

**JUDICIAL COUNCIL OF CALIFORNIA  
ADMINISTRATIVE OFFICE OF THE COURTS  
455 Golden Gate Avenue  
San Francisco, California 94102-3688**

**Report**

**TO:** Members of the Judicial Council

**FROM:** Civil and Small Claims Advisory Committee  
Hon. Elihu M. Berle, Chair  
Case Management Subcommittee  
Hon. Robert B. Freedman, Chair  
Patrick O'Donnell, Committee Counsel, 415-865-7665,  
patrick.o'donnell@jud.ca.gov

**DATE:** October 6, 2006

**SUBJECT:** Limited Scope Representation in Civil Cases (adopt Cal. Rules of Court, rules 3.35, 3.36, and 3.37; adopt form MC-950; and approve forms MC-955, MC-956, and MC-958) (Action Required)<sup>1</sup>

Issue Statement

Increasing numbers of litigants who represent themselves are appearing in the California courts. Many of these litigants would like the assistance of an attorney for parts of their cases even if they cannot afford full representation. The Judicial Council previously adopted rules and forms to assist litigants in obtaining limited scope representation in family law cases. These rules and forms do not apply, however, to other types of civil cases. Because it would be advantageous to members of the public and the State Bar, rules and forms relating to limited scope representation should now be adopted that are applicable to all types of civil cases.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2007:

1. Adopt rules 3.35, 3.36, and 3.37 of the California Rules of Court;

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<sup>1</sup> The proposed new rules on limited scope representation were circulated for public comment in the spring of 2006 as rules 801, 802, and 803. At the June 30, 2006 meeting, the Judicial Council approved a comprehensive reorganization and renumbering of the California Rules of Court. Under the reorganized rules, the proposed rules on limited scope representation need to be renumbered to be incorporated into the new reorganized rules effective January 1, 2007. Accordingly, rules 801, 802, and 803 have been renumbered as rules 3.35, 3.36, and 3.37 and are referred to by those numbers throughout this report.

2. Adopt *Notice of Limited Scope Representation* (form MC-950);
3. Approve *Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-955);
4. Approve *Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-956); and
5. Approve *Order on Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-958).

These new rules and forms will make it easier for attorneys to provide limited scope representation in civil proceedings, and for clients to obtain such representation.

The text of the rules is attached at pages 6–9. The forms are attached at pages 10–20.

#### Rationale for Recommendation

California trial courts serve large numbers of litigants who represent themselves. Many of these litigants would like the assistance of an attorney for parts of their cases even if they cannot afford full representation. They can receive this assistance through limited scope representation. Limited scope representation is a relationship between an attorney and a person seeking legal services under which both agree that the scope of the legal services will be limited to specific tasks. This is sometimes called “unbundling” or “discrete task representation.”

In 2003, the Judicial Council adopted rules and forms on limited scope representation for family law cases. This was important because many persons appearing in family law cases are self-represented. The benefits of limited scope representation, however, are not confined to family law.

The current proposal would extend the rules on limited scope representation to all types of civil cases. This representation can help self-represented litigants:

- Prepare their documents legibly, completely, and accurately;
- Prepare their cases based on a better understanding of the law and court procedures than they would if left on their own;
- Obtain representation for portions of their cases, such as court hearings, even if they cannot afford full representation; and

- Obtain assistance in understanding, preparing, and enforcing court orders.

Limited scope representation can also reduce the number of errors in documents; limit the time wasted by the court, litigants, and opposing attorneys as a result of the procedural difficulties and mistakes made by self-represented litigants; and decrease docket congestion and demands on court personnel.

The proposed new rules and forms are based on the rules and forms previously adopted by the Judicial Council concerning limited scope representation in family law cases that have proven to be beneficial. (See Cal. Rules of Court, rules 5.70 and 5.71 and forms FL-950, FL-955, FL-956, and FL-958.) The new rules and forms will assist additional litigants and facilitate attorneys providing assistance to persons involved in all types of civil cases.

There is a growing population in California that needs to appear in civil cases but cannot afford full legal representation. The types of cases in which they are appearing include not only family law but also contract disputes, collection cases, and unlawful detainer proceedings. Although Judicial Council and other forms can often assist these litigants, there are no pleading forms available for certain types of civil cases. Also, self-represented litigants may need the expertise and assistance of attorneys in discovery matters (including depositions) and in law and motion (particularly on demurrers and summary judgment motions). If a case goes to trial, persons who have been representing themselves in a case may need the assistance of a trial attorney. The proposed rules on limited scope representation are intended to help these persons obtain legal representation.

Thus, to aid members of the public involved in civil litigation, this proposal recommends:

- The adoption of a rule describing limited scope representation (Cal. Rules of Court, rule 3.35);
- The adoption of a rule (1) requiring that when an attorney appears before the court for the purpose of making a limited scope representation, the attorney and client must give the court notice of the limited scope representation, and (2) providing a simplified procedure for an attorney who is providing only limited scope representation to withdraw from a case (rule 3.36);
- The adoption of a rule allowing an attorney to help a litigant prepare pleadings without needing to disclose that he or she assisted the litigant,

unless the attorney appears in court in the case or the party seeks an award of attorney's fees based on such work (rule 3.37);

- The adoption of a mandatory form to be used to notify the court and other parties when an attorney and a client have contracted for limited scope legal assistance (form MC-950); and
- The approval of three optional forms to be used for withdrawal of an attorney in a case involving limited scope representation (forms MC-955, MC-956, and MC-958).

