



**COMMITTEE ON ACCESS TO FAMILY COURTS  
AGENDA**

**Office of State Courts Administrator  
2112 Industrial Drive, Jefferson City, Missouri 65110**

**June 8, 2012**

**9:00 a.m. – 12:00 p.m.**

**Conference call # 573-526-6012/866-630-9353**

**I. Call to Order/Approval of Minutes (Levine)**

**A. Minutes from March 2, 2012, Meeting**

*Attachment Page*..... 3

Action: Committee approval of minutes

**II. Status Updates**

**A. Alliances with State / Local Bar Associations / Pro Bono Initiatives  
(Stewart/DeFeo)**

1. LSR-CLE Update (Stewart)

2. LSR Sub-subcommittee Update

a. April Sub-subcommittee minutes (Beach)

*Attachment Page* .....9

b. Legal Ethics Counsel Informal Opinion

*Attachment Page* ..... 11

c. Entry

*Attachment Page* .....13

d. Limited Scope Withdrawal

*Attachment Page* .....14

e. Termination

*Attachment Page* .....15

f. Preliminary Ideas

*Attachment Page* .....17

**B. Self-Help Centers / Needs of Rural Clients (Schneider)**

1. Recommendations for other Self-Help Centers update

2. Needs for Rural Areas Sub-subcommittee update

**C. Internet/Website (Bird)**

1. Jan-March 2012 Survey Comments (Norris)

*Attachment Page* .....19

**D. Forms (Smith)**

1. Dissolution Dismissal Form Update

2. Separate Dissolution Answer & Financial Information Form Update

3. Change of Name for Minors Form Update

4. Form 14 Revision Update

**E. Litigant Education Program/Brochure (Bird/Brown)**

1. Paternity LAP Post test Update (Brown)
2. Proof of Completion of LAP before access to forms

**F. Communications/Networking (Halliburton)**

*Verbal Update*

**G. Court Staff /Clerk Education (Bird)**

*Verbal Update*

**H. Judicial Education (Williamson/Powell)**

*Verbal Update*

**I. Access to Justice (Brown)**

1. Summary and Recommendation  
*Attachment Page* .....20

**IV. Staff Report**

**A. Adobe forms software update (Cramer)**

*Verbal Update – Grant Awarded April 2012*

**B. Revised Subcommittee Roster (Levine)**

*Attachment Page* .....23

**V. Adjourn Meeting**

**PLEASE MARK YOUR CALENDARS FOR THE NEXT CAFC MEETINGS:**

September 14, 2012

December 7, 2012 (by conference call)



## COMMITTEE ON ACCESS TO FAMILY COURTS

### Minutes

March 2, 2012

Members Present: Judge Dennis Smith, Judge Leslie Schneider, Judge J.D. Williamson, Judge Theresa Burke, Judge Larry Luna, Judge Joel Miller, Judge William “Bill” Francis, Judge Brent Powell, Lori Levine, Kathleen Bird, Karen Brown, Lou DeFeo, Sandy Dowd, Richard Halliburton, Denise Gabel, Kelly Martinez, Patricia Scaglia

OSCA Staff: Greg Linhares, Cathy Zacharias, Terri Norris, Kelly Cramer

Missouri Bar Staff: Robert Stoeckl

Members Absent: Judge Douglas Beach, Judge Kelly Broniec, Richard Holtmeyer, Deanna Scott, Allan Stewart

#### **I. Call to Order/Approval of Minutes (Levine)**

Lori Levine called the meeting to order at 10:02.

**Kathleen Bird moved to approve the minutes from the December 2, 2011 meeting. Kelly Martinez seconded the motion, the minutes were approved.**

#### **II. New Business**

##### **A. Expansion to Access to Justice Committee (Greg Linhares)**

Greg Linhares attended the meeting to provide input for the Access to Justice Sub-Committee. This committee is being created to stream-line services to litigants, clerks and judges to make access less burdensome for all. The current Committee on Access to Family Courts started from the 9 recommendations of the original joint pro se commission and 2003 “white” report. This committee is the closest to an Access to Justice Committee that Missouri has. To convert to Access to Justice members with different areas of expertise may be required. Chief Justice Teitelman and Judges Russell and Draper would like a recommendation from our committee to the Supreme Court regarding creating an Access to Justice Committee.

Greg stated there are other areas where pro se litigation has occurred but doesn’t want to jump into these areas without having guidance from court staff, judges and attorneys. Greg recommended that this committee be clear on the charge of any expansion for this committee and keep it limited to assistance to pro se litigants. To clarify, this Access to Justice Committee would not address issues about Limited English Proficiency or funding for legal aid but focus on those areas where pro se litigants are involved. Greg would like to know where this committee stands in regards to taking up this role. Greg also discussed other projects from OSCA that this

committee might have an interested in – such as Adobe Live Cycle, OSCA Intranet development for the judiciary (judges, clerks) and various other projects.

