

6-29/106.00 Contested Matter

Contested matters are initiated by motion. The term "contested matter" includes any litigation in a bankruptcy case involving an actual dispute, other than an adversary proceeding. A contested matter is initiated by a motion, rather than by complaint. ([FRBP 9014](#), [7001](#)) A motion may be uncontested and is served in the same manner as a summons and complaint. ([FRBP 7004](#)) A timely filed objection opposing the relief or action sought creates a contested matter. A response is not required in a contested matter unless ordered by the court. Local bankruptcy court rules govern the opposing party's rights to a hearing. ([FRBP 9014](#))

Contested matters include:

1. consolidation ([FRBP 7042](#))
2. conversion
3. dismissal ([FRBP 7041](#))
4. execution of a judgment ([FRBP 7069](#))
5. findings ([FRBP 7052](#))
6. judgments ([FRBP 7054-7056](#))
7. objection to confirmation
8. relief from stay
9. seizure of persons or property ([FRBP 7064](#))
10. stay of enforcement of judgment ([FRBP 7062](#))

A judgment entered in a contested matter must be set forth on a separate document to eliminate uncertainty as to whether an opinion or memorandum of the court is a judgment. ([FRBP 9021](#)) There is no particular form for a judgment.
