

JUDICIAL COUNCIL OF CALIFORNIA

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INVITATION TO COMMENT

W17-05

Title	Action Requested
Family Law: Simplifying Limited Scope Representation Forms and Procedures	Review and submit comments by February 14, 2017
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Amend Cal. Rules of Court, rule 5.425; approve forms FL-955-INFO and FL-956; revise forms FL-950, FL-955, FL-957, and FL-958	September 1, 2017
Proposed by	Contact
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Hon. Mark A. Juhas, Cochair	

Executive Summary and Origin

The Family and Juvenile Law Advisory Committee has been developing a proposal in response to requests from the legal community to simplify the procedure for an attorney to withdraw from limited scope representation when the attorney has completed the work agreed on with the party/client in a family law matter. The current proposal includes amending rule 5.425 of the California Rules of Court, approving two forms, and revising four existing forms.

The intent of the proposal is to simplify the current procedure for withdrawal. It incorporates a process adopted in many states as well as suggestions from the State Bar of California, family law attorneys, and family court professionals who commented on the initial version of this proposal, which circulated for comment from April 14 to June 14, 2016. The proposed changes to the withdrawal procedures are likely to promote more limited scope representation in family law matters, reduce the number of hearings regarding withdrawal of counsel, and reduce the impact on case management systems in family courts.

The proposals have not been approved by the Judicial Council and are not intended to represent the views of the council, its Rules and Projects Committee, or its Policy Coordination and Liaison Committee. These proposals are circulated for comment purposes only.

Background

Effective July 1, 2003, the Judicial Council adopted rules and forms “to enable limited scope representation so that attorneys can assist self-represented litigants, thereby increasing access to justice and encouraging court efficiency.”¹ The council adopted the rules and forms in response to the request and recommendations of the Board of Trustees of the State Bar of California.

The current rule requires that the attorney file an *Application to Be Relieved as Counsel Upon Completion of Limited Scope Representation* (form FL-955), along with a proposed *Order on Application to Be Relieved as Counsel Upon Completion of Limited Scope Representation* (form FL-958) if the party/client fails to sign a *Substitution of Attorney—Civil* (form MC-050) when the limited scope representation is complete. The next steps depend on whether the party/client files an objection to that application and proposed order.

- If the party/client does not object within 15 days of the service date, the attorney must file an updated form FL-955 to so inform the court and include a proposed *Order on Application to Be Relieved as Counsel Upon Completion of Limited Scope Representation* (form FL-958). Then the clerk must forward the proposed order for judicial signature.
- If the party/client files an *Objection to Application to Be Relieved as Counsel Upon Completion of Limited Scope Representation* (form FL-956), then the court clerk must set a hearing no later than 25 days from the date that the objection was filed. The court must then send the notice of the hearing to the parties and the attorney.

In response to suggestions by the California Commission on Access to Justice—as well as family law attorneys and judges—that the rules and forms should be simplified and reflect practice in other states, the committee proposed to change the current procedure by allowing the attorney to file a new *Notice of Completion of Limited Scope Representation* to withdraw from the case, instead of filing a motion to withdraw if the client fails to sign a substitution of attorney. The committee’s goal is to:

- Respond to the identified concern that attorneys would be more willing to accept limited scope assignments but for the difficulty associated with withdrawing from that assignment when the work has been completed;
- Increase court efficiencies by eliminating, in most cases, the need for the clerk to (1) process the application to be relieved as counsel each time a party/client fails to substitute out of the case on completion of the representation, (2) process the proposed order submitted with the application, and/or (3) set a hearing on the matter; and

¹ Judicial Council of Cal., Family and Juvenile Law Advisory Com. Rep., *Family Law: Limited Scope Representation* (Mar. 14, 2003), p. 1.

- Advance the Judicial Council’s goals and objectives of ensuring meaningful access to justice for all litigants and increasing the availability of legal representation and providing a continuum of legal services in family court.²

Prior Circulation

The Family and Juvenile Law Advisory Committee circulated an invitation to comment in the previous public comment cycle proposing a new procedure if a party/client fails to sign a substitution of attorney following completion of the agreed-upon limited scope services.³ As circulated, the rule and forms would have required that:

- The attorney file and serve a *Notice of Completion of Limited Scope Representation* (form FL-955).
- The attorney be deemed to have withdrawn from the case if the client does not file and serve an *Objection to Notice of Completion of Limited Scope Representation* (form FL-956) within 15 calendar days after the date that the *Notice of Completion* was served on the client.

Further, the invitation to comment proposed a specific procedure if the party/client objected to the *Notice of Completion* within 15 days from the date that it was served on him or her. The procedure would have required that:

- The party/client file an *Objection to Notice of Completion of Limited Scope Representation* (form FL-956) and proposed *Order on Objection to Notice of Completion of Limited Scope Representation* (form FL-958);
- The court clerk set a hearing on the objection no later than 25 days from the date the objection is filed;
- The attorney file a response to the objection at least nine court days before the hearing; and
- The attorney prepare a proposed *Order on Objection to Notice of Completion of Limited Scope Representation* (form FL-958), obtain the court’s signature after hearing, and serve the *Order* on all parties or the attorneys for all parties who have appeared in the case.

² “Equal justice for all is basic to our democracy. The first step toward equal justice is providing everyone, regardless of his or her economic circumstances, meaningful access to the courts. Today, too many people find themselves in family court without the assistance they need to present their cases. For those who are able to represent themselves, we need to provide more services to help them navigate the court system and get their day in court. For those who cannot represent themselves meaningfully, we need to find additional ways to increase representation.” Judicial Council of Cal., Task Force Rep., *Elkins Family Law Task Force: Final Report and Recommendations* (April 2010), Recommendation III, p. 58, www.courts.ca.gov/documents/elkins-finalreport.pdf.

