

VIRGINIA ACTS OF ASSEMBLY -- 2017 RECONVENED SESSION

CHAPTER 774

An Act to amend the Code of Virginia by adding in Chapter 12 of Title 19.2 a section numbered 19.2-190.2, relating to withdrawal of privately retained counsel; report.

[H 1411]

Approved April 5, 2017

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Chapter 12 of Title 19.2 a section numbered 19.2-190.2 as follows:

§ 19.2-190.2. Withdrawal of privately retained counsel.

A privately retained counsel in any criminal case may, pursuant to the terms of a written agreement between the attorney and the client, withdraw from representation of a client without leave of court after certification of a charge by a district court by providing written notice of the withdrawal to the client, the attorney for the Commonwealth, and the circuit court within 10 days of the certification of the charge.

2. That the Judicial Council shall review (i) the current process by which privately retained counsel may withdraw from a civil case with leave of court and (ii) the possible impact on the courts, litigants, and attorneys of amending such process to allow withdrawal of counsel without leave of court. The Judicial Council shall submit its report by November 1, 2017, to the Chairmen of the House and Senate Committees for Courts of Justice.