

Motion for Summary Judgment – Bankruptcy and Adversary

Docketing Event

- Adversary > Motions/Applications > Motion for Summary Judgment
 - Bankruptcy > Motions/Applications/Objections > Motion for Summary Judgment
-

Negative Notice: N/A

Accompanying Orders: N/A

Code and Rule References:

[Fed. R. Bankr. P. 7056](#)

[Fed. R. Bankr. P. 7004](#)

[Fed. R. Civ. P. 56](#)

[Local Rule 7001-1](#)

Fee: N/A

Applicable Chapters: 7, 11, 12, 13

Implemented: 7/26/2018

Last Revision: 9/3/2024 9:01:13 AM

Description

Summary judgment is appropriate when the movant shows there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.

In a Motion for Summary Judgment, the movant asks the Court to decide a matter in the movant's favor without a trial. The movant may rely on written materials like pleadings, discovery and disclosure materials on file, and affidavits or declarations in support of the motion.

These motions must be filed no later than 60 days prior to trial, unless otherwise ordered by the Court.

When a Motion for Summary Judgment is filed, the Court will enter an Order Setting Deadline for Filing Response to Motion for Summary Judgment explaining what a Motion for Summary Judgment is, advising the parties that they may submit documents opposing the motion, and providing deadlines for responses to the motion.

Filing Checklist

Review the motion to determine if it:

- ☐ Is signed;
- ☐ Has the attorney's complete name and address and is consistent with the filing attorney's name and address in CM/ECF;
- ☐ Is properly served and includes a proper certificate of service.

❖ **Note: Effective April 25, 2024, negative notice of Motions for Summary Judgment is no longer permitted.**