

RULE 120. Attorneys - Appearances and Withdrawals

A. Entry of Appearance

1. Counsel for defendant shall file an entry of appearance with the Clerk of Courts promptly after being retained, and serve a copy of the entry of appearance on the attorney for the Commonwealth.

a. If a firm name is entered, the name of an individual lawyer shall be designated as being responsible for the conduct of the case.

b. The entry of appearance shall include the attorney's address, phone number, attorney ID number, and e-mail address.

2. When counsel is appointed pursuant to Pa. R. Crim. P. 122 (Appointment of Counsel), the filing of the appointment order shall enter the appearance of appointed counsel.

3. Counsel shall not be permitted to represent a defendant following a preliminary hearing unless an entry of appearance is filed with the clerk of courts.

4. An attorney who has been retained or appointed by the court shall continue such representation through direct appeal or until granted leave to withdraw by the court pursuant to paragraph (B).

5. After a case has been returned to the Court of Common Pleas, the filing of any motion or petition on behalf of the defendant shall be deemed to be an entry of appearance by the filing attorney on behalf of the defendant as to all matters pertaining to the case in which the filing is made, notwithstanding any statement contained in the filing which purports to limit the scope of the filing attorney's representation.

B. Withdrawal of Appearance

1. Counsel for a defendant may not withdraw his or her appearance except by leave of court.

2. A motion to withdraw shall be:

a. filed with the clerk of courts, and a copy concurrently served on the attorney for the Commonwealth and the defendant; or

b. made orally on the record in open court in the presence of the defendant.

3. Upon granting leave to withdraw, the court shall determine whether new counsel is entering an appearance, new counsel is being appointed to represent the defendant, or the defendant is proceeding without counsel.

C. Once an appearance has been entered, counsel shall represent the defendant through sentencing.

D. Except as provided in E, after a case has been returned to Court, any motion filed by counsel shall be deemed an entry of appearance.

E. In any ancillary proceeding such as a bail petition, motion for return of seized property, probation or parole violation or ARD revocation, an appearance of counsel shall be limited to that proceeding if the appearance so indicates.

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