Lori asked the committee what they thought about an expansion. She stated she thought it is a good idea to limit our obligations to family law. Maybe more surveys would be good to determine what other areas are receiving pro se filings, outside of domestic relations, such as landlord-tenant and bankruptcy. Lori stated landlord - tenant is the next largest area of pro se litigant filing. The committee discussed if forms for defendants would be beneficial only because most of the plaintiffs can afford to hire a lawyer while that is not the case for the defendant.

Kathleen stated she has set up a vibrant mediation program for their landlord – tenant docket. The other issue is in collection of judgments. Patricia Scaglia reported many law firms in Jackson County file in an improper venue because they know the defendants don't have transportation to get to a court that is beyond their transportation means. Judge Burke stated the law school does the mediation in the St. Louis area for landlord – tenant filings but the biggest need in her area is for an informational component and not a form component. The same need applied for the debtor-creditor area.

It was stated the Attorney General's office has a brochure for landlord – tenant information. Judge Larry Luna asked if the Missouri Bar had some good informational brochures. Robert stated the Missouri Bar's materials will not have the same focus as this group, such as proceeding pro se.

Judge Williamson stated we need to know where we want to go in terms of expansion before we bring in additional committee members and experts. Lori said maybe our recommendation should be to start as the pro se commission did and begin with a bench/bar commission for Access to Justice. Judge Powell stated he thought that we should expand, but need to recruit additional experts to address those expanded needs or areas. He would like to see an additional survey and more research of those that deal with these issues before making a final decision.

Robert Stoeckl stated he thought it always comes down to procedural assistance and not just informational assistance. Kathleen agreed that the procedural component, in her experience, is the biggest hurdle to pro se litigants. Judge Schneider also reported it is a procedural problem and Boone County has teamed up with Mid-Missouri Legal Services to have an attorney available for assistance.

Lou suggested that we can look at this issue by topic (such as domestic relations, landlord - tenant, collections) as well as by method (such as forms, litigant awareness). He stated we should merge our experience with efficient methods to achieve success to the new topical subject matter and respective experts. Judge William Francis stated this is an access to family courts committee and until we have accomplished our original charge maybe we should not expand that charge.

There is no consensus at this time so it might be beneficial to create a new subcommittee to address this issue and provide the full committee with a recommendation. Karen Brown, Lou DeFeo, Richard Halliburton, J.D. Williamson and Judge Powell were appointed to the Access to

Justice Subcommittee. Karen will chair that subcommittee. They were asked to provide us with a recommendation or report at the next CAFC meeting.

## **B. New members and assignment to subcommittees**

The new members introduced themselves and gave short biographies of themselves and their experience and what is their involvement with Access to Justice. Existing members introduced themselves as well to the new members.

The committee reviewed the subcommittee assignments with Lori. She asked the committee to email her and provide her with their preferences. Lori reviewed each subcommittee and discussed her plans, goals, and maintenance for them.

## **III. Status Updates**

### **A. Alliances with State / Local Bar Associations / Pro Bono Initiatives (DeFeo)**

Lou summarized the existing problem with legal need for households that cannot afford assistance. This subcommittee has tried to develop tools to bridge the gap between clients and available attorneys that can help. Now we need to strengthen the alliances component. A new program has been established by retired Judge Ralph Haslag for law school students to assist pro se clients with their cases. Currently, five (5) law students are assisting at the Samaritan Center. A new issue being addressed by the Missouri Bar's Legal Services Committee is the Zombie Debt (those debts that have already run past the statute of limitations).

#### **1. LSR-CLE Update (Stewart)**

No report was given.

#### **2. LSR Sub-subcommittee Update (Beach/Levine)**

Kathleen and Lori spoke for Judge Douglas Beach and reported that we need to encourage standard forms for Limited Entry of Appearance, Termination of Limited Appearance, and Entry of Appearance (3 items). The committee plans like to hold a telephone conference on April 17<sup>th</sup>.

### **B. Self-Help Centers / Needs of Rural Clients (Schneider)**

#### **1. Recommendations for other Self-Help Centers update**

Judge Leslie Schneider stated not a lot has happened but she would like to work closely with Lou's committee.

#### **2. Needs for Rural Areas Sub-subcommittee update**

Judge Schneider stated she was excited about the new committee members. She reported that the letter to Judge George Draper, based on the recent survey results, is ready to be sent.

**C. Internet/Web Site (Bird)**

Kathleen reported that the court costs change from last meeting has been updated to the website. There was a suggestion that we change the title to the In Forma Pauperis form link to include “If you cannot afford court costs...” as a typical pro se litigant would not recognize the connection between the terminology “In Forma Pauperis” and the inability to pay the court costs and filing fees.

**1. CY 2011 Survey – Statistics and Comments (Norris)**

Kathleen reviewed some of their on-going issues and recent changes that have been made. She stated the same kinds of comments have been recurring. There have been several requests for a separate dissolution response as well as a “no-kids” dissolution packet.

