

Rule 2091-2

ATTORNEYS – WITHDRAWALS AND SUBSTITUTIONS

(a) ***Withdrawal Generally.*** Except as otherwise provided in this Local Rule or by order of the Court, an attorney may not withdraw in any case or proceeding except by leave of Court. A motion for leave to withdraw shall be filed and served using the negative notice procedures of Local Rule 2002-4. The negative notice legend shall provide for a 14-day response period and shall be served on the client, parties in interest affected thereby, and opposing counsel.

(b) ***Withdrawal for Party in Interest Other Than the Debtor.*** An attorney for a party in interest other than the debtor who is not a party to any pending contested matter or adversary proceeding may withdraw his or her appearance without court order by filing a notice of withdrawal as attorney, stating the name and mailing address of the client, and serving copies of the notice on the client, the debtor, the trustee, the United States Trustee, and their attorneys.

(c) ***Withdrawal of Co-Counsel.*** An attorney seeking to withdraw from representing a client in a case or proceeding at a time when such client is represented by other counsel of record in such matter may withdraw his or her appearance by filing a notice of withdrawal that is approved and signed by the client and other counsel of record for the client, and serving copies of the notice on parties in interest entitled to notice.

(d) ***Substitution of Counsel.*** Counsel seeking to withdraw from representation of a client may file a joint motion with counsel seeking to be substituted in as counsel for such client, in the relevant case or proceedings, requesting authority of the Court for substitution of counsel. Such motion shall certify that the client has consented to the substitution or be signed by the client, and such motion shall be served on the client and parties in interest entitled to notice. The Court may grant a joint motion for substitution of counsel without a hearing. Substitution of counsel is subject to the requirements of the Bankruptcy Code, the Bankruptcy Rules, and this Court's Local Rules with regard to retention of professionals, disclosure, payment of professionals, and related matters.

Notes of Advisory Committee

2016 Amendment

This amendment renumbers the rule from 2091-1 to 2091-2 and clarifies that motions for leave to withdraw shall be filed using the negative notice procedures of Local Rule 2004-2. This amended rule is effective July 1, 2016.