

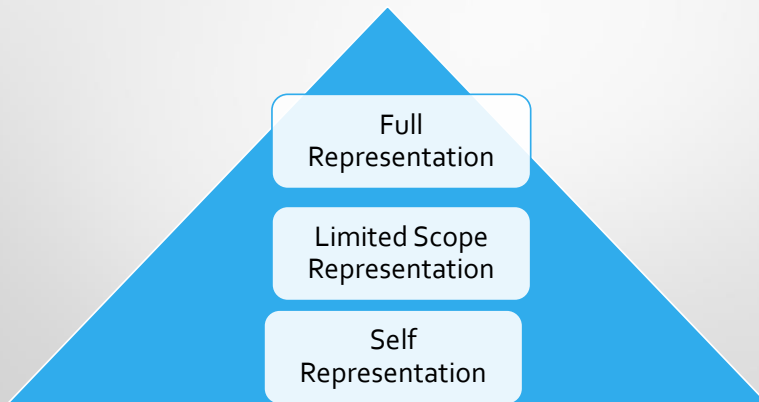
# Working with an Attorney on a Budget

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## Types of Legal Services



## Types of Legal Representation



### Traditional Model: Full Representation

- Attorney handles *all aspects* of case
- Initial retainer payment due up front
- Overall cost for legal work is uncertain
- Attorney is on the front line

## Limited Scope Representation

- Client and Attorney divide responsibilities
- Smaller retainer payment or flat fees
- Costs estimates provided by Attorney
- Client may be on the front line

## Types of Limited Scope Representation

### Undisclosed Representation

- No Notice to Other Party or Court

### Noticed Representation

- Notice to Other Party or Court

## Undisclosed Representation Attorney Prepares Documents

- If an attorney assists in drafting documents but does not make an appearance in the case then disclosure within the text of the documents that the attorney was involved in preparing the documents is *not required*.
- See California Rules of Court Rule 3.37 & Rule 5.425

## Noticed Representation Attorney Appears in Case

- Family Law: **Form FL-950** Notice of Limited Scope Rep
- Civil Law: **Form CIV-150** Notice of Limited Scope Rep
- At competition of representation **Form MC-050**  
Substitution of Attorney served on other party & filed with court
- See California Rules of Court - Rule 3.36 & Rule 5.425

## Benefits & Risks Limited Scope Representation

### Benefits of LSR

- Lower overall cost
- No high retainer fees
- Legal fees predictable
- More control over process and your choices
- More participation
- Learn to handle your case

### Risks of LSR

- More work for you
- More responsibility
- Need to learn laws & rules
- Must track deadlines
- More time from you
- Risk of communication problems

## Personal & Legal Self Assessment

Emotional  
Overload

Time  
Commitment

Case  
Complexity

Legal  
Knowledge

Comfort with  
Decision  
Making

## Questions to Ask the Lawyer

- Experience with limited scope legal services?
- Is my case appropriate for LSR?
- What are the troublesome issues in my case?
- What are your recommendations for them?
- Will you provide legal services on an “as needed” basis?
- Billing rates and expectations for payment?

## Entering into Limited Scope Attorney/Client Relationship

In depth attorney consultation

Issue & task identification

Agreement on division of work

## Dividing the Work Attorney/Client

- Development of case strategy
- Case management/deadlines
- Gathering information
- Drafting documents
- Negotiations with the other side
- Appearing in court

## Negotiating Attorney Fees

- Hourly Rate (Sliding Scale?)
- Flat Fees for Tasks
- Combination of Flat Fees & Hourly Rate
- Pay as You Go (Minimal Retainer)
- Monthly payment options

## Types of LSR Fee Agreements

- Single Legal Advice Consultation
- Consult & Document Preparation
- Ongoing Consulting Agreement
- Consultation and Court Appearance

## Special Considerations for LSR

- Division of responsibility must be in writing
- Make no assumptions, clarify roles
- Ask questions and seek clarification
- **Keep your attorney informed re: case**
- Changes in scope of services require amendment to fee agreement or new fee agreement



## Finding a Limited Scope Lawyer

- State Bar of CA Lawyer Referral Services  
<http://www.calbar.ca.gov/Public/Need-Legal-Help/Lawyer-Referral-Service>
- LawHelpCA.org
- San Fernando Bar Association [www.sfvbareferral.com](http://www.sfvbareferral.com)
- LA County Bar Association (“Modest Means” panel)  
<https://www.smartlaw.org/>
- Los Angeles Incubator Consortium  
<https://www.laincubatorconsortium.com/>
- Levitt & Quinn Family Law Center [www.levittquinn.org](http://www.levittquinn.org)

## Limited Scope Representation Resources

- California Courts Self Help Center  
<https://www.courts.ca.gov/1085.htm>
- *A Client’s Guide to Limited Legal Services*, M. Sue Talia
- *Unbundling Your Divorce – How to Find a Lawyer to Help you Help Yourself*, M. Sue Talia
- *Limited Scope Legal Services, Unbundling and the Self-Help Client*, Stephanie L. Kimbro
- *Unbundled Legal Services (A Family Lawyer’s Guide)*, Forrest S. Mosten & Elizabeth Potter Scully