#### Alternative Actions Considered

Presently, there are rules and forms on limited scope representation in family law cases, but not civil cases in general. This situation could be left unchanged. But this would limit the extent to which the procedures and forms for limited scope representation are available to attorneys and the public. It would be better if limited scope representation were generally more available. Hence, it is desirable for the proposed rules and forms to be adopted.

#### Comments From Interested Parties

This rules and forms proposal was circulated in the spring of 2006. A total of 22 comments were received. The commentators include judges, commissioners, court executives, attorneys, paralegals, the State Bar's Committee on Administration of Justice, the Committee on the Delivery of Legal Services, and the California Defense Counsel. A chart summarizing the comments and the committee's responses is attached at pages 21–39.

Most of the commentators supported the proposed rules and forms. Limited scope representation has been specifically approved by the Board of Governors of the State Bar of California and is the official policy of the State Bar. Several commentators submitted persuasive arguments in support of limited scope representation in civil cases. (See, for example, comments 19 and 21.) However, some commentators opposed the concept of limited scope representation based on policy objections. The committee disagreed with these policy objections and supports limited scope representation. The greater availability of limited scope representation should lower the costs of legal representation for parties and improve public access to the courts.

Several commentators made specific suggestions about individual rules or forms. For instance, one commentator proposed that hearings on an application to be relieved as counsel should be set at 45 rather than 25 days because of the problems of providing notice and court scheduling. The committee disagreed with this suggestion. The proposed 25-day period for the court to give notice is not

burdensome. This 25-day period for setting the hearing only commences after the application to be relieved as counsel has been already been served and an objection has been filed. In many cases, no objection will be filed and so no hearing will be necessary. Where a hearing needs to be set, 25 days is not too short for scheduling the hearing and sending out notice. By contrast, a 45-day period would be too long a delay for litigants needing to resolve their cases.

Another specific suggestion was to remove the box before item 7b on form MC-955 that indicated the item was optional. This made sense. An applicant needs to provide information to the court in item 7b regarding how much time has passed since the application was served. Accordingly, the committee removed the box.

A commentator was concerned that the definition of “limited scope representation” in rule 3.35(a) might be construed as applying to the relation not only between an attorney and a party (client), but also between an attorney and a contract attorney. The committee did not think this was a reasonable interpretation of the language of the rule; hence, it is not necessary to revise it.

Finally, in reviewing the rules and forms, the committee concluded that during a period of limited scope representation, it would be best if service of papers were made on both the attorney and the client. Hence, it has added a new subdivision (b) to rule 3.36 requiring service on both the attorney and client. It has also revised the *Notice of Limited Scope Representation* (form MC-950) to indicate that service must be made on both the attorney and client.

#### Implementation Requirements and Costs

The new rules and forms may require some significant implementation efforts by the courts. However, given the benefits to the public, attorneys, and the courts from limited scope representation, these efforts will be warranted.

#### Attachments

Rules 3.35, 3.36, and 3.37 of the California Rules of Court are adopted by the Judicial Council, effective January 1, 2007, to read:<sup>2</sup>

**Division 1**

**Chapter 3. Attorneys**

**Rule 3.35. Definition of limited scope representation; application of rules**

**(a) Definition**

“Limited scope representation” is a relationship between an attorney and a person seeking legal services in which they have agreed that the scope of the legal services will be limited to specific tasks that the attorney will perform for the person.

**(b) Application**

Rules 3.35 through 3.37 apply to limited scope representation in civil cases, except in family law cases. Rules 5.70 and 5.71 apply to limited scope representation in family law cases.

**(c) Types of limited scope representation**

These rules recognize two types of limited scope representation:

**(1) Noticed representation**

Rule 3.36 provides procedures for cases in which an attorney and a party notify the court and other parties of the limited scope representation.

**(2) Undisclosed representation**

Rule 3.37 applies to cases in which the limited scope representation is not disclosed.

<sup>2</sup> The proposed new rules on limited scope representation were circulated for public comment in the spring of 2006 as rules 801, 802, and 803. At the June 30, 2006 meeting, the Judicial Council approved a comprehensive reorganization and renumbering of the California Rules of Court. Under the reorganized rules, the proposed rules on limited scope representation need to be renumbered to be incorporated into the new reorganized rules effective January 1, 2007. Accordingly, rules 801, 802, and 803 have been renumbered as rules 3.35, 3.36, and 3.37, have been revised as recommended in this report and should be adopted with the new number 5 as part of title 3, division 1.

1 **Rule 3.36. Notice of limited scope representation and application to be**  
2 **relieved as attorney**

3  
4 **(a) Notice of limited scope representation**

5  
6 A party and an attorney may provide notice of their agreement to limited  
7 scope representation by serving and filing a *Notice of Limited Scope*  
8 *Representation* (form MC-950).  
9

10 **(b) Notice and service of papers**

11  
12 After the notice in (a) is received and until either a substitution of attorney or  
13 an order to be relieved as attorney is filed and served, papers in the case must  
14 be served on both the attorney providing the limited scope representation and  
15 the client.  
16

17 **(c) Procedures to be relieved as counsel on completion of representation**

18  
19 Notwithstanding rule 3.1362, an attorney who has completed the tasks  
20 specified in the *Notice of Limited Scope Representation* (form MC-950) may  
21 use the procedures in this rule to request that he or she be relieved as attorney  
22 in cases in which the attorney has appeared before the court as an attorney of  
23 record and the client has not signed a *Substitution of Attorney—Civil* (form  
24 MC-050).  
25

