

**A NOTE ON THE APPELLATE RESPONSIBILITIES  
OF ATTORNEYS HANDLING CRIMINAL TRIALS IN  
THE DISTRICT COURTS OF THE SECOND CIRCUIT**

Your attention is directed to Rule 4(b) of the Local Rules of the United States Court of Appeals for the Second Circuit which sets forth the duty of trial counsel to continue his or her representation of a defendant through the appellate process. This rule, which is firmly and uniformly applied to appointed as well as retained counsel, expresses the Court's view that the trial and appeal of criminal matters are parts of an integrated process which require continuity of representation throughout.

Because the Court of Appeals does not look with favor upon motions to be relieved, CJA counsel are advised to consider their appellate responsibilities when accepting criminal trial assignments. Motions to be relieved in the Court of Appeals should be made only for exceptional circumstances not anticipated at the time the trial assignment was accepted.