

## Rule 301. Motions Relating to Judgments

### (a) Posttrial Motions

- (1) Motion for Judgment on the Verdict. A party may move for judgment on the verdict at any time after rendition of a verdict.
- (2) Motion for Judgment after Nonjury Trial. A party may move for judgment in a case tried to the court at any time after the evidence is closed.
- (3) Motion for Judgment Notwithstanding the Verdict or to Disregard Jury Findings. A party may move for judgment notwithstanding the verdict after receipt of the jury's verdict, if a directed verdict would have been proper or may move to disregard one or more jury findings that will not support a judgment under the law or that have no support in the evidence.
- (4) Form of Motion; Preservation of Appellate Complaints. Complaints and requests for relief included in posttrial motion for judgment must be specific. A posttrial motion for judgment is overruled by operation of law as to any requested relief not granted by a final judgment under Rule 300 and preserves complaints about the judgment that are made in the motion.
- (5) Form of Judgment. A party must submit a proposed form of judgment with a motion for judgment.

### (b) Postjudgment Motions

- (1) Motions for New Trial. A party move to set aside in judgment and seek a new trial pursuant to Rule 302.
- (2) Motions to Modify Final Judgments. After final judgment has been signed a party may move to modify the judgment in any respect,

including (without limitation) by moving for judgment on the verdict, for judgment notwithstanding the verdict, or to disregard one or more jury findings.

(3) Disposition of Postjudgment Motions.

- (A) Filing. In order to extend plenary power, a postjudgment motion for new trial or to modify a final judgment, if filed by a party, must be filed within 30 days after the final judgment was signed. The trial court has discretion to consider a motion filed after this period as provided in (E).
- (B) Amendment. One or more amended or additional motions may be filed without leave of court within 30 days after the final judgment is signed, regardless of whether a prior motion has been overruled.
- (C) Duty of Clerk. The trial court clerk must immediately call such motion to the attention of the judge. But the failure of the clerk to do so does not affect the preservation of complaints made in the motion.
- (D) Disposition of Motions. If not determined by signed written order within 75 days after the final judgment was signed, a post-judgment motion for new trial or a motion to modify a final judgment is overruled by operation of law on the expiration of that period.
- (E) Discretion to Rule on Tardy Motions. As long as the trial court retains plenary power over its judgment, the trial court has discretion to consider and rule on a motion or an amended motion that was not filed within 30 days after the signing of the trial court's final judgment. The court's express substantive ruling on the merits of such a late filed motion is subject to review on appeal.