³ The invitation to comment is available at www.courts.ca.gov/documents/SPR16-18.pdf.

Feedback received from the public about the proposal indicated that improvements were needed to:

- Reduce court costs to implement the rule’s procedures;
- Impose fewer requirements on the client if there is a disagreement about completion of limited scope services;
- Provide clarity about the actual date of the attorney’s withdrawal; and
- Provide more protections and awareness of the confidentiality of the communications between the attorney and the client.

The Proposal

The Family and Juvenile Law Advisory Committee proposes the following procedure if a party/client fails to sign a substitution of attorney following completion of the agreed-upon limited scope services:

1. The attorney would be required to serve the client with a *Notice of Completion of Limited Scope Representation* (form FL-955) that is marked as “Proposed,” a form entitled *Information for Client About Notice of Completion of Limited Scope Representation* (form FL-955-INFO), and a blank *Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-956). The attorney would also be required to indicate in the notice box of the *Objection* the date by which the client must file it. The date is 10 calendar days after service of the proposed *Notice of Completion* on the client.
2. Following the 10-day period, if the client agrees or does not respond to the attorney, the attorney must file and serve a *Notice of Completion of Limited Scope Representation* (form FL-955) that is marked as “Final” in the caption. In this situation, the attorney would be deemed to be relieved of his or her responsibilities upon filing and service of the final *Notice of Completion* on the client and parties to the action.
3. If, however, within the 10-calendar-day waiting period, the client files and serves the *Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-956):
 - The court clerk must set a hearing on the objection, and the hearing must be conducted no more than 25 court days after the objection is filed;
 - The attorney may file a *Response to Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-957); and

- Following the hearing, unless the court orders otherwise, the attorney must prepare and obtain the judge’s signature on the *Order on Completion of Limited Scope Representation* (form FL-958). The attorney must then file the order and serve it on the client and the parties or the attorneys for all parties in the case.

The proposed approach has a number of advantages:

- It would eliminate the need for the attorney to incur additional expenses to turn to the court to withdraw from the case if the client does not sign a substitution of attorney.
- Based on the current procedure, most clients would likely not disagree that the representation is ended. Thus, most withdrawals would be completed using the final *Notice of Completion of Limited Scope Representation* (form FL-952), thereby significantly reducing the workload of court staff and the impact on case management systems.
- It would provide clarity about the actual date of the attorney’s withdrawal. The withdrawal would be completed on service of a final *Notice of Completion* or the court order issued on form FL-958.

Although the rule would still require that the court clerk schedule a hearing so that the matter is heard within 25 days from the filing of the *Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-956), the proposed new process should greatly reduce the number of cases that require a hearing before the attorney can withdraw.

Flow charts showing the current and the proposed withdrawal procedure are attached at pages 26 and 27.

Rule 5.425. Limited scope representation; application of rules

The committee proposes amending the rule to reflect the new procedure to withdraw from limited scope representation. In addition, the rule would state that the attorney may not be charged a fee to file the final *Notice of Completion of Limited Scope Representation* (form FL-955), even if the attorney had not previously made an appearance in the case. The committee believes that this change will provide another incentive for attorneys to take on limited scope clients in family law cases.

Notice of Limited Scope Representation (form FL-950)

The committee proposes only minor technical changes to item 3 of this form. The caption would be revised to reflect that the attorney is expected to prepare the form. Therefore, the reference on the first line of the caption to “party without attorney” would be deleted.

In addition, the order of the headings would change to be consistent with other family law forms. For example, item 3a (“Child support”) would be moved to item 3b, and item 3d (“Child custody and visitation”) would be moved to 3a. Also, the headings under item 3 would be updated to be consistent with current forms. For example, “Child custody and visitation” would be changed to “Child custody and visitation (parenting time),” and “Spousal support” would be changed to “Spousal/Domestic partner support.”

Notice of Completion of Limited Scope Representation (form FL-955)

The proposed revised two-page form would be mandatory and include language to help attorneys implement the proposed amendments to rule 5.425. The caption would be changed to reflect that the attorney is expected to complete this form. It would also include check boxes for the attorney to indicate if it is a proposed or final version of the form.

Information for Client About Notice of Completion of Limited Scope Representation (form FL-955-INFO)

This form would provide specific information to a client about how to respond to a proposed *Notice of Completion of Limited Scope Representation* (form FL-955) and file and serve the *Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-956). This information would be essential for a client seeking court intervention in a dispute with the limited scope attorney about whether the attorney completed the representation. Among other things, the form would cover how to calculate the deadline by which the client must file and serve the objection and prepare for the hearing. It would also provide links to resources if the client has questions.

Objection to Application to be Relieved as Counsel Upon Completion of Limited Scope Representation (form FL-956)

This form would be revised and renamed “Objection to Proposed Notice of Completion of Limited Scope Representation.” The form would provide a space for the client to identify the services that he or she believes the attorney has not completed. However, the content would be tailored to reduce the likelihood of a client’s disclosing information that could potentially compromise the attorney-client privilege.

In addition, the notice box on the form would provide information about protecting the confidentiality of attorney-client communications. It would also include instructions directing the limited scope attorney to insert the date by which the client must file the *Objection*. Requiring the limited scope attorney to calculate the date that corresponds to “10 calendar days after the date that the attorney served the proposed *Notice of Completion*” would minimize confusion by the client because that date can vary depending on how the proposed *Notice of Completion* was served.

Response to Objection to Proposed Notice of Completion of Limited Scope Representation (form FL-957)

This proposed new form would be used by the limited scope attorney to indicate whether he or she agrees to continue representation or requests an order to be relieved as counsel. The form would include a notice for the attorney not to file additional documents with the form to protect attorney-client confidentiality but, instead, to bring any such evidence to the hearing. Finally, the form would include a proof of service on page 2.

