

**JUDGE'S STANDING ORDER NO. 7**  
**NOTICE OF APPEARANCE, MOTIONS AND OTHER SUBMISSIONS**

On this date, the Court entered the following **ORDER** with respect to notice of appearance, motions and other documents submitted to the Court:

**A. NOTICE OF APPEARANCE AND SUBSEQUENT CORRESPONDENCE**

The following requirements apply to notices of appearance and subsequent correspondence:

1. *Notice of appearance.* An attorney who makes an appearance for a Defendant shall file a letter with the Court Clerk clearly indicating such entry of appearance and requesting that the case be set on an attorney docket. The letter must contain the following:
  - a. Defendant's full name;
  - b. Defendant's date of birth;
  - c. Defendant's driver's license or identification card number and state of issuance, if known;
  - d. the case number and offense name of each charge on which the attorney is appearing.
2. *Subsequent correspondence.* Subsequent correspondence regarding one or more of the Defendant's cause numbers must continue to contain this identifying information.

**B. MOTIONS TO WITHDRAW**

The following requirements apply to motions to withdraw:

1. *Form of motion; notice.* An attorney of record shall not be permitted to withdraw from any case without presenting a motion and obtaining from the Court an order granting leave to withdraw. When withdrawal is made at the request of or on agreement of the Defendant, such motion shall be accompanied by the Defendant's written consent to such withdrawal or a certificate by another lawyer that he/she has been employed to represent the Defendant in the case. In the event the Defendant has not consented, a copy of the motion to withdraw shall be mailed to the Defendant at his/her last known address by certified mail and regular first class mail. A copy of the motion shall be sent to the State's attorney.
2. *Contents of motion.* The motion to withdraw shall contain the following:
  - a. Defendant's full name;
  - b. Defendant's date of birth;
  - c. Defendant's driver license or identification card number and state of issuance;
  - d. the case number and offense name of each charge from which the attorney wishes to withdraw;
  - e. the reason the attorney wishes to withdraw; and
  - f. a list of current deadlines and settings.

The following must be also included in any motion to which the Defendant has not consented:

- g. Defendant's last known address and telephone number;
  - h. a statement that a copy of the motion was delivered to the Defendant; and
  - i. a statement that the Defendant was notified in writing of his/her right to object to the motion.
3. *Time deadline.* A motion to withdraw must be filed at least 7 days prior to the next docket setting, or it will be denied as untimely. Notice of the motion must also be mailed to the Defendant at least 7 days prior to the docket setting.
  4. *Notice to Defendant after motion granted.* After leave to withdraw is granted, the withdrawing attorney shall advise a Defendant who has not consented to the motion of the withdrawal by regular mail, stating any settings for trial or otherwise, and advising the defendant of the right to secure other counsel.

#### **C. MOTIONS TO SUBSTITUTE COUNSEL**

A motion to substitute counsel must contain items 2a-d of the preceding section, and contain a statement that the Defendant approves the substitution. The motion must contain the signature of the attorney to be substituted along with his or her address, telephone, facsimile number and State Bar number, or be accompanied by a letter or certificate of representation from that attorney.

#### **D. VACATION LETTERS**

The following requirements apply to vacation letters:

1. *Length of time; deadline.* An attorney may reserve up to four weeks in any calendar year for vacations or continuing legal education by sending a vacation letter for each defendant represented (with appropriate identifying information, as required in this Order) to the Docket Clerk and the State's attorney at least ten (10) days prior to such designated dates, reserving weeks in which no hearings, dockets, or trials are set as of the date of the letter. Once a letter is on file, no hearings, dockets, or trials involving the identified defendant(s) will be set during the reserved weeks.
2. *Inadvertent setting.* If a matter is inadvertently set during the dates designated in the letter, the Court may cancel the setting and/or reschedule it upon oral or written motion of a party or on the Court's own motion.
3. *Continuance required for prior settings.* A vacation letter alone will not excuse appearance at hearings, docket or trials set prior to the filing of the vacation letter. In the event an attorney already has a setting at the time the vacation letter is filed, a motion for

continuance must be filed and a ruling obtained, and there is no assurance that the motion will be granted.

**E. SUBMISSION OF MEDICAL, FINANCIAL AND SIMILAR DOCUMENTS**

The following requirements apply to medical, financial and similar documents:

1. *General provision.* If the Clerk receives documents relating to a case pending in the Court which contain medical, financial, psychological or similar personal information, the disclosure of which may violate a Defendant's or other person's common law right of privacy, the Clerk will provide such documents to the Court for an *in camera* review. After review, the Court will direct the Clerk to file the documents under the designation of "Confidential" to indicate that the documents contain information which may not be subject to disclosure, or which may require redaction before disclosure.
2. *Collections department.* Documents provided to the Collections Clerk in order to evaluate a Defendant's ability to make a payment plan will be returned to the Defendant after review by the Clerk, unless the Court makes a different order with respect to the documents.


**F. DEADLINE FOR MOTIONS PRIOR TO TRIAL**

All motions to be considered at a trial or pre-trial hearing must be on file with the Docket Clerk at least 2 weeks prior to the trial or hearing date.

**G. JUVENILE CASES**

An attorney who enters an appearance on a juvenile case shall be notified that the juvenile defendant must make an initial appearance on the case, accompanied by a parent or guardian. After initial appearance, the attorney may appear at docket settings and may request continuances without the defendant present, but upon a change of plea, or for a pre-trial hearing or trial, the defendant must be present with a parent or guardian. If the defendant becomes an adult during the course of the attorney's representation, the attorney may thereafter make all appearances on the defendant's behalf, except for a pre-trial hearing or a trial.

**IT IS SO ORDERED.** Signed and Entered this 20 day of Feb., 2017.

  
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Sonya Letson  
Presiding Judge