

Supreme Court of Texas

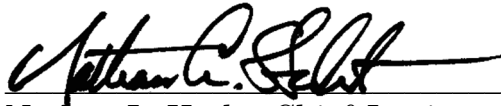
Misc. Docket No. 24-9099

Preliminary Approval of Amendments to Texas Rule of Civil Procedure 10 and Texas Rule of Appellate Procedure 6

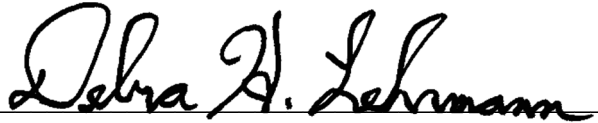
ORDERED that:

1. The Court invites public comments on proposed amendments to Texas Rule of Civil Procedure 10 and Texas Rule of Appellate Procedure 6.
2. Comments regarding the proposed amendments should be submitted in writing to rulescomments@txcourts.gov by March 1, 2025.
3. The Court will issue an order finalizing the amendments after the close of the comment period. The Court may change the amendments in response to public comments. The Court expects the amendments to take effect on April 1, 2025.
4. The Clerk is directed to:
 - a. file a copy of this Order with the Secretary of State;
 - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
 - c. send a copy of this Order to each elected member of the Legislature; and
 - d. submit a copy of this Order for publication in the *Texas Register*.

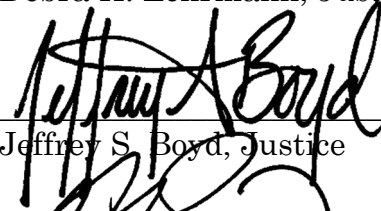
Dated: November 19, 2024.



Nathan L. Hecht, Chief Justice



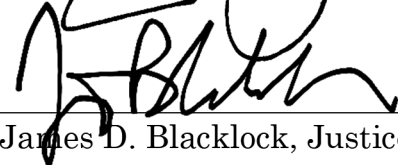
Debra H. Lehrmann, Justice



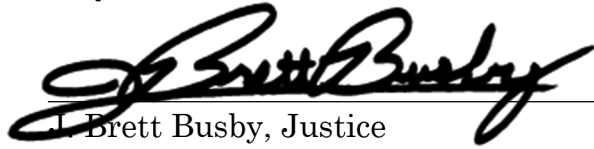
Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



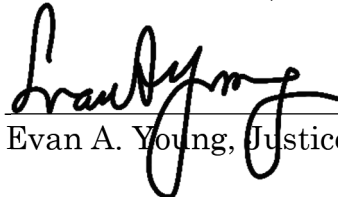
Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice

TEXAS RULES OF CIVIL PROCEDURE

RULE 10. WITHDRAWAL OF ATTORNEY

An attorney may withdraw from representing a party only upon written motion for good cause shown. If another attorney is to be substituted as attorney for the party, the motion shall state: the name, address, telephone number, email address, telecopier number, if any, and State Bar of Texas identification number of the substitute attorney; that the party approves the substitution; and that the withdrawal is not sought for delay only. If another attorney is not to be substituted as attorney for the party, the motion shall state: that a copy of the motion has been delivered to the party; that the party has been notified in writing of his right to object to the motion; whether the party consents to the motion; the party's last known address, telephone number, and email address; and all pending settings and deadlines. If the motion is granted, the withdrawing attorney shall immediately notify the party in writing of any additional settings or deadlines of which the attorney has knowledge at the time of the withdrawal and has not already notified the party. The Court may impose further conditions upon granting leave to withdraw. Notice or delivery to a party shall be either made to the party in person or mailed to the party's last known address by both certified and regular first class mail. If the attorney in charge withdraws and another attorney remains or becomes substituted, another attorney in charge must be designated of record with notice to all other parties in accordance with Rule 21a.

TEXAS RULES OF APPELLATE PROCEDURE

Rule 6. Representation by Counsel

6.5. Withdrawal of Lead Counsel

An appellate court may, on appropriate terms and conditions, permit lead counsel to withdraw from representing a party in the appellate court.

- (a) *Contents of Motion.* A motion for leave to withdraw must contain the following:
 - (1) a list of current deadlines and settings in the case;
 - (2) the party's name and last known address, ~~and~~ telephone number, and email address;
 - (3) a statement that a copy of the motion was delivered to the party; and
 - (4) a statement that the party was notified in writing of the right to object to the motion.
- (b) *Delivery to Party.* The motion must be delivered to the party in person or mailed — both by certified and by first-class mail — to the party at the party's last known address.
- (c) *If Motion Granted.* If the court grants the motion, the withdrawing lead counsel must immediately notify the party, in writing, of any deadlines or settings that the attorney knows about at the time of withdrawal but that were not previously disclosed to the party. The withdrawing lead counsel must file a copy of that notice with the court clerk.
- (d) *Exception for Substitution of Lead Counsel.* If an attorney substitutes for a withdrawing lead counsel, the motion to withdraw need not comply with (a) but must state only the substitute attorney's name, mailing address, telephone number, email address, fax number, if any, and State Bar of Texas identification number. The withdrawing lead counsel must comply with (b) but not (c).