**D. Forms (Smith)**

Judge Dennis Smith discussed the forms that were recently approved by the Supreme Court. Cathy indicated that the Form 14 will be changing this year according to statute. Thus, the pro se forms will need to be revised once a new form and child support numbers are approved by the Supreme Court.

**1. Dissolution Dismissal Form Update**

Judge Smith confirmed that this form is pending, it should be fairly simple. Also, pending are forms for a change of name for a minor and a dissolution Answer packet. A forms idea from Denise Gabel is for a child support abatement form as there are several situations where this may be helpful. Judge Burke noted that there is a Missouri Supreme Court case written by Judge Patricia Breckenridge that delineates and restricts child support abatement by a court to only two instances or circumstances that are controlled by statute. (See Peine, 200 S.W.3d 567).

**2. Display of full SSN on Dissolution form on Case.net Update**

This issue has been resolved. The litigant on this case was using an out-of-date dissolution form created prior to 2009.

**E. Litigant Education Program/Brochure (Bird/Brown)**

Lou asked if when navigating the website there is a way to return back to the survey after each litigant finishes with their forms packet. Terri indicated not at this time.

The first recommended change is that the litigant must complete LAP (Litigant Awareness Program) before they gain access to the forms, such as on the icon page, and file a certificate of completion. This LAP requirement should also be included on the Forms packet page and added to Forms pop-up block. Another suggestion is to require the litigant to enter their certificate number to gain access to the forms.

The committee discussed various other suggestions for LAP changes, such as return visitor problems and reading the LAP before completing the forms. An option is to provide the litigant

with information and then follow-up with questions about that information, and repeat with every section or paragraph, etc. This would be similar to the self-assessment questions. It was noted that the issue of service has continued to be a problem area. A second issue has been the unwillingness of parties to indicate if they receive Temporary Assistance for Needy Families (TANF) benefits, which if answered untruthfully will result in the dissolution being set aside. The idea is that this test would be incorporated into the LAP.

***1. Paternity LAP Post test Update (Brown)***

The committee reviewed the post test that was distributed and suggested some changes. The reading level of the post test was also discussed. The extent of a “finding of paternity” and what constitutes a “finding of paternity” was also discussed. Approval will be determined by an electronic vote. All the revisions should be sent to Karen Brown. Karen will forward the finalized test to Kelly Cramer. An electronic vote will be sent out after the final test is compiled.

***2. Paternity brochure printing Update (Cramer)***

The committee was updated as to the amount of brochures shipped to all the circuits. Further requests for additional brochures will be handled on a case by case request.

**F. Communications/Networking (Scaglia)**

Patricia stated LSR will be presented at the Kansas City Metropolitan Bar Association (KCMBA) conference. There will be some opportunities to disseminate LSR materials. There will be a regional circuit training as well as guardian ad litem training at the conference.

**Lou DeFeo moved that he & Patricia speak at these meetings and draft a tool that local programs can use to disseminate training information. No vote taken but all agreed that Patricia can start forward with this process and involve the new young lawyers section of the bar.**

**G. Court Staff /Clerk Education (Bird)**

The ongoing focus for court clerk training will be online training in JEWELS, the courts online training portal.

**H. Judicial Education (Williamson/Powell)**

The Judicial Education Committee has been presenting LSR at New Judge Training each year and progress is being made.

#### **IV. Staff Report**

##### **Adobe forms software update (Zacharias)**

Greg indicated that a grant has been requested to assist with the purchase of Adobe Live Cycle so the CAFC forms can be converted where litigants can personally save their forms. The purchase would also include training services on how to create the forms.

#### **V. Adjourn Meeting**

Kelly Martinez, along with Missouri Office of Prosecutorial Services and the Missouri Bar Association, updated and revised the Domestic Violence and the Law – Survivors Guide. So please distribute where appropriate.

The committee discussed changing the September meeting from September 5<sup>th</sup> to September 14<sup>th</sup>. A decision will follow after members provide their dates of availability.

#### **PLEASE MARK YOUR CALENDARS FOR THE NEXT CAFC MEETINGS:**

**June 8, 2012 (by conference call)**  
**September 14, 2012**  
**December 2, 2012 (by conference call)**

**CAFC**  
**SUBCOMMITTEE – LIMITED SCOPE**  
**REPRESENTATION**  
**COMMITTEE MINUTES OF APRIL 17, 2012**

The meeting was held by conference call. Present and participating were Doug Beach, Brent Powell, Lou DeFeo, Bill Francis, Allan Stewart, Kathleen Bird and Karen Brown.

