

### **CHECKLIST FOR UNDERTAKING A LIMITED SCOPE REPRESENTATION**

- ✓ Determine whether a limited scope representation is reasonable for the case at hand.
- ✓ Ensure that you have enough time to render advice upon which a client can rely.
- ✓ Discuss the case issues with your client and how the tasks will be divided between you and the client.
- ✓ Obtain a written fee agreement that details the scope of representation in detail including what tasks will and will not be performed, price, and other expectations.
- ✓ Obtain informed consent from your client for the limited scope representation. The best practice is that the informed consent is in writing.
- ✓ If you will be the attorney of record, file a Notice of Limited Scope Appearance and inform opposing counsel about whether you or the client is the appropriate party to communicate with.
- ✓ Work on the case.
- ✓ When the tasks that were outlined in the fee agreement are complete and/or when the case is finished (depending on what was agreed to with the client), send the client a disengagement letter.
- ✓ When the tasks that were outlined in the fee agreement are complete and/or when the case is finished (depending on what was agreed to with the client) and if appropriate, prepare and file a Notice of Withdrawal from Limited Scope Appearance.
- ✓ Abide by rules of confidentiality for former clients.
- ✓ Review the pertinent ethics rules and opinions such as ER 1.1 (Competence), 1.2 (Scope of Representation and Allocation of Authority between Client and Lawyer), 1.5 (Fees), 1.6 (Confidentiality of Information), and 3.3 (Candor Toward the Tribunal) along with three ethics opinions on point which are 06-03, 05-06, and 91-03.
- ✓ Stay current on court rules that may pertain to limited scope representations.