

Rule 117

WITHDRAWAL OF ATTORNEY

- (a) **Withdrawal of Attorney When Client Will Be Left Without Counsel.** When withdrawal of an attorney who has appeared of record in a proceeding will leave the client without counsel, the attorney may withdraw only when:
- (1) the attorney has served a motion for withdrawal on the client—and on all counsel of record and unrepresented parties not in default for failure to appear—that:
 - (A) states the reasons for the withdrawal, unless doing so would violate an applicable standard of professional conduct;
 - (B) provides evidence that the withdrawing attorney provided the client:
 - (i) an admonition that the client is personally responsible for complying with all orders of the court and time limitations established by the rules of procedure or by court order; and
 - (ii) notice of the date of any pending trial, hearing, conference, or deadline; and
 - (C) provides the court with a current mailing address and telephone number for the client, if known;
 - (2) the attorney has filed a copy of the motion and proof of service; and
 - (3) the court issues an order approving the withdrawal.
- (b) **Withdrawal of Attorney When Client Continues to Be Represented by Other Counsel of Record.** When the client will continue to be represented by other counsel of record, an attorney may withdraw without a court order by filing a notice of withdrawal of appearance. The notice must:
- (1) identify the attorney of record admitted to practice law in Kansas who will continue to represent the client; and
 - (2) be served on the client and all counsel of record and unrepresented parties not in default for failure to appear.
- (c) **Withdrawal of Attorney When Client Will Be Represented by Substituted Counsel.** An attorney may withdraw without court order upon simultaneous substitution of counsel admitted to practice law in Kansas by:
- (1) filing a notice of withdrawal of counsel and entry of appearance of substituted counsel signed by both the attorney withdrawing and the attorney to be substituted as counsel; and

(2) serving the notice on the client and all counsel of record and unrepresented parties not in default for failure to appear.

[History: Am. effective September 8, 2006; Restyled rule and amended effective July 1, 2012.]