

10.0 ENTRY OF APPEARANCE AND WITHDRAWAL OF COUNSEL

(A) Entry of Appearance

- (1) All entries of appearance of counsel must be in writing and e-filed.
- (2) Unless the entry of appearance indicates otherwise, an entry of appearance will be a general appearance and counsel will be engaged in all phases of the case.
- (3) In civil cases, counsel may enter an appearance by filing a pleading, motion or notice of appearance.
- (4) In criminal cases, counsel may enter an appearance by filing a notice of appearance.
- (5) Until counsel enters an appearance, counsel may not be entitled to participate in any proceeding in the case.

(B) Notice of Limited Appearance

- (1) Counsel may enter a notice of limited appearance as provided by Prof.Cond.R 1.2 and Civ.R.3.
- (2) Notice of appearance of counsel who has a limited scope of representation must:
 - (a) Be titled “Notice of Limited Appearance”;
 - (b) Describe the scope of the representation;
 - (c) Set forth the circumstances that justify the limited appearance;
 - (d) Indicate that the limited nature of counsel’s representation has been communicated to the client in writing.

(C) Withdrawal of Counsel - General Appearance

- (1) **Client Unrepresented after Withdrawal.** In cases where counsel has entered a general appearance and counsel’s withdrawal will leave a party unrepresented, upon written motion for leave to withdraw from the action and for good cause shown, the court may permit counsel to withdraw.
- (2) **Notice to Client.** Prior to or contemporaneously with the filing of a motion for leave to withdraw, counsel must satisfy their duties under the Rules of Professional Conduct in providing notice to the client of their intent to withdraw.
- (3) **Hearing.** The court may, in its discretion, set a hearing on the motion and may request the attendance of all counsel and clients. If the court requires the attendance of client at the hearing, counsel must inform the client of the hearing date and time by certified mail, return receipt requested.
- (4) **Client Represented after Withdrawal.** In cases where counsel has entered a general appearance and the client has retained new counsel or will be represented by another attorney who has appeared in the case, counsel may withdraw from representation by filing a notice of withdrawal. Withdrawal will be effective upon filing of such notice.

(D) Withdrawal of Counsel - Limited Appearance

- (1) **Terms of Representation Completed.** In cases where counsel has entered a notice of limited appearance and has fulfilled the terms of representation, counsel may withdraw from representation as provided in Civ.R. 3(B).

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- (2) **Terms of Representation not Completed.** In cases where counsel has entered a notice of limited appearance and has not fulfilled the terms of his representation, counsel may withdraw from representation:
- (a) By filing a motion in accordance with paragraph C(1) of this rule if counsel's withdrawal will leave the client unrepresented; or
 - (b) By filing a notice in accordance with paragraph C(2) of this rule if, upon counsel's withdrawal, the client will be represented by another attorney who has appeared in the case.

Effective 10/18/2021.