26 **(d) Application**

27  
28 An application to be relieved as attorney on completion of limited scope  
29 representation under Code of Civil Procedure section 284(2) must be directed  
30 to the client and made on the *Application to Be Relieved as Attorney on*  
31 *Completion of Limited Scope Representation* (form MC-955).  
32

33 **(e) Filing and service of application**

34  
35 The application to be relieved as attorney must be filed with the court and  
36 served on the client and on all other parties or attorneys for parties in the  
37 case. The client must also be served with a blank *Objection to Application to*  
38 *Be Relieved as Attorney on Completion of Limited Scope Representation*  
39 (form MC-956).  
40

41 **(f) No objection**

42

1 If no objection is served and filed with the court within 15 days from the date  
2 that the *Application to Be Relieved as Attorney on Completion of Limited*  
3 *Scope Representation* (form MC-955) is served on the client, the attorney  
4 making the application must file an updated form MC-955 indicating the lack  
5 of objection, along with a proposed *Order on Application to Be Relieved as*  
6 *Attorney on Completion of Limited Scope Representation* (form MC-958).  
7 The clerk must then forward the order for judicial signature.

8  
9 **(g) Objection**

10  
11 If an objection to the application is served and filed within 15 days, the clerk  
12 must set a hearing date on the *Objection to Application to Be Relieved as*  
13 *Attorney on Completion of Limited Scope Representation* (form MC-956).  
14 The hearing must be scheduled no later than 25 days from the date the  
15 objection is filed. The clerk must send the notice of the hearing to the parties  
16 and the attorney.

17  
18 **(h) Service of the order**

19  
20 If no objection is served and filed and the proposed order is signed under (f),  
21 the attorney who filed the *Application to Be Relieved as Attorney on*  
22 *Completion of Limited Scope Representation* (form MC-955) must serve a  
23 copy of the signed order on the client and on all parties or the attorneys for  
24 all parties who have appeared in the case. The court may delay the effective  
25 date of the order relieving the attorney until proof of service of a copy of the  
26 signed order on the client has been filed with the court.

27  
28 **Rule 3.37. Nondisclosure of attorney assistance in preparation of court**  
29 **documents**

30  
31 **(a) Nondisclosure**

32  
33 In a civil proceeding, an attorney who contracts with a client to draft or assist  
34 in drafting legal documents, but not to make an appearance in the case, is not  
35 required to disclose within the text of the documents that he or she was  
36 involved in preparing the documents.

37  
38 **(b) Attorney's fees**

39  
40 If a litigant seeks a court order for attorney's fees incurred as a result of  
41 document preparation, the litigant must disclose to the court information  
42 required for a proper determination of the attorney's fees, including:  
43

1           (1) The name of the attorney who assisted in the preparation of the  
2                   documents;

3  
4           (2) The time involved or other basis for billing;

5  
6           (3) The tasks performed; and

7  
8           (4) The amount billed.

9  
10   **(c) Application of rule**

11  
12           This rule does not apply to an attorney who has made a general appearance in  
13           a case.

ATTORNEY (Name, State Bar number, and address):      TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER:  DEFENDANT/RESPONDENT:  OTHER:	CASE NUMBER:
<div style="text-align: center;"><b>NOTICE OF LIMITED SCOPE REPRESENTATION</b></div> <input type="checkbox"/> Amended	JUDGE:  DEPT.:

**[Note: This form is for use in civil cases other than family law. For family law cases, use form FL-950.]**

1. Attorney (name):  
 and party (name):  
 who is the  petitioner/plaintiff  respondent/defendant  other (describe):  
  
 have an agreement that the attorney will provide limited scope representation in this case to the party.

2. The attorney will represent the party

a.  at the hearing on (date):  
 and at any continuance of that hearing  
 until submission of the order after hearing

b.  at the trial on (date):  
 and at any continuance of that trial  
 until judgment

c.  other (specify nature and duration of representation):

3. By signing this form, the party agrees to sign *Substitution of Attorney—Civil* (form MC-050) at the completion of the representation described above.

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER:	CASE NUMBER:
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4. During the limited scope representation, parties and the court must serve papers on both the attorney named above and directly on the party. (Cal. Rules of Court, rule 3.36.) The party's name and address for purpose of service are as follows:

Name:

Address (for the purpose of service):

Telephone:

Fax:

This notice accurately states all current matters and issues on which the attorney has agreed to serve as an attorney for the party in this case. The information provided on this form is not intended to state all of the terms and conditions of the agreement between the party and the attorney for limited scope representation.

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF PARTY)



\_\_\_\_\_  
 (SIGNATURE OF PARTY)

Date:

\_\_\_\_\_  
 (TYPE OR PRINT NAME OF ATTORNEY)



\_\_\_\_\_  
 (SIGNATURE OF ATTORNEY)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER:	CASE NUMBER:
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**PROOF OF SERVICE BY FIRST-CLASS MAIL**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):
  
2. I served copies of the *Notice of Limited Scope Representation* (form MC-950) by enclosing each of them in a sealed envelope with first-class postage fully prepaid and (*check one*):
  - a.  deposited the sealed envelopes with the United States Postal Service.
  - b.  placed the sealed envelopes for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
  
3. Copies of the *Notice of Limited Scope Representation* (form MC-950) were mailed:
  - a. on (*date*):
  - b. from (*city and state*):
  
4. The envelopes were addressed and mailed as follows:
 

<ol style="list-style-type: none"> <li>a. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li>   <li>b. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li> </ol>	<ol style="list-style-type: none"> <li>c. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li>   <li>d. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li> </ol>
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Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF DECLARANT)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)



PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	
OTHER:	

**NOTICE TO PARTY:** Your attorney has filed this *Application to Be Relieved as Attorney on Completion of Limited Scope Representation* with the court stating that he or she no longer represents you in this action because the tasks that you agreed the attorney would perform for you have been completed.

