

PRACTICE DIRECTION
COURT OF KING'S BENCH OF MANITOBA

**RE: MOTION TO WITHDRAW AS COUNSEL
TO AN ACCUSED IN A CRIMINAL CASE**

Where counsel to an accused in a criminal case is moving to withdraw as counsel, the motion to withdraw is returnable before the pre-trial conference judge (and is not returnable on the Criminal Motions and Bails List). To obtain a date before the pre-trial conference judge, counsel may contact the trial coordinator by email. This approach permits the pre-trial conference judge (who has background regarding the case) to canvass with counsel and the accused how to mitigate the effect a potential withdrawal by counsel may have on the previously scheduled trial which is otherwise required to promptly proceed forward absent exceptional circumstances. To similarly minimize the impact of a withdrawal by counsel (either on the trial or the accused's desire to be represented by available counsel at trial), a motion to withdraw as counsel should be brought as soon as possible. In those situations where a motion to withdraw is filed within days of the scheduled trial date, it may be that the motion is heard by the trial judge.

Coming into effect:

This Practice Direction comes into effect immediately.

ISSUED BY:

"Original signed by Chief Justice Joyal"

**The Honourable Chief Justice Glenn D. Joyal
Court of King's Bench (Manitoba)**

DATE: September 23 2022