

## **Rule 9022-1: Judgments or Orders**

**(a) Submission of Proposed Judgments or Orders.** Proposed Judgments or Orders shall be electronically submitted to the court by attorneys and case trustees using Order Upload in the ECF System.

**(b) Notice of Lodging Judgment or Order.** Immediately after electronically submitting the proposed judgment or order into the ECF system, the submitting attorney or case trustee shall also electronically file on the case docket a Notice of Lodging the Judgment or Order with the proposed judgment or order attached.

**(c) Service of Judgment or Order by Clerk.** The clerk is authorized to serve on those parties, who have consented to service by electronic means, the notice of entry of an order or judgment by service of the “Notice of Electronic Filing” generated on the entry of the order or judgment. For such electronic service to be accomplished by the court’s ECF system server, the consenting party must enable the ECF system provided e-mail notification so that such service can be made. Such electronic service will be noted on the docket when the docket report is generated which includes the links to the “Notices of Electronic Filing.”

**(d) Objection to Power of Bankruptcy Court to Enter a Final Judgment.** Any objection to the power of the bankruptcy court to enter a final judgment, whether based on the bankruptcy court’s jurisdiction or authority, must be included in the initial responsive pleading filed in the matter, or if such Order or Judgment is entered by default, within 14 days after entry of such judgment pursuant to Bankruptcy Rules 9021 or 9022.

**(e) Appellate Court Determination.** If an appellate court holds that the bankruptcy court lacked jurisdiction or authority to enter a final judgment in a particular case -

(1) then the judgment or order together with any findings and conclusions made on the record will be deemed to constitute proposed findings of fact and conclusions of law; and

(2) upon entry of the order from the appellate court on the docket of the bankruptcy case, the bankruptcy clerk will promptly transmit the deemed proposed findings of fact, proposed conclusions of law, and proposed order or judgment to the district court clerk for assignment to and resolution by a district court judge.

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Committee Notes 2015: Local Rule 9022-1 was amended to address jurisdictional issues created by the holding in Stern v. Marshall, 564 U.S. 2, 131 S.Ct. 2594, 180 L.ed.2d 475 (2011), as clarified by Wellness International Network Ltd. v. Sharif, 575 U.S. \_\_\_\_\_ (2015). The party asserting that the Bankruptcy Court lacks the power to issue a final judgment must specifically assert this argument in the initial responsive pleading, or if

entered by default, within 14 days of the entry of the judgment, or the argument shall be deemed waived.

Committee Notes 2007: Paragraph one and three incorporate requirements of ECF Interim Operating Order No. 8. Paragraph two is a new requirement that will provide notice of the uploading of a proposed order or judgment.