Order on Application to Be Relieved as Counsel Upon Completion of Limited Scope Representation (form FL-958)

The committee proposes revising the form to implement the proposed new process to withdraw from limited scope representation. The title of the form would be changed to “Order on Completion of Limited Scope Representation,” and it would include new sections for the court’s findings and orders, as well as a section to note the client’s last known address and contact information.

In addition, the committee proposes revising the proof of service included on forms FL-950, FL-955, FL-956, and FL-958 to reflect the revised forms names that are required to be served. In addition, each would be expanded to include a section for attorneys who choose to serve the client with a *Notice of Completion* by overnight delivery or other agreed-upon method.

Alternatives Considered

The Family and Juvenile Law Advisory Committee considered changing the rule and forms based on comments received from the public and recommending that the Judicial Council adopt the recommendations effective January 1, 2017.

The committee decided to develop a new proposal to try to address the concerns and suggestions of commentators and circulate it for comment in the winter public comment cycle. Because there is no legislative mandate to revise the forms with a specified deadline for implementation, there would be no detriment inherent in allowing more time to develop recommendations to the Judicial Council about simplifying the limited scope representation procedures in family court.

Implementation Requirements, Costs, and Operational Impacts

The committee anticipates that this proposal will result in some costs to the courts to revise forms, train court staff about the changes to the rules and forms included in this proposal, and possibly revise local court rules and forms so they are consistent with the changes adopted by the Judicial Council. However, the committee expects that the changes will save resources for the courts by clarifying and simplifying procedures.

Request for Specific Comments

The advisory committee seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?
- What is the impact of this proposal on low- and moderate-income litigants?

Attachments and Links

1. Cal. Rules of Court, rule 5.425, at pages 9–12
2. Forms FL-950, FL-955, FL-955-INFO, FL-956, FL-957, and FL-958, at pages 13–25⁴
3. Attachment A: Flowchart of current limited scope process, page 26
4. Attachment B: Flowchart of proposed limited scope process, page 27

⁴ Please note that the recommended revisions to forms FL-955, FL-956, and FL-957 are so extensive that these revisions are not identified on the attached forms by using shading, as is the typical practice. The changes are described in the body of this invitation to comment.

Rule 5.425 of the California Rules of Court would be amended, effective September 1, 2017, to read:

1 **Rule 5.425. Limited scope representation; application of rules**

2
3 (a)–(c) * * *

4
5 (d) **Noticed limited scope representation**

6
7 (1) A party and ~~an~~ the limited scope attorney must provide the required notice of
8 their agreement for limited scope representation by serving other parties and
9 filing with the court a *Notice of Limited Scope Representation* (form FL-950).

10
11 (2) After the notice in (1) is received and until either a *Substitution of Attorney—*
12 *Civil* (form MC-050), a final *Notice of Completion of Limited Scope*
13 *Representation* (form FL-955), or an order to be relieved as attorney is filed
14 and served:

15
16 (A) The attorney must be served only with documents that relate ~~only~~ to the
17 issues identified in the *Notice of Limited Scope Representation* (form
18 FL-950); and

19
20 (B) ~~The party must be served directly with~~ Documents that relate to all
21 other issues outside the scope of the limited scope attorney's
22 representation must be served directly on the party or the attorney
23 representing the party on those issues.

24
25 (e) **Procedures to be relieved as counsel on completion of limited scope**
26 **representation if client has not signed a substitution of attorney**

27
28 An attorney who has completed the tasks specified in the *Notice of Limited Scope*
29 *Representation* (form FL-950) may use the following procedures in this rule to
30 request that he or she be relieved as attorney in the cases in which ~~the attorney has~~
31 ~~appeared before the court as an attorney of record and~~ the client has not signed a
32 *Substitution of Attorney—Civil* (form MC-050):

33
34 (1) ~~Application~~ *Notice of completion of limited scope representation*

35
36 ~~An application to be relieved as attorney on completion of limited scope~~
37 ~~representation under Code of Civil Procedure section 284(2) must be directed~~
38 ~~to the client and made on the~~ *Application to Be Relieved as Counsel Upon*
39 *Completion of Limited Scope Representation* (form FL-955). The limited
40 scope attorney must serve the client with the following documents (electronic
41 service of the proposed notice is permitted if the client previously agreed in
42 writing to accept service of documents electronically from the attorney):

- 1 (A) A Notice of Completion of Limited Scope Representation (form FL-
2 955) with the “Proposed” box marked;
3
4 (B) A blank Objection to Proposed Notice of Completion of Limited Scope
5 Representation (form FL-956) with the filing deadline on this form
6 completed by the attorney; and
7
8 (C) Information for Client About Notice of Completion of Limited Scope
9 Representation (form FL-955-INFO).

10
11 ~~(2) Filing and service of application~~

12
13 ~~The application to be relieved as attorney must be filed with the court and~~
14 ~~served on the client and on all other parties or attorneys for parties in the~~
15 ~~case. The client must also be served with a blank Objection to Application to~~
16 ~~Be Relieved as Counsel on Completion of Limited Scope Representation~~
17 ~~(form FL 956).~~

18
19 (2) *No objection*

20 ~~If no objection is served and filed with the court within 15 days from the date~~
21 ~~that the Application to Be Relieved as Counsel on Completion of Limited~~
22 ~~Scope Representation (form FL 955) is served on the client, the attorney~~
23 ~~making the application must file an updated form FL 955 indicating the lack~~
24 ~~of objection, along with a proposed Order on Application to Be Relieved as~~
25 ~~Counsel on Completion of Limited Scope Representation (form FL 958). The~~
26 ~~clerk must then forward the order for judicial signature. If the client does not~~
27 ~~file and serve an Objection to Proposed Notice of Completion of Limited~~
28 ~~Scope Representation (form FL-956) within 10 calendar days from the date~~
29 ~~that the Notice of Completion of Limited Scope Representation (form FL-955)~~
30 ~~was served, the limited scope attorney:~~

