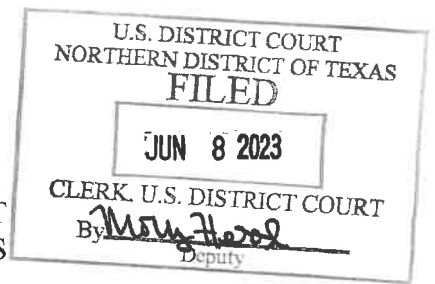


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS



Special Order No. 2-96

1. By Special Order No. 2-95, the District Judges of this Court adopted an amendment revising LCrR 57.12 by adding new subsection (e).
2. Following a period for receipt of public comment, the Court has determined to amend LCrR 57.12 as set forth in the attachment to Special Order No. 2-95.
3. Amended LCrR 57.12 takes effect on September 1, 2023 and applies to all proceedings in criminal actions thereafter commenced and, insofar as just and practicable, all proceedings in criminal actions then pending.
4. The Clerk of Court is directed to make the necessary distribution.

SO ORDERED.

June 8, 2023.

FOR THE COURT:


DAVID C. GODBEY
CHIEF JUDGE

LOCAL RULES AMENDMENT
Effective September 1, 2023

New material is **redlined**.

LCrR 57.12 Withdrawal of Attorney.

- (a) Except as provided in subsection (b) or (c) of this rule, an attorney desiring to withdraw in any case must file a motion to withdraw. This motion must, in addition to the matters required by LCrR 47.1, specify the reasons requiring withdrawal and provide the name and address of the succeeding attorney. If the succeeding attorney is not known, the motion must set forth the name, address, and telephone number of the client and either bear the client's signature approving withdrawal or state specifically why, after due diligence, the attorney was unable to obtain the client's signature.
- (b) When an Assistant United States Attorney enters an appearance in a case, another Assistant United States Attorney may replace the attorney by filing a notice of substitution that identifies the attorney being replaced. Unless the presiding judge otherwise directs, the notice effects the withdrawal of the attorney being replaced.
- (c) When the Federal Public Defender is appointed to represent a party and an Assistant Federal Public Defender enters an appearance in the case, another Assistant Federal Public Defender may replace the attorney who has entered an appearance by filing a notice of substitution that identifies the attorney being replaced. Unless the presiding judge otherwise directs, the notice effects the withdrawal of the attorney being replaced.
- (d) When an attorney desiring to withdraw is to be replaced simultaneously, the succeeding attorney must file a motion to substitute counsel. If the presiding judge grants the motion, the order effects both the substitution of the succeeding attorney and the withdrawal of the attorney being replaced. This subsection (d) does not supersede subsection (b) or (c) of this rule.
- (e) When an attorney retained to represent a defendant moves to withdraw and requests that substitute counsel be appointed, the attorney must file a completed Financial Affidavit in Support of Request for Attorney, Expert, or Other Services Without Payment of Fee (Form CJA-23). The Form CJA-23 must bear the defendant's signature, or the attorney must state specifically why, after due diligence, the attorney was unable to obtain the defendant's signature.