

## **RULE 3:8. Appearance Of Counsel**

### **3:8-1. Filing Appearance**

The attorney for a defendant in a criminal action shall forthwith file an appearance with the criminal division manager's office of the county wherein venue is laid.

**Note:** Source-R.R. 3:5-4(b). Rule designation and caption adopted and text formerly designated R. 3:8 redesignated R. 3:8-1 July 16, 1979 to be effective September 10, 1979; amended July 13, 1994 and December 9, 1994, to be effective January 1, 1995.

### **3:8-2. Joint Representation**

No attorney or law firm shall be permitted to enter an appearance for or represent more than one defendant in a multi-defendant indictment without securing permission of the court.

Such motion shall be made in the presence of the defendants sought to be represented as early as practicable in the proceedings but no later than the arraignment/status conference so as to avoid delay of the trial. For good cause shown, the court may allow the motion to be brought at any time.

**Note:** Source-R.R. 3:5-4(b). Adopted July 16, 1979 to be effective September 10, 1979; amended July 13, 1994 to be effective January 1, 1995.

### **3:8-3. Representation by Public Defender**

The criminal division manager's office shall receive applications for services of the Public Defender and shall determine indigence. A defendant who qualifies for service shall be referred to the Office of the Public Defender no later than the pre-arraignment interview. The defense counsel appointed by the Office of the Public Defender shall promptly file an appearance. Representation of a defendant by the Office of the Public Defender shall continue through direct appeal from conviction, post-conviction proceedings for which the Rules of Court provide assigned counsel, and appeals from those proceedings.

**Note:** Adopted July 5, 2000 to be effective September 5, 2000.