

# LIMITED SCOPE REPRESENTATION BY WYOMING FAMILY LAW ATTORNEYS

BY ALEX H. SITZ III

So often I experience clients calling who really need the help of a family law attorney, but who can't afford to hire me on a full-time basis to see their cases all the way through to the end. It can be for something as simple as a young 20 year-old couple with no substantial assets needing assistance with how to properly file and complete a *pro se* divorce packet, or a stay-at-home mother estranged from her husband with little money who has an upcoming temporary custody hearing, or a post-divorce case

where the former spouses need an agreement to voluntarily change custody of their 14 year-old son who now wants to live with his father. Scenarios, similar to these mentioned, are endless; but how we choose to help and represent these individuals can be limited if agreed.

If contacted for situations as described in the preceding cases it may be a perfect time to consider a limited scope representation where the attorney handles part, but not all, of a legal matter. This limited rela-

tionship is typically a win-win situation for both the attorney and the client because the client gets the necessary help they need at that particular moment at a more affordable cost, and we as attorneys don't get in over our heads in a case without receiving payment.

In doing a limited scope representation be aware of a few rules. First, Wyoming Rule of Professional Conduct 1.2(c), states:

**Rule 1.2(c)** A lawyer may limit the scope of representation if the limitation is reasonable under the circumstances and the client gives informed consent. An otherwise unrepresented person to whom limited representation is being provided or has been provided in accordance with this rule is considered to be unrepresented for purposes of Rules 4.2 and 4.3 unless the opposing lawyer knows of or has been provided with:

- (1) a written notice stating that the lawyer is to communicate only with the limited representation lawyer as to the subject matter of the limited representation; or
- (2) a written notice of the time period during which the lawyer is to communicate only with the limited representation lawyer concerning the subject matter of the limited representation.

The second rule to be aware of is Rule 102 of the Uniform Rules for District Courts which states in relevant part:

**Rule 102(a)(1)** An attorney appears in a case:

- (C) By a written appearance. Except in a criminal case, a written entry of appearance may be limited, by its terms, to a particular proceeding or matter.

**Rule 102(a)(2)** Except as otherwise limited by a written entry of appearance, an appearing attorney shall be considered as representing the party or parties for whom the attorney appears for all purposes.

**Rule 102(c)**...An attorney who has entered a limited entry of appearance shall

STATE OF WYOMING	)	IN THE DISTRICT COURT
	)	FIRST JUDICIAL DISTRICT
COUNTY OF LARAMIE	)	
PETITIONER	)	Docket No. 1234
	)	
vs	)	
	)	
RESPONDENT.	)	
<b>LIMITED ENTRY OF APPEARANCE</b>		
Attorney John Doe, pursuant to the Uniform Rules for District Courts of the State of Wyoming, Rule 102, hereby enters a limited appearance as counsel of record for Petitioner in the above-named action, for the purpose of _____. Attorney John Doe will be deemed withdrawn as counsel of record upon completion of _____.		
Dated this _____ day of _____ 20_____.		
		_____ Attorney
[24]		

