

SUPERIOR COURT RULES OF CRIMINAL PROCEDURE

50. Appearance and withdrawal of attorneys. – (a) *Appearance.* The attorney for a defendant in a criminal action shall forthwith file his or her appearance in writing with the clerk of the Superior Court for the county wherein the action is pending and shall serve a copy of his appearance on the Attorney General.

(b) *Withdrawal.* An attorney who has appeared on behalf of any defendant in a criminal action may not withdraw unless the attorney first obtains the consent of the court. All withdrawals shall be upon motion with notice to the defendant and the Attorney General. A motion to withdraw shall not be granted unless the attorney who seeks to withdraw shall append to his or her motion the last known address of his or her client, which shall be the official address to which notices may be sent. A motion to withdraw shall be accompanied by an affidavit setting forth facts showing the military status of the defendant. If it appears that the defendant is in the military service of the United States, as defined in the Soldiers' and Sailors' Civil Relief Act of 1940, and any amendments thereto, the motion shall not be granted unless the defendant consents thereto in writing or another attorney appears of record as counsel at the time of such withdrawal.

(c) *Out of State Counsel.* ~~No person, who is not an attorney and counselor of the Supreme Court of the State of Rhode Island, shall be permitted to act as attorney or counselor for any defendant in any proceeding, hearing or trial in the Superior Court unless granted leave to do so by the Superior Court. Any attorney who is granted such leave to practice before the Superior Court shall not engage in any proceeding, hearing, or trial therein unless there is present in the courtroom for the duration of the proceeding, hearing or trial a member of the bar of Rhode Island unless local counsel is excused by the court.~~

No person, who is not an attorney and counselor of the Supreme Court of the State of Rhode Island, shall be permitted to act as attorney or counselor for any party in any proceeding, hearing, or trial in the Superior Court, unless granted leave to do so by a justice of such court or by the Supreme Court. Unless a justice of the Superior Court or of the Supreme Court permits otherwise, any attorney who is granted leave to practice before such court shall not engage in any proceeding, hearing, or trial therein unless there is present in the courtroom for the duration of the proceeding, hearing, or trial, a member of the bar of Rhode Island who shall be prepared to continue with the proceeding, hearing, or trial in the absence of counsel who has been so granted leave.

Subject to the limitations and exceptions set forth in Article II, Rule 9 of the Supreme Court Rules for the Admission of Attorneys and Others to Practice Law, admission *pro hac vice* may be granted by a justice of the Superior Court in his/her discretion upon a miscellaneous petition signed by the petitioner in a form approved by the court [Exhibit A], supported by certifications of the attorney seeking admission *pro hac vice* and of Rhode Island associate counsel [Exhibit B], and assented to by the party being represented in a client certification [Exhibit C].

Leave to represent more than one defendant may be granted provided, however, that for each defendant there shall also be a separate Rhode Island associate trial counsel who shall be present in the courtroom for the duration of the proceeding, hearing or trial, unless excused by the court.

Leave shall be granted by the Superior Court, in its discretion, upon motion in the form approved by the court, signed by the movant and assented to by the defendant being represented and by Rhode Island associate trial counsel.