

THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 355

Amending Civil Rule
81(d), by Providing
for Automatic
Withdrawal of An
Attorney After Final
Judgment.

IT IS ORDERED:

Paragraph (d) of Rule 81, Rules of Civil Procedure, is amended to read:

(d) Withdrawal of Attorney.

(1) An attorney who has appeared for a party in an action or proceeding may be permitted to withdraw as counsel for such party only as follows:

(i) For good cause shown, upon motion and notice of hearing served upon the party in accordance with Rule 77; or

(ii) Where the party has other counsel ready to be substituted for the attorney who wishes to withdraw; or

(iii) Where the party expressly consents in open court or in writing to the withdrawal of his attorney.

(2) An attorney shall be considered to have properly withdrawn as counsel for a party in an action or proceeding in which a period of one year has elapsed since the filing of any paper or the issuance of any process in the action or proceeding, and

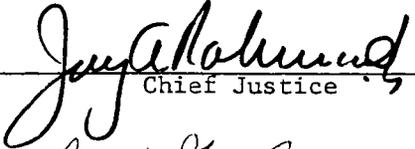
(i) the final judgment or decree has been entered and the time for filing an appeal has expired or

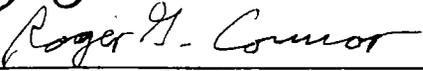
(ii) if an appeal has been taken, the final judgment or decree upon remand has been entered or the mandate has issued affirming the judgment or decree.

This subparagraph (2) shall not apply to an attorney who files and serves a notice of continued representation.

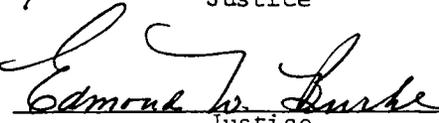
DATED: January 25, 1979

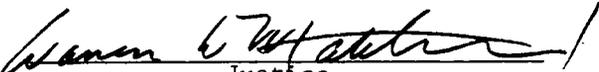
EFFECTIVE DATE: April 1, 1979


Chief Justice


Justice


Justice


Justice


Justice

Distribution:

SC Justices
Sup/Ct Judges
Dist/Ct Judges
Magistrates
Mag/Supr
Clks/Ct
Law Librarian
Probate Masters
Adm Dir
All Members ABA
Gov
Dep/Law
Legs/Affrs
Pub Def Agency
Dep Pub Safety
Alaska Legal Serv
Com & Reg Affrs
State Library
Superior Ct Law Clerks