If you do not agree that these tasks have been completed and you want the attorney to continue to represent you until the tasks are completed, you must file an *Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-956) with the court within 15 calendar days of the date that this notice was served on you, asking the court to require the attorney to remain your attorney in the action until these tasks are completed. If you were served with this notice by mail, you must file the *Objection* (form MC-956) within 20 days of the date you were served. You must also serve this objection on your attorney and any other parties in the case. If you do not file a form MC-956, the court will grant your attorney's request to be relieved as counsel.

Please refer to the *Proof of Service* to determine the date that this application was served on you. (If this form was served by mail in California, the date of service is 5 days after the date of mailing.)

This procedure may be used **ONLY** if you believe that the attorney has not completed the tasks that he or she agreed to perform for you. It is **NOT** to be used to resolve other disagreements you may have with the attorney, such as disagreements concerning fees.

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning or sign language interpreter services are available on request if at least 5 days' notice is provided. Contact the clerk's office or go to [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civil Code section 54.8.)



I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF ATTORNEY)



\_\_\_\_\_  
(SIGNATURE OF ATTORNEY)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER:	CASE NUMBER:
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**PROOF OF SERVICE BY FIRST-CLASS MAIL**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):
  
2. I served copies of the *Application to Be Relieved as Attorney on Completion of Limited Scope Representation* and a blank *Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation* by enclosing each of them in a sealed envelope with postage fully prepaid and (*check one*):
  - a.  deposited the sealed envelopes with the United States Postal Service.
  - b.  placed the sealed envelopes for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
  
3. The *Application to Be Relieved as Attorney on Completion of Limited Scope Representation* and a blank *Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation* were mailed:
  - a. on (*date*):
  - b. from (*city and state*):
  
4. The envelopes were addressed and mailed as follows:
 

<ol style="list-style-type: none"> <li>a. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li>   <li>b. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li> </ol>	<ol style="list-style-type: none"> <li>c. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li>   <li>d. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li> </ol>
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Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

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

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF DECLARANT)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

PARTY (Name and address):      TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER:	CASE NUMBER:
<b>OBJECTION TO APPLICATION TO BE RELIEVED AS ATTORNEY ON COMPLETION OF LIMITED SCOPE REPRESENTATION</b>	
Hearing Date: _____ Time: _____ Dept.: _____ Room: _____	JUDGE: DEPT.:

1. I am the  plaintiff/petitioner  defendant/respondent  other (describe): \_\_\_\_\_ in this case.
2. I do not believe that all the services that my attorney agreed to do for me are completed.
3. I request that the court not allow my attorney to withdraw from representation until those services have been completed. The services that were agreed on that remain to be completed are (specify): \_\_\_\_\_

The reason that I think these tasks are supposed to be completed is (explain): \_\_\_\_\_

Continued in Attachment 3.

**NOTICE**

If you object to your attorney's *Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-955), you must file this objection with the clerk of the court where the application was filed within 20 days of the day that the application was put in the mail to you. If you were personally served, you have to file this form 15 days from the day you were served. That date is on the proof of service at the end of the application (form MC-955). Also, you must have the attorney and any other parties in the case served with this *Objection* (form MC-956). A blank proof of service is on the back of this form.

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

Date: \_\_\_\_\_



\_\_\_\_\_  
(TYPE OR PRINT NAME OF PARTY)

\_\_\_\_\_  
(SIGNATURE OF PARTY)

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER:	CASE NUMBER:
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**PROOF OF SERVICE BY FIRST-CLASS MAIL**

**(NOTE: You cannot serve the Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation if you are a party in the action. The person who served the Notice of Limited Scope Representation must complete this proof of service.)**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is *(specify)*:
  
2. I served copies of the *Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-956) by enclosing each of them in a sealed envelope with first-class postage fully prepaid and *(check one)*:
  - a.  deposited the sealed envelopes with the United States Postal Service.
  - b.  placed the sealed envelopes for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is paced for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
  
3. Copies of the *Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-956) were mailed:
  - a. on *(date)*:
  - b. from *(city and state)*:
  
4. The envelopes were addressed and mailed as follows:
 

<ol style="list-style-type: none"> <li>a. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li>   <li>b. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li> </ol>	<ol style="list-style-type: none"> <li>c. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li>   <li>d. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li> </ol>
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- Names and addresses of additional persons served are attached. *(You may use form POS-030(P).)*

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF DECLARANT)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

ATTORNEY (Name, State Bar number, and address):      TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b>  STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLANTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER:	CASE NUMBER(S):
<b>ORDER ON APPLICATION TO BE RELIEVED AS ATTORNEY ON COMPLETION OF LIMITED SCOPE REPRESENTATION</b>	JUDGE: DEPT.: DATE:

1. The application of (name of attorney):  
to be relieved as attorney for (name of client):  
a party to this action or proceeding, was filed on (specify date):
  
2.  **UNCONTESTED**
  - a. The Application to Be Relieved as Attorney on Completion of Limited Scope Representation (form MC-955) and any attachments, and a blank Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation (form MC-956) were served on the client.
  - b. The client was
    - (1)  personally served with the papers.
    - (2)  served by mail.
  - c. No Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation (form MC-956) was filed or served within the time prescribed under rule 3.36 of the California Rules of Court.
  - d. It appears from the application to be relieved as attorney and any attached documents that the attorney has completed the tasks that the client and attorney agreed that the attorney would perform as well as any acts ordered by the court.
  