Doug Beach started with an update of what he had been working on. It was discussed that he had been looking at the more narrow issue of the current LSR Rules and how they are applicable to use in litigation. He had been reviewing the materials from various states and had come to the conclusion that not many of the states which have more active and larger programs like California, Massachusetts and Florida have any specific specialized or consistent rules for use of LSR in litigation areas. It appears that any such issues are controlled by the judge. Specific issues that he looked at as an example appeared rather narrow. Examples were:

- Limited entry for pretrial conferences one at a time without continuity.
- Limited entry to appear for the purpose of objecting to another attorney's withdrawal.
- Not entered specifically for trial but objecting to setting of trial on certain dates.
- Limited entry for purpose of objecting to timeliness of notice to quash and when overruled withdrawal and reentry for the limited purpose of arguing the substance of the objection.
- Disclosure of the Limited Entry to other counsel in preparation for court hearings.

After discussion it was decided that we needed to refocus on the purpose of the committee. Allan suggested that the scope of the committee work was to (1) Educate the lawyers in dealing with LSR and (2) review the current set of rules and revisit the question of whether they fit and are working. Doug had been focused on the litigation and we determined that we did not want to get sidetracked on issues that were narrowly applicable only to a few. From Doug's conversation and findings the main focus of the litigation at this time appeared to be a standardized approved form for Entry's of Appearance and Withdrawals (See attached). Several examples were available to the subcommittee from other states. They all more or less had the same format and Doug had prepared and presented possible examples to the subcommittee.

There was discussion about what some had thought was a broader proposed set of rules that had been originally developed by the Initial Committee and presented to the Supreme Court. Doug had contacted Alan Stewart, Lori and Alan Gallas in Kansas City. Although everyone seemed to think the Supreme Court had cut out some of the original material no one was able to find anything that would indicate what that might have been.

Accordingly we will look at the issues of standardizing the Entry and Withdrawal into a format. It was noted that we do now have an informal opinion from the Supreme Court (Legal Ethics Counsel) that a judge may ask to see the contract with the lawyer and the client for the purposes of understanding the scope of their agreement. Doug indicated that he now is careful to define at any pretrial meetings what he sees as the scope and puts that into orders so everyone understands who is doing or not doing what.

**EDUCATION & PROMOTION:** Discussion was then broadened to ways the subcommittee felt we could move in an effort to educate and promote LSR to lawyers throughout the state.

Kathleen discussed the presentation she will be making at the Family Law Conference. She has a program that includes best practices, concerns about how the clerks handle the issues and the clerks' concerns that lawyers do not necessarily know how to prepare the proper paperwork. We discussed concerns about how the rules could or would inhibit limited representation if not clear. We talked about wanting to only fix issues which might have more of a problem in multiple areas.

Lou felt the problem is still with education. The Bar's recent economic survey had an LSR question and 65% felt that they did not know enough about LSR to answer the questionnaire. Lack of knowledge also can lead to problems. He has done a CLE for lawyers on the issue and Legal Care is mostly LSR or about 60%. The practical suggestion is for more education. It was noted that Kathleen has her program and Brent has a Power Point presentation as well. (Following the meeting Brent sent a copy of his power point to everyone on the committee.)

Lou suggested contacting Dee Sheppard at the Bar to see that at every appropriate CLE we try to use a component as part of the program. Brent's power point could be adapted for the various programs. Getting the word out in smaller bits, more practical application to various specific topics.

We discussed putting more practice materials and resources on the public side of our web sites. Communicate or email the local Bar association Presidents to put this into their programs. LSR is a way to get "ethic" credits for CLEs. Alan mentioned this is a liability issue and concern for some lawyers and this sometimes prohibits or dampens their desire to use LSR for lack of understanding.

Everyone felt we should make an effort to be present and participate at next years "Small Firm and Solo Conference." Perhaps the conference is a way to get LSR out to the more rural areas.

Karen discussed the formalities of a written plan to outline goals and how to attack getting the information out on a state and local basis and time lines to keep efforts moving forward. In Jackson County they had started an effort for self representation and it was squelched by the Court.

Discussion of what is now available included the Mo. Bar Best Practices – LSR, the Desk Book for Pro Bono and the tool kit that Lou developed which has explanations of the Rule and the ethical issues.

**ACTION:** It was decided that everyone would pull out their information and try to get information to Karen who would put everyone's together and disseminate the information to come up with more specific directions.

**LEGAL ETHICS COUNSEL**

217 E McCARTY STREET  
JEFFERSON CITY, MO 65101-3112  
(573) 638-2263 FAX (573) 635-8806

ADVISORY COMMITTEE OF THE SUPREME COURT OF MISSOURI

March 30, 2011

BY FACSIMILE ONLY TO 314-863-5312

Allan Stewart  
222 South Central Ave., Ste. 501  
St. Louis, MO 63105

Dear Mr. Stewart:

This is in response to your request for a written informal advisory opinion dated March 10, 2011.

This is a non-binding, informal advisory opinion pursuant to Missouri Supreme Court Rule 5.30(c). This opinion is based only upon a review of Supreme Court Rule 4, the Rules of Professional Conduct, and relevant advisory opinions of which I am aware. It does not affect the authority of a judge or quasi-judicial officer to rule on any matter. It is based solely upon the facts you have presented in your letter. Additional or different facts, other than those presented in your letter, could result in a different conclusion.

