

## Proposed Amendments to Rule 7

Rule 7 is amended as follows:

### TITLE III. PLEADINGS AND MOTIONS

**Rule 7.** Pleadings Allowed; Consultation; Oral Argument; Response Time; Show Cause Order; Form of Motions and Other Papers

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(b) Form of Motions and Other Papers.

(1) In General. A request for a court order must be made by motion. The motion must:

(A) be in writing unless made during a hearing or trial;

(B) state with particularity **in a single document** the grounds for seeking the order **and the legal argument necessary to support it. A separate brief supporting or responding to a motion must not be filed unless specifically required by the Court;**

(C) for motions that require consultation between counsel before being made as prescribed by subdivision (f) of this rule, describe the reasonable effort made to reach agreement on the issues involved in the motion through consultation with opposing counsel, without the intervention of the court, and recite the date and time of such consultation, as well as the names of all persons participating;

(D) state the relief sought; and

(E) be accompanied by a proposed order.

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**PRACTICE COMMENT: Subsection (b)(1) outlines the form and contents of a motion. It includes, among other things, the general requirements that a motion must state with particularity the grounds for seeking the order and the relief requested. It adds a requirement that all legal arguments should be presented in the body of the motion; a separate brief or memorandum supporting or responding to a motion must not be filed, unless specifically instructed to do so by the Court.**

(As amended, eff. Jan. 1, 1982; Oct. 3, 1984, eff. Jan. 1, 1985; Oct. 3, 1990, eff. Jan. 1, 1991; Sept. 25, 1992, eff. Jan. 1, 1993; Dec. 18, 2001, eff. Apr. 1, 2002; Sept. 30, 2003, eff. Jan. 1, 2004; Nov. 28, 2006, eff. Jan. 1, 2007; Nov. 25, 2008, eff. Jan. 1, 2009; Dec. 7, 2010, eff. Jan. 1, 2011; Mar. 20, 2018, eff. Apr. 23, 2018; \_\_\_\_\_, **eff.** \_\_\_\_\_.)

### **Advisory Committee Note**

The Federal Rule of Appellate Procedure/Court of Appeals for the Federal Circuit Rule 27 require that motions and briefs in support of motions shall be in the form of a single document and contain all legal arguments for the disposition of the motion. Rule 7(b) is amended to require parties to file the motion and supporting legal arguments (i.e., the brief) in one document unless otherwise required by the Court.