3.  **CONTESTED**
  - a. The party filed an Objection to Application to Be Relieved as Attorney on Completion of Limited Scope Representation (form MC-956) on (date):
  - b.  Attorney demonstrated that he or she has completed the tasks that the party and attorney agreed that the attorney would perform on the Notice of Limited Scope Representation (form MC-950) as well as any acts ordered by the court.
  
- ORDER**
  
4.  Attorney is relieved as attorney for the party identified in 1:
  - a.  effective immediately.
  - b.  effective on the filing of the proof of service of this signed order on the client.
  - c.  effective on (date):

PLANTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER:	CASE NUMBER:
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5.  The *Application to Be Relieved as Attorney on Completion of Limited Scope Representation* is denied for the following reasons:

6.  The court further orders (*specify*):

7. The current mailing address for of the party identified in 1 is:

**NOTICE TO PARTY:** When this order becomes effective, you will represent yourself in all aspects of your case.

The court and the other parties in the case need to know how to contact you. It is your responsibility to keep the court and the other parties informed of your address. If the address in item 7 above is wrong, you must let the court and the parties know your correct mailing address as soon as possible. You can use form MC-040, *Notice of Change of Address*, for this notification.

If you do not let the court and the other parties know where to send you copies of papers, you may not get notices of hearings or orders in your case. Decisions may be made without your participation, and your case could be ended.

**NOTICE TO ATTORNEY WHO FILED APPLICATION FOR RELIEF:** You must serve copies of this order on all parties or their attorneys in this case. Proof of service must be filed with the court.

Date:

\_\_\_\_\_  
(JUDICIAL OFFICER)

PLANTIFF/PETITIONER: DEFENDANT/RESPONDENT: OTHER:	CASE NUMBER:
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**PROOF OF SERVICE BY FIRST-CLASS MAIL**

1. I am at least 18 years old and **not a party to this action**. I am a resident of or employed in the county where the mailing took place, and my residence or business address is (*specify*):
  
2. I served copies of the *Order on Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-958) by enclosing each of them in a sealed envelope with first-class postage fully prepaid and (*check one*):
  - a.  deposited the sealed envelopes with the United States Postal Service.
  - b.  placed the sealed envelopes for collection and processing for mailing, following this business's usual practices, with which I am readily familiar. On the same day correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service.
  
3. Copies of the *Order on Application to Be Relieved as Attorney on Completion of Limited Scope Representation* (form MC-958) were mailed:
  - a. on (*date*):
  - b. from (*city and state*):
  
4. The envelopes were addressed and mailed as follows:
 

<ol style="list-style-type: none"> <li>a. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li>   <li>b. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li> </ol>	<ol style="list-style-type: none"> <li>c. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li>   <li>d. Name of person served:</li>   <li>Street address:</li> <li>City:</li> <li>State and zip code:</li> </ol>
--	--

Names and addresses of additional persons served are attached. (*You may use form POS-030(P).*)

I declare under penalty of perjury under the laws of the State of California that the foregoing and all attachments are true and correct.

Date:

\_\_\_\_\_  
(TYPE OR PRINT NAME OF DECLARANT)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

SPR06-12

Limited Scope Representation in Civil Cases

(adopt Cal. Rules of Court, 3.35 [circulated as rule 801], 3.36 [circulated as rule 802], and 3.37 [circulated as rule 803]; adopt form MC-950; approve forms MC-955, MC-956, and MC-958)

	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
1.	Ms. Sandy Almansa Supervising Legal Clerk II Superior Court of California, County of Stanislaus Modesto	AM	Y	Modify rule 3.36(g) (circulated as rule 802(a)) as follows:  Modify requirement that the hearing must be scheduled "no later than 25 days" to "no later than 45 days." Courtroom caseloads are extremely heavy. A requirement for setting the hearing/sending notice to parties and counsel all within 25 days will cause undue stress on an already overburdened caseload.	The committee disagreed. For the reasons explained in the report, the time for the scheduling of the hearing is not burdensome.
2.	Mr. Mike Anglin J.D. Garden Grove	A	N	No specific comment.	No response required.
3.	Hon. Ronald L. Bauer Chair Rules and Forms Committee Superior Court of California, County of Orange Santa Ana	N	N	The proposal was reviewed by court staff and the Rules and Forms Committee of the Orange County Superior Court. The committee disagrees with the concept of limited scope representation in civil cases. The practice may work in family law situations, but does not lend itself to individual causes of action or issues on civil cases.	The committee disagreed. The committee supports the concept of limited scope representation in civil cases. Such representation can assist litigants in many different types of civil cases. (See comments 18, 19, and 21.) The rules and forms on limited scope representation should not be limited to family law cases.
4.	Hon. Richard E. Best (Ret.) San Francisco	N	N	Has this been proposed and recommended by family law lawyers and judges who have	The committee disagreed with this critique of limited scope

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**Limited Scope Representation in Civil Cases**  
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 adopt form MC-950; approve forms MC-955, MC-956, and MC-958)

Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>found it to be beneficial to the system of justice, the litigants, the Bar, and the public? Is the family law court unique in many aspects? If the process is expanded, should it not be done on a gradual basis? For example, perhaps probate or conservatorship proceedings would be a natural expansion without immediately expanding this practice to all civil litigation.</p> <p>I have had many pro per litigants, including some homeless and some seemingly without full competence, appear before me who have done an excellent job of representing themselves and they have been able to research the law and prepare pleadings, etc., as well as many lawyers.</p> <p>Access to the courts should not be at the price of derogating the role and responsibility of the legal profession. This proposed rule seems analogous to teaching a pre-teen how to start and put a car in gear, while walking away without responsibility. It encourages lawyers to instigate the process without any duty to the court or the client. Anyone can do their own brain</p>	<p>representation. The committee supports the policy of expanding limited scope representation to civil cases generally.</p> <p>The fact that some persons can ably represent themselves does not mean that individuals should not be able to obtain the assistance generally in civil cases of attorneys willing to serve for a limited purpose (such as a hearing, trial, or deposition).</p> <p>The committee disagreed that limited scope representation derogates the role and responsibility the legal profession.</p>

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Limited Scope Representation in Civil Cases

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
5.	Ms. Rosa Castillo Paralegal Student Legal Resolutions Garden Grove	A	N	No specific comment.	No response required.
6.	Committee on Administration of Justice The State Bar of California San Francisco	AM	Y	1. Some members of CAJ expressed general support for the proposal, subject to a concern that the proposed rules and forms could be interpreted to apply to situations where the client's attorney of record hires a contact attorney to perform a specific task. There are attorneys, for example, who are hired by other attorneys to make a "special appearance" or "limited appearance" at one hearing in a particular case. Although it is CAJ's understanding that the rules and forms are not intended to cover that situation, the definition in proposed rule 3.36(a) [circulated as rule 801] refers to a "relationship between an attorney and a person seeking legal services," whereas proposed rule 3.35(c)(1) [circulated as rule 801(c)(1)] refers to a "party" and proposed	1. The committee does not think that the language of the proposed rules is reasonably construed as applying to the relation between an attorney of record and a contract attorney. Rather the definition of "limited scope representation" and the other provisions on the rules make clear that the relation is between an attorney providing limited scope representation and a person (client) involved in a civil case.

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>rule 3.36(a) [circulated as rule 802(a)] refers to the "client." Reference to a "person seeking legal services" may be construed as covering an attorney (counsel of record) who hires a contract attorney. CAJ believes the rules should be clarified so as not to include that type of situation.</p> <p>2. Other members of CAJ raised some questions and concerns about the entire proposal and the application of limited scope representation to the general civil litigation context. Those members believe that use of the proposed rules and forms in the general civil litigation context may be problematic, given the wide range of diverse and unique proceedings and circumstances in general civil litigation, and the often interrelated aspect of various phases of a case. Those members question whether the rules and forms that have been adopted for use in the family law context will be appropriate or adequate for use in the general civil litigation context.</p>	<p>2. On the broad policy level, the committee disagreed that limited scope representation should be limited to family law cases. It should be beneficial in many different types of civil cases and at many stages in the proceedings. The committee also believes that the rules and forms, which have been adopted to apply to all types of civil cases, should be adequate and appropriate.</p>
7. Ms. Cydney Fowler Court District Supervisor Superior Court of California,	A	N	<p>This looks like a good clarifying change. This looks like a useful tool for attorneys to assist in a limited scope and for the court</p>	The committee agreed.

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
	County of San Bernardino Big Bear Lake			and parties to be clear on the actual scope of representation.	
8.	Ms. Janet Garcia Manager Planning and Research Unit Superior Court of California, County of Los Angeles Los Angeles	A	N	No specific comments.	No response required.
9.	Ms. JoAnn Johnson Senior Attorney Family Law Facilitator Superior Court of California, County of Ventura Ventura	AM	N	Form MC-955, item 7b: Eliminate box before "b" and write in the word "and." The box indicates it is optional whereas it is mandatory to check either 20 or 15.	The committee agreed. The box has been removed.
10.	Mr. Dennis B. Jones Court Executive Officer Superior Court of California, County of Sacramento Sacramento	AM	Y	We request that clarification be provided as to whether or not probate cases are included within the scope of "civil" cases.	As indicated in rule 3.35(b) [circulated as rule 801(b)], the rules on limited scope representation apply to civil cases, except in family law cases covered by rules 5.70 and 5.71.
11.	Hon. Thomas W. Kelly Supervising Civil Judge Superior Court of California, County of Butte Chico	A	N	No specific comments.	No response required.
12.	Ms. Tressa S. Kentner and Ms. Debra Meyers	A	N	No specific comments.	No response required.

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
Executive Officer and Chief of Staff Counsel Services Superior Court of California, County of San Bernardino San Bernardino				
13. Ms. Kathy Maderos and Ms. Angie Gonzalez Supervisor II and Supervisor I Superior Court of California, County of Stanislaus	A	N	No specific comments.	No response required.
14. Mr. Wayne Maire President California Defense Counsel Sacramento	A	Y	No specific comments.	No response required.
15. Hon. Laura Masunaga Commissioner Superior Court of California, County of Siskiyou Yreka	A	N	No specific comments.	No response required.
16. Ms. Julie M. McCoy Orange County Bar Association Irvine	N	N	The proposal to extend the limited scope representation rules to all types of civil cases is undesirable and unnecessary. Contrary to family law cases, it is relatively rare for litigants to represent themselves in general civil litigation. Before extending the rules to cover general civil litigation, a survey should be conducted in order to	The committee disagreed with this critique of limited scope representation. It supports the policy of extending limited scope representation to civil cases. Such representation will assist self-represented parties in such cases to obtain legal