Copies of correspondence related to this opinion request will be maintained for a minimum of five years after the date of this letter. After that, they may be destroyed.

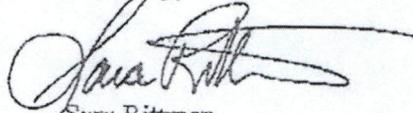
An attorney who is providing limited scope representation must disclose the limits of the attorney's appearance in court pursuant to Rule 55.03(b). Additionally, it is permissible for an attorney to disclose information about the scope of representation relevant to interaction with the court. Such disclosure is authorized by Rule 4-1.6(a) as disclosure impliedly authorized to carry out the representation.

To the extent that the court asks an attorney to disclose information about the scope of representation that the attorney believes is not relevant to interaction with the court, the attorney should determine whether the client consents to the disclosure. If the client consents, the attorney may disclose. Pursuant to Rule 4-1.6(b)(4), the attorney may also disclose if ordered to do so by the court. If the court orders disclosure, the attorney should either comply or seek review of the court's order by a higher court.

Allan Stewart  
March 30, 2011  
Page 2 of 2

I hope this information is of assistance to you.

Sincerely,

A handwritten signature in black ink, appearing to read "Sara Rittman", with a long horizontal flourish extending to the right.

Sara Rittman  
Legal Ethics Counsel

SR:rh

**IN THE CIRCUIT COURT OF \_\_\_\_\_  
STATE OF MISSOURI**

_____	)	
	)	
<b>Petitioner,</b>	)	
	)	<b>Cause No.</b>
<b>vs.</b>	)	
	)	<b>Division _____</b>
_____	)	
	)	
<b>Respondent,</b>	)	

**NOTICE OF ENTRY OF LIMITED APPEARANCE**

The Attorney \_\_\_\_\_, and the Petitioner/Respondent \_\_\_\_\_ have entered into a written Limited Scope Representation (LSR) agreement whereby Attorney will represent the party noted above in the following:

- At the hearing on \_\_\_\_\_  and for any continuance of that hearing
- Until submission of the order after the hearing
- Until resolution of the issues checked below by trial or settlement
- Other (specify duration of representation):

This attorney will serve as “attorney of record” for the party only for the following issues in this case<sup>1</sup>:

- a.  Pretrial conference/settlement conference/status conference: \_\_\_\_\_
- b.  Child support: (1)  Establish (2)  Enforce (3)  Modify (describe in detail): \_\_\_\_\_
- c.  Spousal support: (1)  Establish (2)  Enforce (3)  Modify (describe in detail): \_\_\_\_\_
- d.  Child custody and visitation: (1)  Establish (2)  Enforce (3)  Modify (describe in detail): \_\_\_\_\_
- e.  Division of property (describe in detail): \_\_\_\_\_
- f.  TRO: (1)  Establish (2)  Enforce (3)  Modify (describe in detail): \_\_\_\_\_
- g.  Adult Order of Protection: (1)  Establish (2)  Enforce (describe in detail): \_\_\_\_\_
- h.  Child Order of Protection: (1)  Establish (2)  Enforce (describe in detail): \_\_\_\_\_
- i.  Contempt: (describe in detail): \_\_\_\_\_
- j.  Other: (describe in detail): \_\_\_\_\_

The attorney named above is “attorney of record” and available for service of documents only for those issues specifically checked on page 1 and 2. For all other matters, the party must

<sup>1</sup> If the appearance does not extend to all matters to be considered at the event, identify the discrete issues within the event covered by the appearance.

be served directly, except in cases when the address has been marked CONFIDENTIAL. The party's last known name, address, and phone number are listed below for that purpose.  
Name:

Address (for the purpose of service):

Phone:

Fax:

This notice accurately sets forth all current matters on which the attorney has agreed to serve as "attorney of record" for the party in this case. The information provided herein is not intended to set forth all of the terms and conditions of the agreement between the party and the attorney for limited scope representation.

Dated:

\_\_\_\_\_  
(Type or print name)

\_\_\_\_\_  
(Signature of party)

-----  
I certify that I have this day served notice of limited appearance on all counsel and all parties not represented by counsel.

Dated:

\_\_\_\_\_  
(Type or print name of attorney)

\_\_\_\_\_  
(Signature of attorney)

\_\_\_\_\_  
(Attorney's Address)

\_\_\_\_\_  
(Attorney's phone number)

\_\_\_\_\_  
(Bar Number)

**IN THE FAMILY COURT OF \_\_\_\_\_**  
**STATE OF MISSOURI**

_____	)	
	)	
<b>Petitioner,</b>	)	
	)	<b>Cause No.</b>
<b>vs.</b>	)	
	)	<b>Division</b>
	)	
_____	)	
	)	
<b>Respondent,</b>	)	

**NOTICE OF LIMITED SCOPE REPRESENTATION**  
**WITHDRAWAL**

Please enter my Withdrawal of Limited Appearance as attorney for \_\_\_\_\_, the (Petitioner) (Respondent) in the above action. I certify that I have this day served notice of this Withdrawal on all counsel and all parties not represented by counsel.