- 31
32 (A) Must serve the client and the other parties or, if represented, their
33 attorneys with a Notice of Completion of Limited Scope Representation
34 (form FL-955) with the “Final” box marked and file it with the court
35 with a completed proof of service;
36
37 (B) May not be charged a fee to file the final Notice of Completion, even if
38 the attorney has not previously made an appearance in the case; and
39
40 (C) Is deemed to be relieved as counsel on the date that the final Notice of
41 Completion is served on the client.
42

1 (4) *Objection*

2 ~~If an objection to the application is served and filed within 15 days, the clerk~~
3 ~~must set a hearing date on the *Objection to Application to Be Relieved as*~~
4 ~~*Counsel on Completion of Limited Scope Representation* (form FL-956). The~~
5 ~~hearing must be scheduled no later than 25 days from the date the objection is~~
6 ~~filed. The clerk must send the notice of the hearing to the parties and the~~
7 ~~attorney. If the client files the *Objection to Proposed Notice of Completion of*~~
8 ~~*Limited Scope Representation* (form FL-956) within 10 calendar days from~~
9 ~~the date that the proposed *Notice of Completion* was served, the following~~
10 ~~procedures apply:~~

11
12 (A) The clerk must set a hearing date on the *Objection to Proposed Notice*
13 *of Completion of Limited Scope Representation* (form FL-956) to be
14 conducted no later than 25 court days from the date the *Objection* is
15 filed.

16
17 (B) Service of the *Objection*, including the hearing details, must be
18 completed on the limited scope attorney and all other parties 16 court
19 days before the hearing, unless the court orders a different time for
20 service.

21
22 (C) If the limited scope attorney wishes, he or she may file and serve a
23 *Response to Objection to Proposed Notice of Completion of Limited*
24 *Scope Representation* (form FL-957). Any response should be filed
25 with the court and served on the client and other parties, or their
26 attorneys, at least nine court days before the hearing.

27
28 (D) The limited scope attorney must prepare the *Order on Completion of*
29 *Limited Scope Representation* (form FL-958) and obtain the judge's
30 signature.

31
32 (E) The attorney is responsible for filing and serving the *Order* on the
33 client and other parties after the hearing, unless the court orders
34 otherwise.

35
36 (F) If the court finds that the attorney has completed the agreed-upon work,
37 the representation is concluded upon service of the signed *Order on*
38 *Completion of Limited Scope Representation* (form FL-958).

39
40 (5) *Service of the order*

41
42 ~~If no objection is served and filed and the proposed order is signed, the~~
43 ~~attorney who filed the *Application to Be Relieved as Counsel on Completion*~~

1 *of Limited Scope Representation* (form FL 955) must serve a copy of the
2 signed order on the client and on all parties or the attorneys for all parties
3 who have appeared in the case. The court may delay the effective date of the
4 order relieving the attorney until proof of service of a copy of the signed
5 order on the client has been filed with the court.

6
7 (f) * * *

ATTORNEY: _____ STATE BAR NO.: _____ NAME: _____ FIRM NAME: _____ STREET ADDRESS: _____ CITY: _____ STATE: _____ ZIP CODE: _____ TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (name): _____	FOR COURT USE ONLY DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PETITIONER: _____ RESPONDENT: _____ OTHER PARENT/CLAIMANT: _____	
NOTICE OF LIMITED SCOPE REPRESENTATION <input type="checkbox"/> AMENDED	CASE NUMBER: _____

1. Attorney (name):
and party (name):
have an agreement that attorney will provide limited scope representation to the party.

2. Attorney will represent the party (select one):
 - at the hearing on (date): _____ and for any continuance of that hearing
 - until submission of the order after hearing or judgment that is within the scope of representation.
 - until resolution of the issues checked on this form by trial or settlement
 - Other (specify duration of representation): _____

3. Attorney will serve as "attorney of record" for the party **only** for the following issues in the case:
 - a. Child custody and visitation (parenting time): (1) Establish (2) Enforce (3) Modify (specify): _____

 - b. Child support: (1) Establish (2) Enforce (3) Modify (describe in detail): _____

 - c. Spousal or domestic partner support: (1) Establish (2) Enforce (3) Modify (describe in detail): _____

 - d. Restraining order: (1) Establish (2) Enforce (3) Modify (describe in detail): _____

 - e. Division of property (describe in detail): _____

PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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3. f. Pension issues *(describe in detail)*:

g. Contempt *(describe in detail)*:

h. Other *(describe in detail)*:

i. [See attachment 3i.](#)

4. By signing this form, the party agrees to sign form MC-050, *Substitution of Attorney—Civil* when the representation is completed.

5. The attorney named above is "attorney of record" and available for service of documents only for those issues specifically checked on pages 1 and 2. For all other matters, the party must be served directly. The party's name, address, and phone number are listed below for that purpose.

Name:

Address *(for the purpose of service)*

Phone:

Fax No.:

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 in this document 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.

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF PARTY)

Date:

(TYPE OR PRINT NAME)



(SIGNATURE OF ATTORNEY)

PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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PROOF OF SERVICE BY **PERSONAL SERVICE** **MAIL** **OVERNIGHT DELIVERY**

1. At the time of service, I was at least 18 years of age and **not a party to this legal action.**
 2. I served a copy of *Notice of Limited Scope Representation* (form FL-950) as follows (for electronic service, see Proof of Electronic Service (form POS-050)):

a. **Personal service.** The documents listed above were given to

- (1) Name of person served:
Address where served:
Date served:
Time served:

- (2) Name of person served:
Address where served:
Date served:
Time served:

b. **Mail.** I placed a copy of the forms listed above in the U.S. mail in a sealed envelope with postage fully prepaid. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were mailed.

