

Rule Change 2010(01)

CHAPTER 17A -- PRACTICE STANDARDS AND LOCAL COURT RULES

**Rule 121. Local Rules -- Statewide Practice Standards**

§ 1-1 -- Entry of Appearance and Withdrawal.

1. [No change]

2. **Withdrawal from an Active Case.**

(a) [No change]

(b) Otherwise an attorney may withdraw from a case only upon approval of the court. Such approval shall rest in the discretion of the court, but shall not be granted until a motion to withdraw has been filed and served on the client and the other parties of record or their attorneys and either both the client and all counsel for the other parties consent in writing at or after the time of the service of said motion, or at least 15 days have expired after service of said motion. Every motion to withdraw shall contain the following advisements:

(I) the client has the burden of keeping the court and the other parties informed where notices, pleadings or other papers may be served;

(II) if the client fails or refuses to comply with all court rules and orders, the client may suffer possible dismissal, default or other sanctions;

(III) the dates of any proceedings, including trial, which dates will not be delayed, nor ~~the~~ proceedings affected by the withdrawal of counsel;

(IV) the client's and the other parties' right to object to the motion to withdraw within 15 days after service of the motion; ~~and~~

(V) if the client is not a natural person, that it must be represented by counsel in any court proceedings unless it is a closely held entity and first complies with section 13-1-127, C.R.S.; and

(VI) the client's last known address and telephone number.

(c) The client and the opposing parties shall have 15 days after service of a motion to withdraw within which to file objections to the withdrawal.

(d) If the motion to withdraw is granted, the withdrawing attorney shall promptly notify the client and the other parties of the effective date of the withdrawal.

3. [No change]

4. [No change]

Committee Comment [No change]

**Amended by the Court, En Banc January 7, 2010, effective immediately.**

**By the Court:**

**Nancy E. Rice  
Justice, Colorado Supreme Court**