

By: Senator(s) Walls

To: Judiciary, Division A

SENATE BILL NO. 2892

1 AN ACT TO PROVIDE FOR WITHDRAWAL FROM REPRESENTATION OF A
2 CRIMINAL DEFENDANT UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED
3 PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** Upon proper application to the appropriate court
6 of jurisdiction, a privately retained attorney who has represented
7 a criminal defendant at the trial level shall be granted leave to
8 withdraw as counsel of record for a defendant who has declared
9 indigency or who refuses to pay the attorney's fees and/or costs
10 and shall not be required to represent such a defendant on appeal
11 or for post-conviction matters. Under no circumstances shall an
12 attorney be required to personally bear the costs for handling any
13 matter for a criminal defendant simply because the attorney
14 previously agreed to represent the defendant or has entered an
15 appearance in court.

16 **SECTION 2.** This act shall take effect and be in force from
17 and after its passage.