Dated:

\_\_\_\_\_  
(Type or print name)

\_\_\_\_\_  
(Signature of attorney)

\_\_\_\_\_  
(Attorney's Address)

\_\_\_\_\_  
(Attorney's phone number)

\_\_\_\_\_  
(Bar Number)

Notice served on:

\_\_\_\_\_  
(Type or print name of party)

\_\_\_\_\_  
(Type or print name of attorney)

\_\_\_\_\_  
(Address of party for purpose of service)

\_\_\_\_\_  
(Attorney's address)

\_\_\_\_\_  
(Date)

**IN THE COURT OF \_\_\_\_\_  
STATE OF MISSOURI**

	)	
	)	
<b>Petitioner,</b>	)	
	)	<b>Cause No.</b>
<b>vs.</b>	)	
	)	<b>Division</b>
	)	
	)	
<b>Respondent,</b>	)	

**NOTICE OF TERMINATION OF LIMITED SCOPE REPRESENTATION  
AND WITHDRAWAL**

Please enter my Termination of Limited Representation Appearance and Withdrawal as attorney for \_\_\_\_\_, the (Petitioner) (Respondent) in the above action in accordance with Rule 55.03(b)(3). In accordance with the terms of the agreement between (Petitioner) (Respondent) and myself, I withdraw as attorney of record. I have concluded all services within the scope of my representation.

I certify that I have this day served notice of this Termination on all counsel and all parties not represented by counsel.

Dated:

(Type or print name of attorney)	(Signature of attorney)
(Attorney's Address & phone number)	(Signature of represented party)
(Bar Number)	

Notice served on: Do not give CONFIDENTIAL address of any party.

(Type or print name of represented party)	(Type or print name of attorney or other unrepresented party)
(Address of party for purpose of service)	(Attorney's or unrepresented parties address)
(Date)	

## **Preliminary Ideas on CAFC – LSR project.**

### **Ideas to consider**

- Encourage MCLE presenter of appropriate topics to regularly include a component on how LSR applies to the topic. Note: LSR is ethic credit for both presenter and participants. Meet with Dee Shepherd, Mo Bar Director of CLE programs, to develop a systematic way of communicating this to all CLE presenters before they have developed their program. Develop materials e.g. Brent's PPT to facilitate the presenters.
- Send a periodic e-mail newsletter to local bar presidents providing information on LSR to share with their members at meetings and through local email lists. Facilitate local bar CLE programs.
- Contact law school deans regarding include LSR in law school curriculum as appropriate.
- LSR resources such as Brent's PPT should be available from the CAFC public archives.
- Send request to all Mo Bar committee chairs encouraging them to include LSR in CLE presentations to their committee members. Also email information on LSR to all committee chairs which can be forwarded through the committee list serves to members.
- Get on Solo & Small Firms, Family Law Section and MO Bar annual conference agenda for next year.
- Prepare a free CLE webinar-video available from the MO Bar website on LSR.
- Review Talia and Massachusetts training programs and adapt to Missouri.
- Add description of Clay Co. LSR panel program to Judges' Tool Kit.
- Develop sample forms for notice to court and opposing counsel on the scope of LSR representation. Also termination of LSR suggested form.
- Develop best practices on pretrial and contested cases.
- Develop sample pretrial order for contested LSR cases.

### **Resource Materials**

I have audio copy of Massachusetts' LSR training program.

Sue Talia "Train the Trainer" video (California law) is linked at –  
<http://www.courts.mo.gov/page.jsp?id=42861>

Deskbook for Pro Bono Attorneys has chapter on LSR.  
<http://www.courts.mo.gov/hosted/probono/LimitedRepresentation.htm>

Judges' ToolKit on Pro Bono Legal Assistance has section on LSR  
<http://www.courts.mo.gov/page.jsp?id=42938>

Also see section on Special Needs of Rural areas. <http://www.courts.mo.gov/page.jsp?id=42861>

ABA *Pro Se*/Unbundling Resource Center --  
<http://apps.americanbar.org/legalservices/delivery/delunbund.html>.

New York Best Practices for the Administration of Court-Sponsored Volunteer Lawyer For The Day Programs (Limited Scope Representation Programs )

[http://www.nycourts.gov/ip/nya2j/pdfs/NYSA2J\\_BestPracticesVLFD.pdf](http://www.nycourts.gov/ip/nya2j/pdfs/NYSA2J_BestPracticesVLFD.pdf)

Forrest S. Mosten, Unbundling Legal Services (2000) Ethics

<http://www.zorza.net/resources/Ethics/most-ethics.html>

PLI Webinars

[http://www.pli.edu/Content/Seminar/Expanding\\_Your\\_Practice\\_Using\\_Limited\\_Scope/N-4kZ1z12uzg?fromsearch=false&ID=153432](http://www.pli.edu/Content/Seminar/Expanding_Your_Practice_Using_Limited_Scope/N-4kZ1z12uzg?fromsearch=false&ID=153432)

Nikki [Kincannon](#), a Wash U law student research paper.

