

**Proposed Revision to Rule 4-1.2(c)**  
**Proposed Revisions to Missouri Rules of Professional Conduct**  
**to clarify authorization of limited scope representation**

Proposed Revision of MO.RPC Rule 4-1.2(c) ... **limited representation**

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. Use of the written Notice and Consent form, or a form substantially similar to the approved form, shall create the presumptions that (a) the representation is limited to the lawyer and the services described in the form and (b) the lawyer does not represent the client generally or in any matters other than those identified in the form.

An otherwise unrepresented party to whom limited representation is being provided or has been provided is considered to be unrepresented for purposes of communication under rule 4-4.2 and 4-4.3 except to the extent the lawyer acting within the scope of limited representation provides other counsel with a written notice of a time period within which other counsel shall communicate only with the lawyer of the party who is otherwise self-represented.

**COMMENT: (Note: This comment is in addition to the existing comments to Rule 4-1.2. The comments to the existing rule are to be retained.)**

*The rules authorize a lawyer to assist a pro se litigant on a limited basis without undertaking the full representation of the client on all issues related to the legal matter for which the lawyer is engaged. The Court is seeking to improve access to justice in Missouri Courts. Any doubt about the scope of representation should be resolved in a manner that promotes the interests of justice and those of the client and opposing party. Use of a written agreement for limited representation is required. The lawyer shall explain to the client the risks and benefits of limited representation during consultation on limiting the scope of representation. 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 as required in Rule 4-1.1.*

Approved by the Pro Se Commission - September 21, 2007