

1 **IN THE MUNICIPAL COURT FOR THE CITY OF BEND**

2 **COUNTY OF DESCHUTES, STATE OF OREGON**

3 In the Matter of:

4 Attorney Appearances and Withdrawal.

General Order No.: 107

Effective Date: November 1, 2014

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6 THIS MATTER came before the Court on its own motion, having determined a
7 need for certain uniform rules regarding the appearance and withdrawal of Attorneys;
8 now, therefore, IT IS HEREBY ORDERED:

9 1. *Notice of Appearance:* If a Defendant intends to be represented by an
10 Attorney at any proceedings in the Court, the Defendant or their Attorney must file
11 written notice of representation with the Court at least ten (10) days prior to the
12 proceeding. A copy of the written notice must be served on the citing officer and proof
13 of such service must be filed with the Court.

14 2. *Continuation of Representation:* If an Attorney makes a personal or
15 written appearance for a party, that Attorney is deemed to be that party's attorney of
16 record for the proceeding, until the Attorney withdraws or another Attorney is substituted
17 for the original Attorney.

18 3. *Entry of Plea on Behalf of Defendant:* If an Attorney has filed a written
19 notice of appearance on behalf of a Defendant, the Attorney may enter a plea on behalf
20 of the Defendant.

21 4. *Advice to Clients and Witnesses of Court Formalities.* Attorneys are
22 required to advise their clients and witnesses of the formalities of the Court and must
23 encourage their cooperation.

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1 5. *Withdrawal of Attorney.*

2 a. Motion to Withdraw: An Attorney who has appeared in a
3 proceeding may seek leave from the Court to withdraw as attorney of record by filing
4 with the Court a written motion to withdraw, a supporting affidavit or declaration setting
5 forth the grounds for the withdrawal, and a proposed form of order for a Judge to sign.

6 b. Grounds for Motion: A motion to withdraw must not be made for
7 the purposes of delay or to frustrate any prior case-related rulings of the Court.

8 c. Required Information: The motion to withdraw or supporting
9 affidavit or declaration must include the name, address and telephone number of the
10 party for whom the Attorney is seeking leave to withdraw and the date and time of any
11 scheduled Trial or hearing in the proceeding.

12 d. Service of Motion: Copies of the motion to withdraw, the supporting
13 affidavit or declaration, and proposed form of order must be served on the must be
14 served on the party, any other parties who have appeared in the proceeding, and the
15 citing officer or the City Attorney, if the City Attorney has appeared in the proceeding,
16 and proof of such service must be filed with the Court.

17 e. Pending Allowance of Withdrawal: The Attorney remains the
18 attorney of record unless and until the motion is granted and the Order is signed by the
19 Judge.

20 6. *Substitution of Attorney.* At any time, a party may substitute an Attorney
21 for another Attorney by filing with the Court a written notice of substitution signed by
22 both the original Attorney and the new Attorney and which contains the name, address
23 and telephone number for both the party and the new Attorney. That notice must be
24 served on the party, any other parties who have appeared in the proceeding, and citing
25 officer or the City Attorney, if the City Attorney has appeared in the proceeding.

1 7. *Effect on Prior Orders:* This Order supersedes any and all prior Orders of
2 this Court concerning the matters herein and shall remain in effect until amended,
3 superseded or vacated by this Court.

4 DATED: November 1, 2014.

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Bethany Powers Flint
Municipal Court Judge

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