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>determine if there is a need to do so.</p> <p>The benefits that the rules would provide to in pro per litigants in general civil cases is outweighed by the detriments that would be imposed upon represented litigants. Service of all pleadings would have to be made upon both the pro per litigant and the limited scope counsel. The procedure might be utilized to create confusion and delay the resolution of proceedings.</p> <p>If the limited scope representation rules are to be extended to general civil cases, they should include a provision for the court to reject the scope of the limited representation if, in the court's judgment, the designation would interfere with the administration of justice.</p> <p>Proposed rule 3.37 [circulated as rule 803] is unnecessary. Attorneys may now draft or assist in drafting legal documents without making an appearance in the case or disclosing their involvement in the text of the legal document.</p> <p>Under existing case law, a self-represented</p>	<p>assistance. This issue has been thoroughly studied. (See comment 21.)</p> <p>The committee disagreed that the detriments outweigh the benefits. The burden of serving both the attorney and the client is not significant.</p> <p>The committee did not recommend including such a provision.</p> <p>While the rule may not be necessary, it is helpful for the attorneys and parties who are involved in limited scope representation because it clarifies existing law.</p> <p>The rule does not change</p>

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			litigant is not generally entitled to recover attorney's fees. Yet, proposed rule 3.37(b) [circulated as rule 803] implies that attorney's fees incurred for document preparation might be recovered. Since the proposed rule may be construed as a change in the substantive law, it should first be presented to the Legislature in the form of amendments to Civil Code section 1717 and Code of Civil Procedure section 1033.5.	existing law. A person who is represented for limited purposes is not self-represented in these specific matters. Hence, as the rule indicates, that person may be entitled to attorney's fees under certain circumstances. The case law on the eligibility of self-represented persons for attorney's fees is not applicable to this situation.
17. Ms. Pam Moaida Civil/Small Claims Program Manager Superior Court of California, County of Solano Fairfield	A	N	Limited scope representation would be a great benefit to pro per litigants who cannot afford an attorney but need assistance in certain areas.	The committee agreed.
18. Ms. Sharon Ngim Staff Liaison to the Standing Committee on the Delivery of Legal Services The State Bar of California San Francisco	AM	N	The Standing Committee supports this proposal to adopt a court rule and forms for limited scope representation in civil cases outside family law. Given the increasing number of unrepresented litigants in our courts, including many moderate-income individuals, it is critical to adopt an effective and efficient system to ensure that these individuals can fairly access the judicial system. Limited scope	The commentator's support is noted.

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
19. Ms. Tina Rasnow Senior Attorney/Coordinator Superior Court of California, County of Ventura Ventura	A	N	<p>representation facilitates people obtaining legal assistance to the extent they need it. Having a rule and form facilitates attorneys to provide more limited scope representation services.</p> <p>The rules and forms are wonderful and much needed.</p> <p>I want to express support for the proposed rule and forms to accommodate limited scope representation in civil matters besides family law. The reasons why these rule and forms are needed include the following:</p> <ol style="list-style-type: none"> <li>1. There is a growing population having to appear in civil matters in court without an attorney. The types of matters commonly include unlawful detainers, contract disputes, and collection cases. To a lesser extent they include real estate disputes, such as quiet title or partition actions.</li> <li>2. While Judicial Council and local court form pleadings are of great help to self-represented litigants, there are certain types of pleadings where no form exists and people must self-draft, such as in causes of</li> </ol>	<p>The commentator's support is noted.</p> <p>The commentator's reasons for supporting limited scope representation generally in civil cases, and not just in family law cases, are persuasive.</p>

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>action for declaratory relief, quiet title, partition, and accounting, injunctive relief, etc.</p> <p>3. In civil discovery, self-represented litigants have a difficult, if not impossible time, getting the other side to respond to discovery requests, or even to draft those requests when there is no Judicial Council form, such as for interrogatories, available. Noticing and conducting a deposition almost certainly requires the assistance of an attorney. Bringing a motion to compel is enormously difficult for a non-attorney.</p> <p>4. Law and motion can be particularly challenging for self-represented litigants. Bringing a demurrer to a complaint on the basis of the running of the statute of limitations may serve to end the case in its tracks for a self-represented defendant, but the ability to draft a demurrer may be next to impossible. Defending a motion for summary judgment may be easy on a factual basis, but impossible procedurally for non-attorney. These types of motions or opposition to motions generally require the expertise of an attorney.</p>	

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>5. Unlawful detainer litigants may be able to complete their form pleadings themselves, but need an attorney to represent them at trial, where the formalities of laying foundations for evidence, responding to objections raised by the opposing side when that side is represented by an attorney, etc., make it impractical or impossible for a self-represented litigant to get a fair trial.</p> <p>There are no doubt many other types of matters and/or instances where a person may be able to handle much of his or her case pro se, but needs the expertise of an attorney to either draft a pleading, conduct a deposition, appear on a motion, or represent the litigant at trial. Limited scope representation in civil cases for these types of matters or proceedings allows those who cannot afford an attorney to handle the entire case to still have meaningful access to the court. Without limited scope services, many of the people will be severely restricted in their ability to adequately represent themselves, or even to access justice at all.</p>	

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
20.	Mr. Michael M. Roddy Executive Officer Superior Court of California, County of San Diego San Diego	A	Y	While the concept of having an attorney step in and out of a case, or only handle one discrete part, and not others, may feel awkward to opposing counsel, this is being done in family law with considerable success, and will no doubt become more acceptable and comfortable with attorneys as the files and forms facilitate more attorney being willing to assist clients on a limited scope basis.	The commentator's support for the proposal and identification of significant implementation issues are both noted.  The rules have been changed to provide that, during the limited scope representation, both the attorney and client must be served with all papers.
21.	Ms. M. Sue Talia, Chair Limited Representation Committee of the California Commission on Access to Justice	AM	Y	Limited scope representation will be a great benefit to pro per civil litigants; however, it will require significant revamping of our court's notice, computer data entry, and case-tracking procedures. For example, if an attorney substitutes in for oral argument only, the pro per would still need to receive notice of everything, and vice-a-versa, since the court's current case management system does not allow notice to be sent to a pro per litigant on some matters and to their attorney on others.	The committee's support for the proposal is noted.

