from the bench and entered on the record in the presence of the party against whom
98 enforcement is sought. Unless otherwise required by law or rule, a verbal order is deemed
99 entered when recorded and may or may not be later memorialized in writing.

100 (m)(2) Written Orders. A written order of the juvenile court is effective and enforceable
101 when signed by the court and served on the party against whom enforcement is sought. A written
102 order is deemed entered when filed.

103 (m)(3) Preparing, Serving, and Filing Proposed Orders.

104 (m)(3)(A) Orders Prepared in Open Court. At a hearing, the court may (1) prepare a
105 written order or (2) direct a party to prepare a written order while the parties or counsel are
106 present. An order prepared by the court or a party in open court is effective and enforceable
107 when signed by the court and filed. The court may permit review of the written order by the
108 parties or counsel prior to signing. A party may object to a written order prepared in open court
109 within 7 days of the entry of the order.

110 (m)(3)(B) Orders Prepared Outside Court. Following a hearing, the court may (1) prepare a
111 written order or (2) direct a party to prepare a proposed order. Within 14 days of being directed
112 to prepare a proposed order, a party must serve the proposed order on the other parties for review
113 and approval as to form. If the party directed to prepare a proposed order fails to timely serve the
114 order, any other party may prepare a proposed order and serve the proposed order on the other
115 parties for review and approval as to form.

116 (m)(3)(C)(i) A party's approval as to form of a proposed order certifies the proposed order
117 accurately reflects the court's decision. Approval as to form does not waive objections to the
118 substance of the order.

119 (m)(3)(C)(ii) A party may object to the form of the proposed order by filing an objection
120 within 7 days after the order is served.

121 (m)(4)The party preparing a proposed order must file it:

122 (m)(4)(A) after all other parties have approved the form of the order, in which case the party
123 preparing the proposed order must indicate the means by which approval was received: in
124 person; by telephone; by signature; by email; etc.

125 (m)(4)(B) after the time to object to the form of the order has expired, in which case the party
126 preparing the proposed order must also file a certificate of service of the proposed order; or

127 (m)(4)(C) within 7 days after a party has objected to the form of the order, in which case the
128 party preparing the proposed order may also file a response to the objection.

129 (m)(5) Proposed order before decision prohibited; exceptions. A party may not file a
130 proposed order concurrently with a motion or a memorandum or a request to submit for decision,
131 except that a proposed order must be filed with:

132 (m)(5)(A) a stipulated motion;

133 (m)(5)(B) a motion that can be acted on without waiting for a response;

134 (m)(5)(C) an ex parte motion;

135 (m)(5)(D) the request to submit for decision a motion in which a memorandum opposing the
136 motion has not been filed.

137 (m)(6) Orders entered without a response; ex parte orders. An order entered on a motion
138 where no response was filed or required may be vacated or modified by the judge who made it
139 with or without notice.

140 (m)(7) Order to pay money. An order to pay money may be enforced in the same manner as
141 if it were a judgment.

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