



UNITED STATES BANKRUPTCY COURT DISTRICT OF MARYLAND

CM/ECF Attorney Training Module

WITHDRAWAL/SUBSTITUTION OF COUNSEL

Pursuant to LBR 9010-4, attorneys may withdraw their appearance on behalf of an individual if another attorney has already entered their appearance on behalf of that individual. Permission from the court is necessary if the individual does not have alternate representation or if the client is a non-individual. Review the local rules for additional requirements.

A Miscellaneous Proceeding must be opened to file a Motion to Withdraw or Substitute Appearance of Counsel for 25 or more cases.

FILING STEPS:

MOTION TO WITHDRAW APPEARANCE

1. Click 'Bankruptcy' on the menu bar and select 'Motions/Applications'
2. The Case Number screen displays. Enter the case number in yy-nnnnn format and click 'Next'
3. The Available Events List Screen displays. Scroll down to 'Withdraw as Attorney' or type any part of the event name in the search window to narrow the list. The search is not case sensitive. Select the correct event
4. The event will show in the 'Selected Events' window (If you select the incorrect event, click in the 'Selected Events' window to remove it). Click 'Next'
5. The Select the Party screen displays:
 - Scroll through the list and select the appropriate party or parties. Click 'Next'
6. The PDF Document Selection screen display. Click 'Choose File' and select PDF document(s). Be sure to attach a proposed order. Then click 'Next'
7. The Modify Docket Text screen displays. Modify docket to include the name of the attorney withdrawing appearance and the represented party
8. Verify the final docket text then click 'Next'
9. The Notice of Electronic Filing screen displays. (Refer to the Notice of Electronic Filing for complete instructions)



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NOTICE OF WITHDRAWAL OF APPEARANCE

1. Click 'Bankruptcy' on the menu bar and select 'Notices'
2. The Case Number screen displays. Enter the case number in yy-nnnnn format and click 'Next'
3. The Available Events List Screen displays. Scroll down to 'Notice (Attorney/Trustee use)' or type any part of the event name in the search window to narrow the list. The search is not case sensitive. Select the correct event
4. The event will show in the 'Selected Events' window (If you select the incorrect event, click in the 'Selected Events' window to remove it). Click 'Next'
5. The Select the Party screen displays:
 - Scroll through the list and select the appropriate party or parties. Click 'Next'
6. The PDF Document Selection screen display. Click 'Choose File' and select PDF document(s). Click 'Next'
7. Refer to existing events(s) screen display. Do not refer to existing events. Click 'Next'
8. The Modify Docket Text screen displays. Modify docket to match title of pleading and include the name of the attorney withdrawing appearance and the represented party
9. The Final Approval screen displays: **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to this submission if you continue.**
10. Verify the final docket text then click 'Next'
11. The Notice of Electronic Filing screen displays. (Refer to the Notice of Electronic Filing for complete instructions)

MOTION TO WITHDRAW OR SUBSTITUTE APPEARANCE OF COUNSEL (25 CASES OR MORE)

The attorney who is withdrawing or substituting their appearance must provide the court with a list of their active cases. To obtain the list please contact the Director of Operations or Division Manager to request a report of active cases. The report will be generated in pdf format and sent to the attorney by email. This list must be filed as an attachment to the motion to withdraw or substitute.

The court's practice is to require counsel to file motions to substitute or withdraw an attorney's



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appearance in multiple cases (25 cases or more) as a miscellaneous petition (MP). The MP case is assigned a separate case number from the bankruptcy cases in which the attorney's appearance is being withdrawn or substituted. Please note that the MP event is not available to attorneys to select from the ECF Case Opening menu and therefore cannot be filed electronically. The motion must be filed in electronic format on disk or CD-ROM in compliance with the Court's Administrative Order 11-03.

Procedures for Filing the Motion

Caption

The motion should be captioned 'Miscellaneous Proceeding to Withdraw/Substitute Counsel'

Case Number

Miscellaneous Proceeding Number should be inserted; provide a blank space for the MP case number which will be assigned by the Clerk's Office.

Proposed Order

The proposed order should have the same caption as the motion and state the requested relief.

Substituted Attorney

If known, the name of the new attorney to be substituted for the former attorney should be contained in the motion and proposed order. Please include a cover letter to accompany the disc or CD-ROM indicating that the pleading is a Miscellaneous Petition relating to a motion to withdraw/substitute counsel. Because of the number of cases involved, if the motion is granted, the order will be docketed in the MP case only. The order is not issued to any parties, apart from the withdrawn or substituted attorney.

A docket entry regarding the notice of substitution in the MP case will be mass docketed in all the affected bankruptcy cases. There is no written notice, and this entry merely serves as a cross reference to the MP case explaining why the attorney's appearance is withdrawn or substituted.