

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. Unless another attorney is substituted, an attorney may not withdraw an appearance except by permission of court.

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.