- (1) Name of person served:
Address where served:
Date of mailing:
Place of mailing (city and state):

- (2) Name of person served: _____
Address where served: _____
Date of mailing: _____
Place of mailing (city and state): _____

c. **Overnight delivery.** I placed a copy of the forms listed above in a sealed envelope, with Express Mail postage fully prepaid, and deposited it in a post office mailbox, subpost office, substation, mail chute or other like facility maintained by the U.S. Postal Service for receipt of Express Mail. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were deposited for overnight delivery.

- (1) Name of person served: _____
Address where served: _____
Date of mailing: _____
Place of mailing (city and state): _____

- (2) Name of person served: _____
Address where served: _____
Date of mailing: _____
Place of mailing (city and state): _____

3. Server's information

- a. Name:
- b. Home or work address:
- c. Telephone number:

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

(TYPE OR PRINT NAME)		(SIGNATURE OF PERSON SERVING NOTICE)

ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR <i>(name)</i> :	FOR COURT USE ONLY DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	
NOTICE OF COMPLETION OF LIMITED SCOPE REPRESENTATION <input type="checkbox"/> Proposed <input type="checkbox"/> Final	CASE NUMBER:

1. In accordance with the terms of an agreement between *(name)*: petitioner
 respondent other party/claimant and myself, I agreed to provide limited scope representation.
2. I was retained as attorney of record for the limited scope services described in Attachment 2.
3. On *(date)*: I completed all services within the scope of my representation.
4. The last known information for the petitioner respondent other party/claimant *(for the purpose of service)* is
 Mailing address:
 Telephone no.
 E-mail address:

NOTICE TO PARTY/CLIENT: Your attorney has served this *Notice of Completion of Limited Scope Representation* stating that he or she has completed the tasks that you agreed the attorney would perform.

If this form is marked “Proposed,” you have the right to object if you believe that the attorney has not finished everything that he or she agreed to do. To object, you must complete the enclosed *Objection to Notice of Completion of Limited Scope Representation* (form FL-956), file it, and serve it.

If you do not file and serve the *Objection*, the attorney will file and serve a *Notice of Completion* marked "Final," and he or she will be removed as the attorney of record in your case.

If this form is marked “Final,” the attorney no longer represents you in your limited scope action. You now represent yourself in all aspects of the case. All legal documents will be directed to you at your last known address in item 4. If that address is incorrect, you need to let the court and the other parties in the case know your correct mailing address as soon as possible. You can use *Notice of Change of Address or Other Contact Information* ([form MC-040](#)) for this purpose.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF ATTORNEY)

PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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PROOF OF SERVICE BY **PERSONAL SERVICE** **MAIL** **OVERNIGHT DELIVERY**

1. At the time of service, I was at least 18 years of age and **not a party to this legal action.**
2. I served a copy of (*specify*):
 - Proposed *Notice of Completion of Limited Scope Representation* (form FL-955), a blank *Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-956), and *Information for Client About Notice of Completion of Limited Scope Representation* (form FL-955-INFO).
 - Final *Notice of Completion of Limited Scope Representation* (form FL-955).
3. I served the above forms as follows (*for electronic service, see Proof of Electronic Service (form POS-050)*):
 - a. **Personal service.** The documents listed above were given to
 - (1) Name of person served:
 Address where served:
 Date served:
 Time served:
 - (2) Name of person served:
 Address where served:
 Date served:
 Time served:
 - b. **Mail.** I placed a copy of the forms listed above in the U.S. mail, in a sealed envelope with postage fully prepaid. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were mailed.
 - (1) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
 - (2) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
 - c. **Overnight delivery.** I placed a copy of the forms listed above in a sealed envelope, with Express Mail postage fully prepaid, and deposited it in a post office mailbox, subpost office, substation, mail chute or other like facility maintained by the United States Postal Service for receipt of Express Mail. The envelope was addressed and mailed as indicated below. I live in or work in the county where the forms were deposited for overnight delivery.
 - (1) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
 - (2) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
4. Server's information
 - a. Name:
 - b. Home or work address:
 - c. Telephone number:

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

_____ (TYPE OR PRINT NAME)

▶

_____ (SIGNATURE OF PERSON SERVING NOTICE)

FL-955-INFO

Information for Client About Notice of Completion of Limited Scope Representation

1 Why did I get this proposed Notice of Completion of Limited Scope Representation (form FL-955)?

When you and the limited scope lawyer (lawyer) signed the *Notice of Limited Scope Representation* (form FL-950), you agreed to sign the *Substitution of Attorney—Civil* (form MC-050) form when the lawyer completed the tasks listed on that form.

You have not yet signed that *Substitution of Attorney* form. By serving you a proposed *Notice of Completion* (form FL-955), your lawyer is telling you that he or she has completed the tasks agreed to and is taking action to be removed from your case.

2 Why is it marked “Proposed”?

The lawyer wants to give you a chance to respond if you agree or disagree that he or she completed the work for you.

3 What do I do if I agree?

You can contact the lawyer and say that you agree. But you don’t have to take any action.

4 What if I don’t take any action?

In about 10 days, the lawyer will send you a *Notice of Completion* form marked “Final.” When it is served on you, the lawyer no longer represents you. Unless you have a new lawyer, you now represent yourself.

5 What if I don’t agree and think that the lawyer is not finished with the work we agreed to?

Contact the lawyer right away and see if you can work it out. But, if you can’t, YOU MUST ACT RIGHT AWAY to file papers and ask for a court hearing.

6 How fast do I have to act?

You have only **10 days** from the date that form FL-955 was personally served on you to file papers with the court. If the form was served another way, the time to act is increased by a short time.

