

## **D.N.J. LBR 9010-2. Substitution or Withdrawal of Appearance**

**(a) Substitution of attorney.** An attorney seeking to substitute for another attorney must file Local Form *Notice of Substitution of Attorney*. Both attorneys must sign the form.

**(b) Withdrawal of appearance.** A motion is required to withdraw as counsel unless another attorney is substituted.

### 2025 Comment

Subdivision (b) of this Rule is amended to add a motion requirement, which also applies to counsel admitted *pro hac vice*, as set forth in Local Civil Rule 101.1(c)(5).

### 2016 Comment

The final sentence of the 2015 Comment to this Rule means that an attorney who has already entered an appearance in a case may not withdraw his appearance by filing a *Notice of Substitution of Attorney* that substitutes in a self-represented litigant. Subdivision (b) requires a motion to be relieved as counsel. A motion is not required for an attorney entering a case on behalf of a previously self-represented litigant, that may be done by filing a *Notice of Appearance*.

This Rule is not intended to address employment of professional persons under 11 U.S.C. § 327.

### 2015 Comment

This Rule is new.

Subdivision (b) is derived from Local Civil Rule 102.1.

A separate *Notice of Substitution of Attorney* must be filed in each case and adversary proceeding in which a substitution has occurred. A motion is required to substitute an attorney for a self-represented litigant.