

2017 RECONVENED SESSION

REENROLLED

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend the Code of Virginia by adding in Chapter 12 of Title 19.2 a section numbered  
3 19.2-190.2, relating to withdrawal of privately retained counsel; report.

4 [H 1411]  
5 Approved

6 Be it enacted by the General Assembly of Virginia:

7 1. That the Code of Virginia is amended by adding in Chapter 12 of Title 19.2 a section numbered  
8 19.2-190.2 as follows:

9 § 19.2-190.2. *Withdrawal of privately retained counsel.*

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

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

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HB1411ER2