Look at the *Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-956). The attorney is required to fill in the date by which you have to file the form. To understand how that date was calculated, read **7**.

7 What do I have to do by the 10th day if I disagree?

Fill out form FL-956, *Objection to Proposed Notice of Completion of Limited Scope Representation*.

You should have been served with a blank form FL-956 along with the *Notice of Completion of Limited Scope Representation* that was marked “Proposed.” Form FL-956 is also available online at courts.ca.gov/documents/fl956.pdf.

Next, make 2 copies of the completed *Objection* (form FL-956).

File the original *Objection* with the court clerk by the following deadlines:

10 calendar days	from the date that form FL-955 was personally served on you.
10 calendar days, PLUS 2 court days	from the date that form FL-955 was served on you by e-mail, facsimile, express mail, or other overnight delivery.
10 calendar days, PLUS 5 calendar days	from the date that form FL-955 was served to you by mail within the state of California.

The court clerk will set the hearing no later than 25 court days from the date you file the *Objection* and give you filed copies of the *Objection* so that they can be served as described in item **11**.

8 Is there a filing fee for the Objection?

Yes, a fee is due when you file the *Objection* (form FL-956). If you cannot afford to pay and don't have a fee waiver order for your case yet, you can ask the court to waive the fee by completing and filing [form FW-001, Request to Waive Court Fees](#) and [form FW-003, Order on Court Fee Waiver](#).



FL-955-INFO Information for Client About Notice of Completion of Limited Scope Representation

9 What else do I have to do?

Copies of the filed *Objection* have to be “served” on your lawyer and the other party in the case, or the other party’s lawyer if there is one. You cannot serve the papers yourself. Someone else (who is at least 18 years old) must do it. The server can be a friend, relative who is not involved in your case, sheriff, or professional process server.

10 How can the *Objection* be served?

A copy of the filed *Objection* can be served by:

- *Personal service.* The server handdelivers the papers. The server may leave the papers near the person if he or she will not take them.
- *Mail service.* The server places a copy of all documents in a sealed envelope and mails them to the address of each person being served. The server must be at least 18 years old and live or work in the county where the mailing took place.
- *Electronic service.* If you and your lawyer have agreed in writing that you can send each other documents by e-mail or other electronic transmission, you can serve each other that way.
- *Service by express mail or overnight delivery.* An authorized courier or driver authorized by the express service delivers the papers to a person's business or residence.

11 When does the *Objection* need to be served?

Everyone in the case needs to be served with the *Objection*, as described below, unless otherwise ordered by the court:

16 court days before the hearing	if personal service is used.
16 court days PLUS 2 court days before the hearing	if service is by fax, electronic service, or overnight delivery.
16 court days PLUS 5 calendar days before the hearing	if service is by mail within California. <i>For service outside of California, see item (15).</i>

12 What does my limited scope lawyer do if I file the *Objection*?

The lawyer may file form FL-957, *Response to Objection to Notice of Completion of Limited Scope Representation*, with the court at least nine court days before the hearing, and serve a copy on you and all the parties (or their attorneys) in the case. The hearing will go forward even if the attorney does not file and serve a *Response*.

13 Get ready for your hearing

- Take at least two copies of your documents and filed forms to the hearing.
- Write down the tasks that the lawyer agreed to do but has not completed and bring that list to court.
- Bring any paperwork that helps prove that the work is incomplete.

Important! Your agreement with your lawyer is private and should not go into the court file. Letters between you and your lawyer are also private. If you want to bring these documents to court to show why you don’t think the tasks are completed, make two copies. Keep the original and give one copy to the judge and the other to the lawyer at the hearing. They will help the judge make the decision, but they should not be filed with form FL-956, *Objection*.

14 What happens at the hearing?

The judge will decide if your lawyer has finished the work agreed to or not. You will get an *Order on Completion of Limited Scope Representation* (form FL-958) signed by the judge.

15 Do you have questions or need help?

Talk to a lawyer or contact the Family Law Facilitator or Self-Help Center for information and assistance about any subject included in this form. Go to www.courts.ca.gov/selfhelp-courtresources.htm.



PARTY WITHOUT ATTORNEY OR ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	
OBJECTION TO PROPOSED NOTICE OF COMPLETION OF LIMITED SCOPE REPRESENTATION	CASE NUMBER:
HEARING DATE: TIME: DEPARTMENT OR ROOM:	

1. I am the petitioner respondent other parent/claimant in this case.
2. I object to the proposed *Notice of Completion of Limited Scope Representation* (form FL-955) that I received from my attorney. (*Attach a copy if available.*)
3. I believe that my attorney has not finished everything he or she agreed to do in the *Notice of Limited Scope Representation* (form FL-950). I understand that this is the only reason that I can object to my attorney's proposed notice of completion.
4. My attorney has not completed these specific services:

5. Before I filed this *Objection*, I attempted to contact the attorney and resolve our difference of opinion about whether the representation was complete. That effort was unsuccessful.
6. I request that the court not allow the attorney to withdraw from representation until those services have been completed.

NOTICE

If you want to object to the proposed *Notice of Completion of Limited Scope Representation* (form FL-955), you must complete this *Objection* and file it with the court clerk by date: *[to be filled in by the limited scope attorney]*, which is 10 calendar days after the date that the attorney served the proposed *Notice of Completion*.

A copy of the filed *Objection* must be served on the limited scope attorney and the other parties in the case (or on their attorneys). For more information, read *Information for Client About Notice of Completion of Limited Scope Representation* (form FL-955-INFO.)