### Miscellaneous

**Email DATE: 05/16/11**

---

Thought you would be interested. Mo Bar is asking all attorneys to report pro bono hours. To date 63 attorneys have reported for 2010 work. One question on the report is whether the attorney uses LSR in pro bono cases. Out of 63 reports only 8 attorneys used LSR. Clearly we have a need to get the word out on LSR.

#### **Lawyers Who Reported Utilizing Limited Scope Representation**

Yes: 8

No: 25

N/A: 30

=====

60% of the participants in the 2011 Mo Bar economic survey did not answer the question regarding LSR. They did not know enough about LSR to choose an answer.

## Comments from Website Survey January – March, 2012

1. Petition Form does not work. It does not accept either husband or wife as petitioner. It will not accept yes as an answer thus it cannot accept either husband or wife as petitioner or respondent.
2. I am so lost in this process and I need a little more direction in this matter. Thanks, Tasha
3. information boxes print on the petition and site does not indicate if it should do so or not. Also too many pages regarding children. If there are no children you should not have to print and include these.
4. I have been separated from my husband since 1980 and just recently was able to get his address and would like to marry a man I have been with for 16 years. My husband and I have only one child together and she is 33 years old now.
5. I was frustrated with the interactiveness of the site. Some boxes did not work correctly like the social security ones. The divorce forms part of the site takes a very long time to load and I do not have any trouble getting other sites to load.
6. It would be helpful to have different laws pertaining to different counties listed out, if they are not already. I have not looked closely for such as of yet.
7. It would be a lot easier to use if at the beginning there was a section that asked what i needed. Then i click and then all applicable forms came up. Say for instance me. I looked at the motion to modify. And i did not need to change the support nor did i need to go through the whole process of the 47 pages. I only needed about 15 out of them. It was difficult to navigate through things that were not needed. Also the many different sections i had to click on was a pain. Like the Confidential case filing sheet. I almost missed that one.
8. Divorce is a 68 page document that I have to fill out in full all at once when I have to search for some information, I cannot save and return(reader). It only works for Adobe(\$799.00!If I want to save!), none of the clones will even open it. You need to reassess the way you distribute this form.... self represent usually means cannot afford EXPENSIVE stuff like lawyers and outrageous software.
9. I can see the documents but have a Id =0xfd0 (4048) Thread ID=0x18b8 (6326) my laptop refuses to download the documents. There is no number given in cases like this. I wish I could use your program but it is a vicious loop. It would be nice to receive a call at 816-838-1643 to pass this situation. I have printed off my Litigant Awareness Program but not able to print off the legal papers for dissolution of marriage please help.
10. feel that these documents should be and could be printed at the court house for them to hand out to a person if they have no internet connection or printers, or even if a person can not use a computer. Some people may not be able to get to a library when it is open, due to working. And it is a shame that the courts want a person to miss work just to fill out these papers. Especially when they could be printed out and given to a person when they are at the court house inquiring about the procedures.
11. Some of the forms would not open, so I am not sure how to proceed.
12. It would be helpful if the updated forms were available. (3-7-12)
13. I would like legal separation information and paperwork.
14. We have a couple of special circumstances that are not addressed in the paperwork or video.
15. I felt that a better form for real estate property would have been helpfull, but otherwise i thought it was a very nice website and very helpfull forms. thank you.
16. I do not like that the adobe form cannot be saved, it takes a LONG time to fill out and cannot be done in one sitting, I have put off filling it out for months because of this.
17. I will be getting a lawyer
18. I like this process better than the old way, because you can basically type everything in, which is much quicker for me.
19. The forms would not load up.

Access to Justice Sub Committee  
Meeting Notes  
March 28, 2012

Members Present:

Brent Powell  
JD Williamson  
Lou Defeo,  
Robert Stoeckl  
Dick Halliburton  
Karen J Brown

Members met by conference call to discuss whether the Committee on Access to Justice should consider expansion of its mission to include broader access to justice matters. The group collectively agreed that access to justice for all in the state of Missouri is an admirable and necessary pursuit.

Some of the points made during the discussion include the following:

Advantages to expanding scope:

- The means and methods developed by CAFC to address pro se litigation in the family law arena would be transferable to this broader expansion effort;
- Time saving in the development of resource materials due to CAFC experience in implementing family law recommendations; new committee wouldn't have to recreate what we've already done;
- Understanding of how to navigate the political landscape and applying lessons learned would serve this effort.

