

Rule Change 2010(03)

CHAPTER 32 -- COLORADO APPELLATE RULES

Rule 5. Entry of Appearance and Withdrawal.

(a) [No change]

(b) **Withdrawal.** An attorney may withdraw from a case only upon order of court. Such approval shall rest in the sound discretion of the court, and shall not be granted until the attorney seeking to withdraw has made reasonable efforts to give actual notice to the client:

(1) That the attorney wishes to withdraw;

(2) That the court retains jurisdiction;

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

(4) That the client has the obligation to prepare for all appellate proceedings, or secure other counsel to so prepare;

(5) That if the client fails or refuses to meet these burdens, the court may impose appropriate sanctions;

(6) Of the dates of any proceedings and that the holding of such proceedings will not be affected by the withdrawal of counsel;

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

(8) That process may be served upon the client at his last known address; and

~~(89)~~ Of the client's right to object within 15 days of the date of the notice.

(c) - (d) [No change]

Amended by the Court, En Banc April 5, 2010, effective immediately.

By the Court:

Nancy E. Rice  
Justice, Colorado Supreme Court

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