Protect the confidentiality of the communications between you and your attorney! This form serves as your declaration to the court in support of your *Objection*. Do not file any other declarations with this form. Do not file any other papers that you received or sent to your attorney about your case! Instead, you may bring the papers or other evidence with you to your court hearing.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

_____ (TYPE OR PRINT NAME)

▶

_____ (SIGNATURE)

PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
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PROOF OF SERVICE BY **PERSONAL SERVICE** **MAIL** **OVERNIGHT DELIVERY**

1. At the time of service, I was at least 18 years of age and **not a party to this legal action.**
2. I served a copy of *Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-957) as follows (for electronic service, see Proof of Electronic Service ([form POS-050](#))):
 - a. **Personal service.** The documents listed above were given to
 - (1) Name of person served:
 Address where served:
 Date served:
 Time served:
 - (2) Name of person served:
 Address where served:
 Date served:
 Time served:
 - b. **Mail.** I placed a copy of the forms listed above in the U.S. mail in a sealed envelope with postage fully prepaid. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were mailed.
 - (1) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
 - (2) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
 - c. **Overnight delivery.** I placed a copy of the forms listed above in a sealed envelope, with Express Mail postage fully prepaid, and deposited it in a post office mailbox, subpost office, substation, mail chute, or other like facility maintained by the U.S. Postal Service for receipt of Express Mail. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were deposited for overnight delivery.
 - (1) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
 - (2) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
3. Server's information
 - a. Name:
 - b. Home or work address:
 - c. Telephone number:

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

_____ (TYPE OR PRINT NAME)

 _____ (SIGNATURE OF PERSON SERVING NOTICE)

ATTORNEY: NAME: FIRM NAME: STREET ADDRESS: CITY: TELEPHONE NO.: E-MAIL ADDRESS: ATTORNEY FOR (<i>name</i>):	STATE BAR NO.: STATE: ZIP CODE: FAX NO.:	FOR COURT USE ONLY DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:		
RESPONSE TO OBJECTION TO PROPOSED NOTICE OF COMPLETION OF LIMITED SCOPE REPRESENTATION		CASE NUMBER:
HEARING DATE:	TIME:	DEPARTMENT OR ROOM:

1. I am the limited scope attorney for petitioner respondent other parent/claimant in this case.
2. In response to the *Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-956) (select one)
 - a. I agree to continue representation.
 - b. I request an order to be relieved as the limited scope attorney in this matter.

Notice: Protect the confidentiality of the communications between you and your client!

This form serves as your declaration for the *Response to Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-957). Do not file any other declarations with this form.

If you choose to do so, attach only a copy of the proposed *Notice of Completion of Limited Scope Representation* (form FL-955) that was served on the client. Do not attach or file any other papers that you received or sent to your client about the case. Instead, you may bring the papers or other evidence with you to your court hearing.

Following the hearing on the *Objection*, the limited scope attorney must file and serve an *Order on Completion of Limited Scope Representation* (form FL-958) as soon as possible, unless otherwise ordered by the court.

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____  _____
 (SIGNATURE OF PERSON SERVING NOTICE)

PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
--	--------------

PROOF OF SERVICE BY **PERSONAL SERVICE** **MAIL** **OVERNIGHT DELIVERY**

1. At the time of service, I was at least 18 years of age and **not a party to this legal action.**
2. I served a copy of *Response to Objection to Proposed Notice of Completion of Limited Scope Representation* (form FL-957) as follows (for electronic service, see Proof of Electronic Service ([form POS-050](#))):
 - a. **Personal service.** The documents listed above were given to
 - (1) Name of person served:
Address where served:
Date served:
Time served:
 - (2) Name of person served:
Address where served:
Date served:
Time served:
 - b. **Mail.** I placed a copy of the forms listed above in the U.S. mail in a sealed envelope with postage fully prepaid. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were mailed.
 - (1) Name of person served:
Address where served:
Date of mailing:
Place of mailing (*city and state*):
 - (2) Name of person served:
Address where served:
Date of mailing:
Place of mailing (*city and state*):
 - c. **Overnight delivery.** I placed a copy of the forms listed above in a sealed envelope, with Express Mail postage fully prepaid, and deposited it in a post office mailbox, subpost office, substation, mail chute, or other like facility maintained by the U.S. Postal Service for receipt of Express Mail. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were deposited for overnight delivery.
 - (1) Name of person served:
Address where served:
Date of mailing:
Place of mailing (*city and state*):
 - (2) Name of person served:
Address where served:
Date of mailing:
Place of mailing (*city and state*):
3. Server's information
 - a. Name:
 - b. Home or work address:
 - c. Telephone number:

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

 (TYPE OR PRINT NAME)

 (SIGNATURE OF PERSON SERVING NOTICE)

ATTORNEY: STATE BAR NO.: NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	
ORDER ON COMPLETION OF LIMITED SCOPE REPRESENTATION	CASE NUMBER:

1. The proceeding on the party's (name): _____ objection to the attorney's (name): _____ proposed *Notice of Completion of Limited Scope Representation* (form FL-955) was heard

a. on (date): _____ at (time): _____ in Dept.: _____ Room: _____
 by Judge (name): _____ Temporary Judge

b. The following persons were present at the hearing:
 Petitioner Attorney (name): _____
 Respondent Attorney (name): _____
 Other parent/claimant Attorney (name): _____

2. THE COURT FINDS

- a. The attorney demonstrated that he or she has completed the services that the party and attorney agreed that the attorney would perform in the *Notice of Limited Scope Representation* (form FL-950).
- b. The party demonstrated that the attorney has not completed the services that the party and the attorney agreed would be performed in the *Notice of Limited Scope Representation* (form FL-950).
- c. Other (specify): _____

3. THE COURT ORDERS

- a. The request of the attorney to be relieved of limited scope representation is denied.
- b. The attorney is relieved as attorney of record for the client/party
 - (1) effective immediately.
 - (2) effective upon the filing of the proof of service of this signed order on the client.
 - (3) effective on (specify date): _____
- c. The court further orders (specify): _____
- d. All legal documents and notices must be served directly on the party using the following address or contact information:
 Mailing address: _____
 Telephone no.: _____ E-mail address: _____
- e. The attorney must serve copies of this order on the parties and their attorneys of record, and file the proof of service with the court.