Disadvantages/Concerns:

- Current CAFC initiatives will be diluted by expanding its scope;
- The issues/challenges presented with this new population are vastly different; the poor need representation not forms;
- Practice expertise of current CAFC members is family law focused;
- Court will likely oppose any "practice assist" efforts where one party is given tools and assistance to the exclusion of another;
- Various bar committees are already involved in efforts to address access issues so there may be considerable overlap;

The discussion on whether to expand the scope of CAFC prompted more questions than answers including the following:

- What is the extent of current access to justice challenges in Missouri?
- What are the current civil law access challenges – what specific areas of the law need to be addressed?
- What measures have other states adopted in response to these issues?
- What are groups or individuals currently doing to address these challenges?
- Should practice experts with varied perspectives be commissioned to examine the identified challenges along with CAFC guidance and input?
- What tools and resources are needed to address these challenges?

The ACJ committee agreed that a careful analysis of access issues in Missouri is necessary in order to clearly define needs and to establish a clear foundation for understanding the issues. The group agreed that following the approach established by the initial Joint Commission would lend to a more effective and collaborative statewide response.

The committee also discussed the value of forming a new committee of practice experts commissioned to examine this newly expanded area using the CAFC as consultants but did not reach a consensus on this topic.

While there was discussion and some consideration of an incremental move toward expansion, the majority felt this would be premature so the consensus was to recommend maintaining the current scope of CAFC.

Access to Justice Sub Committee  
Recommendation

**Whether to expand the scope of the Committee on Access to Family Courts to address general access to justice matters.**

The committee appreciates the information that has been provided us to better understand current access to justice statewide initiatives across the country.

The suggestion to expand our charge to include access to general justice matters will, if actually assigned now, substantially divert the work of the committee before it has completed its originally assigned scope of work and implemented all nine (9) of its recommendations. We conclude that the impact of a broadened scope, if given now, will adversely affect the quality and quantity of both assignments.

While we concur with the importance of such an initiative, the uncertainty of the general nature and extent of access challenges across the state, versus what was known about challenges in family law, convinces us to recommend more specific data and clarity be made available. At this juncture we are concerned that it is a mile-wide assignment but our collective lack of expertise and baseline knowledge will result in only an inch depth of real work.

After considerable examination, thought and discussion, the subcommittee consensus is to postpone such work expansion until the committee has completed its originally assigned scope of work and additional statewide assessment has been achieved.

The accomplishments of the Committee on Access to Family Courts represent a 10 year effort in which the nature and extent of pro se challenges was clearly understood and where tools and resources were developed to address very specific, narrowly focused family law issues i.e. forms, online information. Expanding this effort beyond family law will require an equally focused effort to assess and clarify needs, identify stakeholders (practice experts), select or develop new solutions, strategies and methodologies with which the current committee is unfamiliar.

**COMMITTEE ON ACCESS TO FAMILY COURTS -- SUBCOMMITTEES  
MAY 2012**

**Recommendation #1 & #5 -- Litigant Education Programs/Brochures**

Kathleen Bird - Co-Chair  
Karen Brown - Co-Chair  
Kelly Broniec  
Denise Gabel  
Kelly Martinez  
Joel Miller  
Deanna Scott

**Recommendation #2 -- Court Staff Education**

Kathleen Bird - Co-Chair  
Karen Brown -- Co-Chair  
Sandy Dowd  
Kelly Martinez

**Recommendation #3 -- Judicial Education**

J.D. Williamson - Co-Chair  
Brent Powell - Co-Chair  
Doug Beach  
Theresa Burke  
Bill Francis, Jr.

**Recommendation #4 -- Internet/Website**

Kathleen Bird - Chair  
Lou DeFeo  
Sandy Dowd  
Kelly Martinez  
Dennis Smith

**Recommendation #6 & #7 -- Alliances with State and Local Bar Associations / Pro Bono Initiatives**

Lou DeFeo -- Chair  
Doug Beach  
Theresa Burke  
Dick Halliburton  
Larry Luna  
Brent Powell  
Tricia Scaglia  
Allan Stewart

**Limited Scope Representation (Rules & Promotion)**

Doug Beach – Chair  
Kathleen Bird  
Karen Brown  
Lou DeFeo  
Bill Francis  
Brent Powell  
Allan Stewart

**Recommendation #8 – Forms**

Dennis Smith – Chair  
Theresa Burke  
Richard Holtmeyer  
Joel Miller  
Leslie Schneider  
Deanna Scott

**Communications/Networking**

Dick Halliburton – Chair  
Lori Levine  
Tricia Scaglia  
Allan Stewart  
Bob Stoeckl

**Self-Help Centers & Needs of Rural Clients**

Leslie Schneider – Chair  
Kelly Broniec  
Lou DeFeo  
Denise Gabel  
Richard Halliburton  
Richard Holtmeyer  
Larry Luna  
Susan Lutton (ex-officio)  
Joel Miller  
Tricia Scaglia  
Deanna Scott  
J.D. Williamson

**Access to Justice Assessment**

Karen Brown – Chair  
Lou DeFeo  
Richard Halliburton  
Brent Powell  
Robert Stoeckl  
J.D. Williamson