

FREQUENTLY ASKED QUESTIONS:

Do I have to let the court know I am representing the client using LSR?

No, but you should. It is helpful to the judge and your client to know an attorney is involved. Think of it as branding your documents. Consider a footer on the document stating "Drafted by:_____". Remember, by signing the document you have entered your appearance unless you limit your appearance. (Rule 55.03).

Does LSR increase malpractice risk?

No, LSR lowers your malpractice risk. "An agreement for limited representation does not exempt a lawyer from the duty to provide competent representation; however, the limitation of the scope of representation is a factor to be considered when determining the legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation..." (Comment [2], Rule 4-1.2).

Must the lawyer make an independent inquiry into the facts?

No. "An attorney providing drafting assistance may rely on the otherwise self-represented person's representation of facts, unless the attorney knows that such representations are false" (Rule 55.03(c)).

When does the limited appearance end? Is a court order required?

A court order is not required. It ends when you end it. "An attorney who files a notice of limited appearance withdraws when the attorney has fulfilled the duties as set forth in the notice and files a termination of limited appearance with the court" (Rule 55.03(b)).

RESOURCES:

For more information visit the limited scope representation section in the *Pro Bono Attorney's Deskbook*. It can be found at www.courts.mo.gov/hosted/probono/LimitedRepresentation.htm

An editable sample LSR agreement that meets the requirements of the Supreme Court Rules is available at www.courts.mo.gov/hosted/probono/Forms/FormforLtdReprtf.rtf



The committee welcomes suggestions for further development of these or additional resources. E-mail questions or suggestions to the committee at cafc@courts.mo.gov

The *Pro Bono Attorney's Deskbook* and *The Judges' Tool Kit on Pro Bono Legal Assistance*, as well as other resources including this brochure, were developed for the Supreme Court by its Committee on Access to Family Courts (CAFC).

03/2014

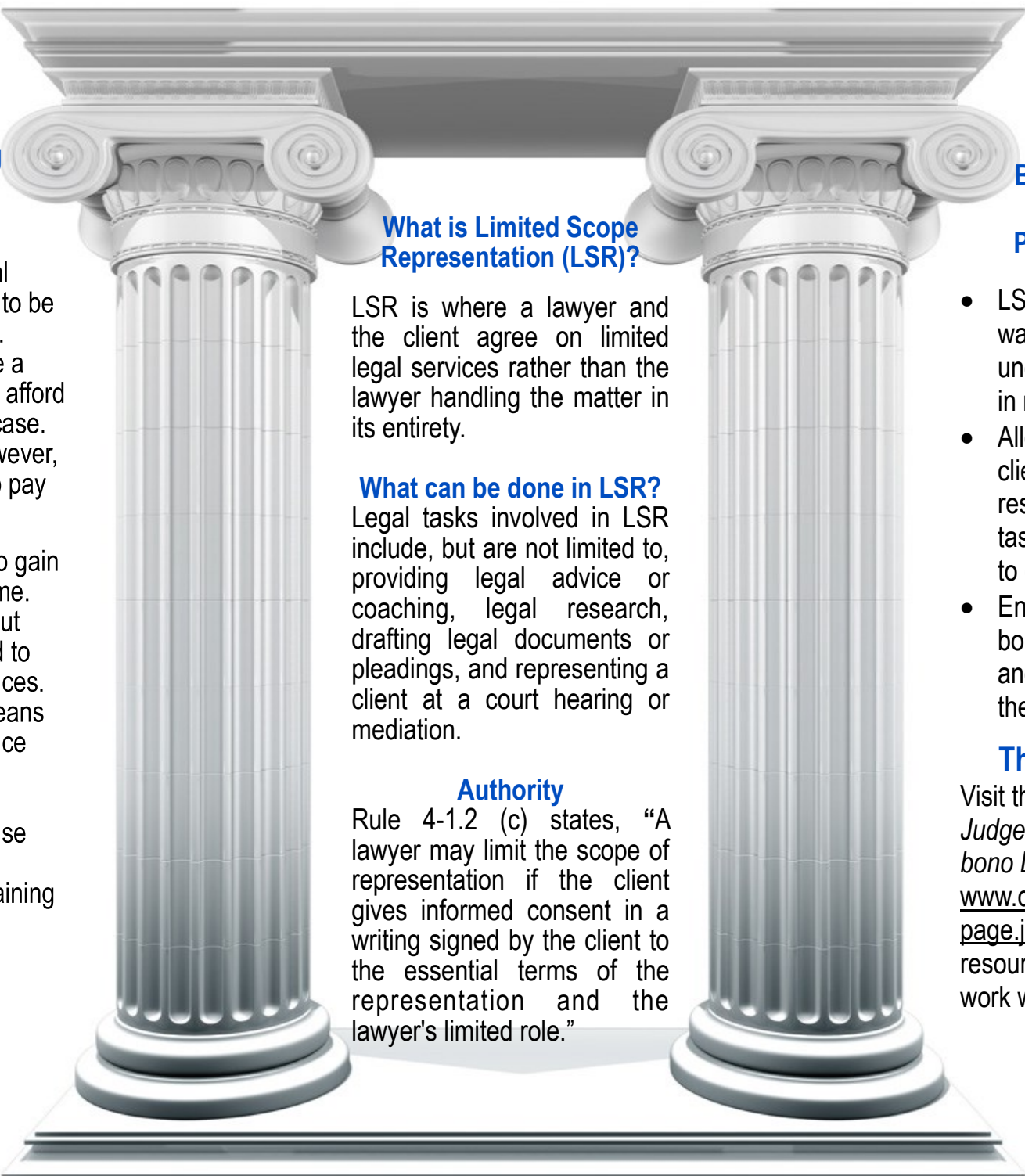


LIMITED SCOPE REPRESENTATION

"a la carte legal service"

Efficient legal service:

- ◇ Increase Revenue
- ◇ Save Time
- ◇ Provides affordable legal service for the client
- ◇ Saves court delays caused by self-represented litigants
- ◇ Provides a win for everyone involved



Benefits of using LSR with Paying Clients

People involved in a legal dispute or situation want to be successful in their action. Many people want to hire a lawyer but simply cannot afford a lawyer for their whole case. That does not mean, however, that they cannot afford to pay for key services.

- LSR is a useful tool to gain new clients and income.
- Clients educated about their legal needs tend to seek more legal services.
- Affordable service means “pay-as-you-go” service and no accounts receivable.
- LSR encourages pro se litigants to seek cost effective ways of obtaining legal advice.

What is Limited Scope Representation (LSR)?

LSR is where a lawyer and the client agree on limited legal services rather than the lawyer handling the matter in its entirety.

What can be done in LSR?

Legal tasks involved in LSR include, but are not limited to, providing legal advice or coaching, legal research, drafting legal documents or pleadings, and representing a client at a court hearing or mediation.

Authority

Rule 4-1.2 (c) states, “A lawyer may limit the scope of representation if the client gives informed consent in a writing signed by the client to the essential terms of the representation and the lawyer's limited role.”

Benefits of using LSR with Pro-Bono Clients

- LSR is a time-saving way to reach the underserved population in need of help.
- Allows the pro bono client to be given responsibility for certain tasks that they are able to do.
- Encourages the pro bono client to engage in and take ownership of their own legal issue.

The Judge's Role

Visit the LSR section of *The Judges' Tool Kit on Pro bono Legal Assistance* at www.courts.mo.gov/page.jsp?id=42938 for resources you can use to work with your local judges.