



Notice of Hearing vs. Notice and Opportunity for Hearing

Notice of Hearing: Notice of Hearing, [Local Form 9013-1](#) [1], is used when a hearing is “set” on the Court’s calendar. The notice indicates the relief being sought, the date objections are due, and the date the hearing will be held. Set hearings are for non-routine or contested Chapter 7 and Chapter 13 matters, all Chapter 11 and Chapter 12 matters, and all hearings in adversary proceedings. In the absence of a timely filed objection, counsel may ask the court to strike the hearing.

Notice of Opportunity for Hearing: Notice of Opportunity for Hearing, [Local Form 9013-2](#) [2], is used when a hearing is “reserved.” Reserved hearings may be used for all routine Chapter 7 and Chapter 13 matters and relief from stay hearings. The hearing will not be an active setting unless a response or objection is filed. As with the Notice of Hearing, the notice indicates the relief being sought and the dates objections are due, but also indicates that a hearing on the motion will not become active unless a written objection is filed. Once the objection deadline has expired and no objections have been filed, counsel may submit a pending order granting the relief requested. There is no need to contact the court to strike the hearing. If a response or objection is filed, the hearing will activate as a set hearing on the calendar.

Note: If a moving party wishes to continue a hearing that has been activated after a response/objection has been filed, an Amended Notice of Hearing with the “Notice of Hearing (Amended/ Rescheduled/ Continued)” event code should be used to ensure the hearing is set on the Court’s calendar.

Source URL: <https://www.utb.uscourts.gov/notice-hearing-vs-notice-and-opportunity-hearing>

Links

[1] <https://www.utb.uscourts.gov/forms/notice-hearing-template>

[2] <https://www.utb.uscourts.gov/forms/notice-and-opportunity-template>