Date: _____

 JUDGE OF THE SUPERIOR COURT

NOTICE TO CLIENT/PARTY: If the court relieved the limited scope attorney as your attorney of record, you now represent yourself in the case. You may wish to seek other legal counsel to represent you. You must keep the court and the other parties in your case informed of your current mailing address and contact information. You can use *Notice of Change of Address or Other Contact Information* (form MC-040) for this purpose.

PETITIONER: RESPONDENT: OTHER PARENT/CLAIMANT:	CASE NUMBER:
--	--------------

PROOF OF SERVICE BY **PERSONAL SERVICE** **MAIL** **OVERNIGHT DELIVERY**

1. At the time of service, I was at least 18 years of age and **not a party to this legal action.**

2. I served a copy of *Order on Completion of Limited Scope Representation* (form FL-958) as follows (*for electronic service, see Proof of Electronic Service (form POS-050)*):
 - a. **Personal service.** The documents listed above were given to
 - (1) Name of person served:
 Address where served:
 Date served:
 Time served:
 - (2) Name of person served:
 Address where served:
 Date served:
 Time served:

 - b. **Mail.** I placed a copy of the forms listed above in the U.S. mail in a sealed envelope with postage fully prepaid. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were mailed.
 - (1) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
 - (2) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):

 - c. **Overnight delivery.** I placed a copy of the forms listed above in a sealed envelope, with Express Mail postage fully prepaid, and deposited it in a post office mailbox, subpost office, substation, mail chute, or other like facility maintained by the U.S. Postal Service for receipt of Express Mail. The envelope was addressed and mailed as indicated below. I live or work in the county where the forms were deposited for overnight delivery.
 - (1) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):
 - (2) Name of person served:
 Address where served:
 Date of mailing:
 Place of mailing (*city and state*):

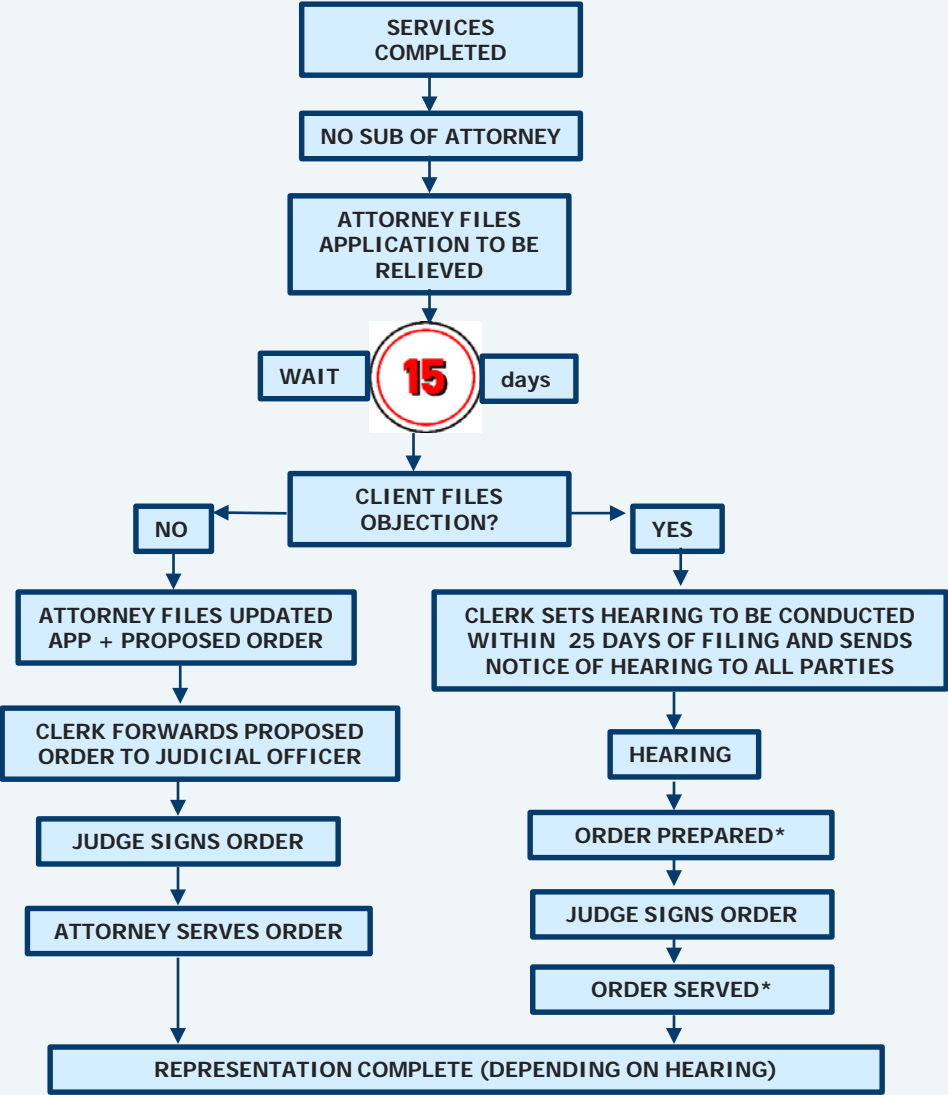
3. Server's information
 - a. Name:
 - b. Home or work address:
 - c. Telephone number:

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date:

_____ ▶ _____
 (TYPE OR PRINT NAME) (SIGNATURE OF PERSON SERVING NOTICE)

Limited Scope Representation Current Withdrawal Procedure



* Current rule does not assign responsibility for completing this action.

Limited Scope Representation Proposed Withdrawal Procedure

