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United States District Court DISTRICT OF MINNESOTA

LR 83.7 Withdrawal Of Counsel

An attorney may withdraw from a case in which he or she has appeared only as follows:

(a) By Notice of Withdrawal. A party's attorney may withdraw from a case by filing and serving a notice of withdrawal, effective upon filing, if:

- (1) multiple attorneys have appeared on behalf of the party; and
- (2) at least one of those attorneys will still be the party's counsel of record after the attorney seeking to withdraw does so.

(b) By Notice of Withdrawal and Substitution. A party's attorney may withdraw from a case by filing and serving a notice of withdrawal and substitution, effective upon filing, if:

- (1) the notice includes:
 - (A) a statement by substituted counsel that serves as substituted counsel's notice of appearance and affirms that he or she represents the party; and
 - (B) the names, addresses, and signatures of the withdrawing attorney and substituted counsel;
- (2) the withdrawal and substitution will not delay the trial or other progress of the case; and
- (3) the notice is filed and served:
 - (A) in a civil case, at least 90 days before trial; or
 - (B) in a criminal case, at least 30 days before trial.

(c) By Motion. An attorney who seeks to withdraw otherwise than under LR 83.7(a) or (b) must move to withdraw and must show good cause. The attorney must notify his or her client of the motion.

[Adopted effective February 1, 1991; amended January 31, 2011]

2011 Advisory Committee's Notes to LR 83.7

The language of LR 83.7 has been amended and reorganized as part of the general restyling of the Local Rules to make them more easily understood and internally consistent. These changes are intended to be stylistic only./span>

Subsection (a) was changed to clarify that it is not necessary to file a motion to withdraw if an attorney's withdrawal will not cause a party to lose legal representation.

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