

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS**

GENERAL ORDER No. 12-01

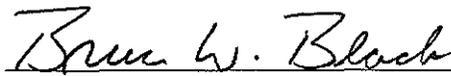
**REGARDING PROCEDURES FOR EMERGENCY MOTIONS
Effective October 1, 2012**

IT IS HEREBY ORDERED, pending approval of a proposed Local Bankruptcy Rule regarding emergency motions, the following procedures are to be followed for setting a hearing on an emergency motion:

- A. A motion may be treated as an emergency only if it arises from an occurrence that could not reasonably have been foreseen and requires immediate action to avoid serious and irreparable harm.
- B. A party seeking to present an emergency motion:
 - 1. must file an Application to Set Hearing on Emergency Motion that states the reasons that the motion should be heard on an emergency basis and the proposed time frame for presentment of the emergency motion;
 - 2. must attach the proposed emergency motion to the Application; and
 - 3. must not notice the Application for hearing and need not serve the Application.
- C. No response to the Application may be filed.
- D. After filing the Application and attached proposed motion specified in paragraph A, the movant must notify the chambers of the judge assigned to the case of the filing of the Application. If the assigned judge is available to rule on the Application, the judge must promptly determine whether to grant the Application. If the judge assigned to the case is not available to rule on the Application, the movant should notify the chambers of the emergency judge of the filing of the Application. If the emergency judge is available, the emergency judge must determine whether to grant the Application. If the emergency judge is not available, the movant may contact the clerk, using the emergency telephone numbers available on the court's web site if necessary, and the clerk must attempt to contact another judge to rule on the Application.

- E. If the Application to Set Hearing on Emergency Motion is granted, the movant must
1. immediately notify all parties entitled to notice by phone, fax, or personal service of the date, time, and place of the hearing on the emergency motion; and
 2. file the emergency motion with:
 - (a) a notice of motion specifying the date, time, and place of the emergency hearing and a statement that the motion may be opposed on the basis that emergency treatment is not appropriate; and
 - (b) a certificate of service reflecting the date, time, and method of service of the notice of motion and the motion.
- F. If the Application to Set Hearing on Emergency Motion is denied, the movant must notice the motion in accordance with Rule 9013-1.

ENTERED:



Bruce W. Black
Chief Judge

Dated: September 18, 2012