

## Rule 170

### PREPARATION OF ORDER

- (a) **Order; Content.** When the court directs a party to prepare an order, the party must prepare the order in accordance with the court's directions. As used in this rule, "order" includes a journal entry or other document containing a court ruling.
- (b) **Duties of Party Preparing Order.** A party directed to prepare an order must, no later than 14 days after the court's direction, unless the court specifies a different time:
- (1) serve on counsel of record and unrepresented parties not in default for failure to appear a copy of:
    - (A) the proposed order; and
    - (B) a notice that, unless an objection is received no later than 14 days after service of the proposed order, the order will be filed with the court; and
  - (2) file a certificate of service with a copy of the order and notice attached.
- (c) **Objections.** An objection to a proposed order must be served — no later than 14 days after service of the proposal — on the party that drafted it.
- (d) **Submission to Court.**
- (1) If no objection to a proposed order is served before the expiration of the time under subsection (c) for serving objections, the drafter must submit the original to the court for approval.
  - (2) If there is an objection, the parties must make a reasonable effort to confer to resolve the objection and, if agreement is reached, the drafter must submit the agreed journal entry to the court for approval. A "reasonable effort to confer" requires more than sending a communication to the opposing party. It requires that the parties in good faith converse, compare views, and deliberate, or in good faith attempt to do so.
  - (3) If — after reasonable effort to confer — the parties have not agreed on the terms of the order, the drafter must submit the original draft and the objection to the court and the court must settle the order, with or without a hearing.
- (e) **Title to Real Estate.** An order, journal entry, or judgment that changes the ownership or title to real estate must contain on the margin of the first page the notation "TITLE TO REAL ESTATE INVOLVED."

[**History:** Am. effective September 1, 1982; Am. effective September 8, 2006; Am. (a) effective July 1, 2010; Restyled rule and amended effective July 1, 2012.]