

An affordable “À La Carte” Option for Legal Representation

Do you need help with a legal problem but can't afford a lawyer to represent you in court or during negotiations? Are you giving up or attempting to present your own case to the court? Don't act too soon.

Limited Scope Representation gives you the flexibility to choose to only hire a lawyer to handle some parts of your case and you will handle others.

This article briefly addresses some common legal issues related to Limited Scope Representation.

1. What is Limited Scope Representation?

Limited Scope Representation (LSR) is also referred to as “unbundled services,” meaning a lawyer and a client agree on discrete legal services rather than the lawyer handling the matter in its entirety. It is very important to discuss with your attorney the nature of the legal services as well as what will be provided and not provided.

2. Why do people use Limited Scope Representation?

Many people of modest means or on limited budget who are facing legal problems are not able to afford hiring a lawyer to represent their full case, and believe they have no other means than to represent themselves in a case. Due to an increase of “do-it-yourself” litigations, courts face work overloads and delays. LSR is an efficient way for clients who cannot afford the cost of hiring an attorney for full representation to obtain legal services for a particular portion of their cases.

3. Is Limited Scope Representation authorized?

Yes. Limited Scope Representation is authorized by the Supreme Court of Missouri. Rule 4-1.2(c) provides, “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.” The requirement of “a writing signed by the client” does not apply to an initial consultation or to pro bono services provided through a nonprofit organization, court-annexed program, bar association or accredited law school. (Rule 4-1.2(c)&(d)). Once a client and his or her attorney agree to the specifics of the limited representation, such specifics must be reduced to writing.

4. Do I have to let the court know when my lawyer and I agree on using Limited Scope Representation?

No, but you are encouraged to do so. It is helpful for the judge to know an attorney is involved. For your attorney, he or she should file a “Limited Entry of Appearance” with the court when entering your case. Otherwise, under Rule 55.03(b), your attorney enters the case in full representation. The “Limited Entry of Appearance” should state the specific nature of the work to be performed and specific action to be taken for the client, and must be served upon the opposing counsel or pro se parties.

5. What can and cannot be done in Limited Scope Representation?

- The opposing attorney may communicate with the LSR client unless the LSR attorney gives written notice to communicate only with the LSR attorney (Rule 4-1.2.(e)).
- Service shall be made on the LSR client unless the LSR attorney serves the opposing counsel and court with notice of limited appearance, then service shall be made on the self-represented person, and until the attorney files a termination of limited appearance (Rule 43.01(b)).
- An attorney who assists an LSR client in the preparation of a pleading or motion, etc., is not required to sign the document. Under Rule 55.03(b)(2) an attorney’s signing any pleading or motion constitutes a general appearance unless a “Notice of Limited Appearance” is filed with the court.

6. Does Limited Scope Representation increase malpractice risk?

No. An agreement for limited representation does not exempt a lawyer from the duty to provide competent representation.

7. When does the Limited Scope Representation end?

Once an attorney completes his or her limited representation duties as set forth in the “Entry of Limited Appearance,” that attorney may withdraw by filing a “Termination of Limited Appearance” with the court (Rule 55.03(b)(3)).

Limited Scope Representation is an efficient and affordable way for clients who face economic challenges to hire a lawyer. It helps make a difference between affording a lawyer’s help and going pro se. The Supreme Court of Missouri saw a need to implement rules concerning Limited Scope Representation. Ideally, it is always best for clients to retain attorneys for full representation. However, when

many moderate income clients cannot afford the full bundle of legal services, Limited Scope Representation is an option for clients to still benefit.

MissouriLawyersHelp.org is a website created by The Missouri Bar that provides a variety of resources and services to the citizens of Missouri. Members of the public can take advantage of our free, online [Lawyer Search](#) feature to find family law LSR attorneys. To learn more about The Missouri Bar, visit www.mobar.org and www.MissouriLawyersHelp.org.

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