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
Danville			<p>802, and 803], and forms MC-950, MC-955, MC-956, and MC-958.</p> <p>This committee thoroughly studied the issue of limited scope representation in 2001. That study included numerous focus groups, reviews of rules, forms, case law, and discussions with attorneys and litigants experienced in some form of limited scope representation. Our initial recommendations were unanimously approved by the State Bar Board of Governors on July 28th, 2001, and our written report was issued October 2001. (See our Report on Limited Scope Legal Assistance with Initial Recommendations dated October 2001.) Limited scope representation has been specifically approved by the Board of Governors and is the official policy of the State Bar of California.</p> <p>Among the initial recommendations to the State Bar of California were the following:</p> <p>1. 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</p>	

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>have contracted for limited scope legal assistance.</p> <p>2. 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.</p> <p>3. 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. (Report on Limited Scope Legal Assistance with Initial Recommendations dated October 2001.)</p> <p>Neither the committee's investigation nor its recommendations were limited to family law. However, due to the large volume of self-represented litigants in family law, that was the first substantive area addressed. The limited scope rules and forms for family law were adopted and went into effect July 2003.</p> <p>The rules and forms currently out for</p>	

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>comment are the natural progression of those activities. Our ongoing work demonstrates that there is a significant need for limited scope representation infields other than family law. Landlord/tenant assistance (for both low income landlords and tenants) is a high priority, as is small claims assistance, assistance with insurance coverage issues, and other forms of civil litigation. The vast majority of middle class and lower middle class litigants are unable to afford traditional full service representation, and do not qualify for legal aid. The moderate means resources which might help them are stretched to the breaking point. It is critical that the Judicial Council step in and provide the vehicles, in the form of rules and forms, which will not only allow, but encourage, attorneys to assist them on a limited scope basis in whatever manner is best suited to the case.</p> <p>Limited scope assistance is not for every litigant, case, or attorney, but must be analyzed on a case-by-case, client-by-client basis. The fact that some situations may not be appropriate for limited scope should not be an argument to prohibit or restrict the</p>	

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>practice in those areas where it is not only appropriate, but critical to the ability to protect litigants' important rights. Rather, our committee has stressed quality training to ensure that the attorneys offering these services have a thorough grounding in the ethical rules and potential problems, so they can appropriately tailor the scope of their representation to make quality legal services available to those who would otherwise be entirely unrepresented.</p> <p>Limited scope representation has had the support of the State Bar of California since this committee's report was adopted in 2001. It is taught at every annual meeting, and at dozens of locations around the state every year. The State Bar's Committee on Professional Responsibility and Conduct thoroughly investigated the ethical issues raised, and issued its Ethics Primer on Limited Scope Representation in November 2004, which was posted on the State Bar Web site at <a href="http://calbar.ca.gov/calbar/pdfs/ethics/COPRAC/COPRAC_02-2005_11-17-04.pdf">http://calbar.ca.gov/calbar/pdfs/ethics/COPRAC/COPRAC_02-2005_11-17-04.pdf</a>.</p> <p>Limited scope representation is critical to</p>	

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>the Access to Justice Commission's commitment to promote access to justice. The affirmative statement in the proposed rule that there is no requirement to disclose ghostwriting are essential to protect the attorney/client relationship in limited scope and encourage attorneys to assist with drafting and other document assistance which is outside the capability of litigants. The encouragement of ghostwriting is particularly important. If pleading and paperwork are too difficult for a self-represented litigant to do alone, there is a good chance that he will turn to someone less qualified than an attorney for assistance. We want to encourage quality assistance at every stage, to ensure that individuals do not lose important rights due to inability to prepare the paperwork.</p> <p>Similarly, we recognize that some aspects of legal matters are too complicated for a litigant to do alone. We want to encourage attorneys to assist with the more complicated aspects, even if that requires making a limited court appearance. For most of these litigants, the alternative to limited scope is not full service</p>	

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Commentator	Position	Comment on behalf of group?	Comment	Committee Response
			<p>representation, but either none at all, or non-professional assistance.</p> <p>Finally, from a court administration standpoint, we recognize the importance of advising both the court and opposing parties of the limits on scope where attorneys appear in court for part of the case in facilitating smooth court operations.</p> <p>The reality for most of the vast numbers of litigants who will benefit from limited scope is that, rather than being cast adrift in the court system, they have the opportunity to obtain assistance from a qualified attorney, which assistance is tailored to the facts and law of their case. Access to justice, to which we are all committed, demands meaningful legal assistance where the circumstances warrant it. The importance of limited scope to the broader goals of facilitating access cannot be overstated.</p> <p>The Limited Representation Committee of the California Commission on Access to Justice strongly supports and endorses the proposed rules 3.35, 3.36, and 3.37 [circulated as rules 801, 802, and 803], and</p>	

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	Commentator	Position	Comment on behalf of group?	Comment	Committee Response
22.	Mr. William Tanner Directing Attorney Legal Aid Society of Orange County Santa Ana	A	N	forms MC-950, MC-955, MC-956, and MC-958 without reservation or condition.  Finally.	No response required.