

**THE HIGH COURT
REPUBLIC OF THE MARSHALL ISLANDS**

STANDING ORDER 2000-001

SUBSTITUTION OF COUNSEL/WITHDRAWAL OF COUNSEL

Published January 28, 2000

Effective January 28, 2000

This Standing Order sets out the general practice before the High Court for the substitution of counsel for a party and for the withdrawal of counsel from representation of a party. This Standing Order shall apply to all attorneys and trial assistants practicing before the High Court.

SUBSTITUTION OF COUNSEL

Substitution of counsel is the agreed replacement of one attorney/trial assistant representing a party by another attorney/trial assistant to represent that same party. Substitution of counsel requires consent of the party effected by the change of counsel. The signatures of the withdrawing attorney/trial assistant and the appearing attorney/trial assistant on the Notice of Substitution of Counsel shall constitute a certification by each of them that the substitution is with the consent of the party effected.

No Court order is needed for a substitution of counsel. Counsel for the party effected shall file a Notice of Substitution of Counsel with the Court setting forth the number and style of the case, the name of the party for whom counsel is being changed, the name of the withdrawing attorney/trial assistant, and the name of the appearing attorney/trial assistant. The Notice shall be signed by both withdrawing counsel and appearing counsel. The substitution shall be effective on the date the Notice of Substitution is filed with the Clerk of the Court.

WITHDRAWAL FROM REPRESENTATION

Whenever an attorney/trial assistant seeks to cease representing a party in a matter before the High Court and no substitute attorney/trial assistant is substituting in, such withdrawal from representation shall be governed by this Standing Order.

No withdrawal shall be effective without a motion seeking leave to withdraw and an order from the Court granting same. A motion to withdraw shall set out the grounds for withdrawal and shall contain a certificate of service executed by the moving counsel stating that a copy of the motion and any order setting a hearing date has been served on the effected party as well as all other attorneys/trial assistants in the cause of action involved.

Every motion to withdraw shall set forth on its face conspicuously the following notice in both the English and Marshallese languages.

TO: (Name of party)

Your attorney or trial assistant is going to stop being your attorney or trial assistant in this matter before the High Court.

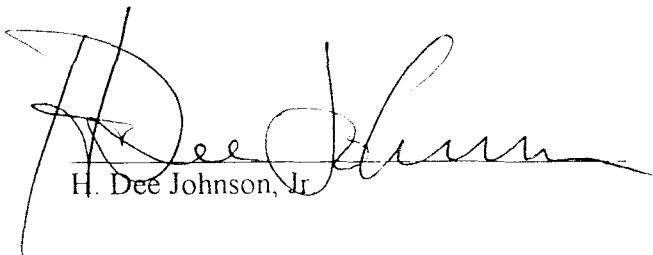
You need to arrange to have a different attorney or trial assistant work for you in this matter, or you will not have an attorney or trial assistant working for you. If you do not arrange for another attorney or trial assistant to work for you, then the hearings and trial of this matter will happen without an attorney or trial assistant to help you.

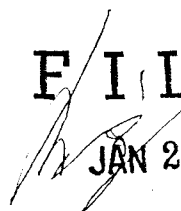
Lawyer ak trial assistant eo am enaj bojrak jen an lawyer ak trial assistant non kwe ilo case in imaan High Court eo. Kwoj aikuij koman korak non an bar wor juon am lawyer ak trial assistant eo enaj jermal non kwe ilo case in, bwe elane jab inem ejamin wor juon lawyer ak trial assistant enaj jermal non kwe. Elane kwojamin koman karok non an bar wor juon am lawyer ak trial assistant eo ej jermal non kwe, inem ien ronjake ko ak ekajet eo an case in enaj wonmanlok wot im koman ilo an ejelok juon lawyer ak trial assistant ej jiban yuk.

Motions to withdraw will not be granted if withdrawal will prejudice the party who would be left without counsel - that is, there would be inadequate time for that party to obtain new representation - or will prejudice the Court's calendar. Generally, withdrawal will not be allowed within thirty (30) days of a pending dispositive hearing or trial. The Court will consider special circumstances on motion and hearing.

Withdrawal of counsel, standing alone, will not constitute grounds for continuance of pending matters. Withdrawing counsel is charged with the duty of notifying his/her client of pending settings and the importance of representation.

Signed: Jan. 28, 2000


H. Dee Johnson, Jr.

FILED

JAN 28 2000
CHIEF CLERK OF COURTS
REPUBLIC OF MARSHALL ISLANDS