



Frequently Asked Questions:

Do I have to let the court know I am representing the client using LSR? No. But you are encouraged to do so. It is helpful to the judge and your client to know that an attorney is involved. However, the rules allow drafting documents without the attorney signing them. If you do sign, you must give the court notice of limited scope representation or else you have made a general appearance.

Does LSR increase malpractice risk? No. "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."

When does the limited appearance end? Is a court order required? No court order is required. The LSR agreement between the attorney and client is binding on the court. "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."

For more information visit the Pro Bono Attorney's Deskbook, Limited Scope Representation section and Rules 4-1.2, 43.01 & 55.03.

Resources:

Pro Bono Attorney's Deskbook, Limited Representation section:
www.courts.mo.gov/hosted/probono/LimitedRepresentation.htm

A sample limited scope agreement form which is approved and editable is available at:
www.courts.mo.gov/hosted/probono/Forms/



The Deskbook, Tool Kit and other resources were developed for the Supreme Court by its Committee on Access to Family Courts (CAFC).

CAFC welcomes suggestions for the further development. Email questions or suggestions to cafc@courts.mo.gov.

Limited Scope Representation

"a la carte legal service"



Efficient legal service:

- ◇ **Saves time & increases revenue for the attorney;**
- ◇ **Provides affordable legal service for the client;**
- ◇ **Saves court delays due to "do-it-yourself" pro se litigants;**
- ◇ **A win for everybody.**

What is Limited Scope Representation (LSR)?



Limited Scope Representation (LSR) is where a lawyer and the client agree on discrete 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.”

Full deal meal or a la carte?

People involved in a legal dispute or situation want to be successful in their action. Many want to hire a lawyer, but simply cannot afford a lawyer for their whole case, but that



does not mean 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 seeking legal advice.

For the pro bono client

- LSR is a time-saving way to reach the under-served folks in need of help.
- Agreeing that the client does what they are able to do causes the pro bono client to take ownership in their own problem.
- Helps pro bono clients successfully manage their case.



The Judge's Role

Visit The Judges' Toolkit on Pro Bono Legal Assistance, LSR section, for resources to work with your local judges at —
www.courts.mo.gov/page.jsp?id=42938