

ATTACHMENT B

SUMMARY OF RECOMMENDATIONS

**REPORT ON
LIMITED SCOPE LEGAL ASSISTANCE
WITH INITIAL RECOMMENDATIONS
OCTOBER, 2001**

**REPORT PREPARED BY THE
LIMITED REPRESENTATION COMMITTEE
OF THE
CALIFORNIA COMMISSION ON ACCESS TO JUSTICE**

Ethics Recommendation

1. The Committee believes that no modifications to the Rules of Professional Conduct are necessary at this time to implement the recommendations of this report.

Court-Related Recommendations

2. **Limited Representation Form:** Work with the Judicial Council to develop forms to be filed with the court clarifying the scope of representation when the attorney and client have contracted for limited scope legal assistance.
3. **Notice of Withdrawal:** Work with the Judicial Council to develop a standard form of Notice of Withdrawal to formalize attorney withdrawal and notice at the conclusion of limited scope legal assistance.
4. **Ghostwriting:** Work with the Judicial Council to develop a rule of court that would allow attorneys to assist in the preparation of pleadings without disclosing that they assisted the litigant if they are not appearing as attorney of record.

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Disclosure & Agreement Recommendations

- 5. Consumer Education Brochure:** Work with the State Bar to develop a consumer education brochure describing the options, benefits and potential risks for consumers of limited scope legal assistance.
- 6. Sample Agreements and Forms:** Work with the State Bar to develop standards for limited scope retainer agreements and sample practice forms.
- 7. Education and Outreach:** Work with the State Bar to develop programs to educate attorneys about the limits of limited scope legal assistance and the requirement of competency; to educate consumers on their rights; and to educate all participants on the importance of disclosures and communication.

Insurance Recommendations

- 8. Education to Reduce Exposure:** Work with the State Bar to develop plans to educate insurance carriers about limited scope legal assistance and the ways attorneys can reduce their claims exposure when providing such services, and to develop plans to educate attorneys and judges about criteria, procedures, and forms for providing limited scope legal services.
- 9. Develop Risk Management Tools:** Work with the State Bar to develop risk management tools for attorneys and clients.

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Lawyer Referral & Information Services (LRIS) Recommendations

- 10. Consider Modifications to LRIS Regulations:** Request that the State Bar Office of Certification work with appropriate entities to complete a review of present LRIS regulations to determine if any changes or rule explanations would be necessary to encourage LRIS organizations to offer effective limited scope panels.
- 11. Training:** Request that the Program Development Unit of the Office of Legal Services, Access & Fairness include training about limited scope services as part of its curriculum for future LRIS trainings.