

1 **Rule 1.1. Competence.**

2 A lawyer shall provide competent representation to a client. Competent representation requires the
3 legal knowledge, skill, thoroughness and preparation reasonably necessary for the representation.

4 Comment

5 Legal Knowledge and Skill

6 [1] In determining whether a lawyer employs the requisite knowledge and skill in a particular matter,
7 relevant factors include the relative complexity and specialized nature of the matter, the lawyer's general
8 experience, the lawyer's training and experience in the field in question, the preparation and study the
9 lawyer is able to give the matter and whether it is feasible to refer the matter to, or associate or consult
10 with, a lawyer of established competence in the field in question. In many instances, the required
11 proficiency is that of a general practitioner. Expertise in a particular field of law may be required in some
12 circumstances.

13 [2] A lawyer need not necessarily have special training or prior experience to handle legal problems of
14 a type with which the lawyer is unfamiliar. A newly admitted lawyer can be as competent as a practitioner
15 with long experience. Some important legal skills, such as the analysis of precedent, the evaluation of
16 evidence and legal drafting, are required in all legal problems. Perhaps the most fundamental legal skill
17 consists of determining what kind of legal problems a situation may involve, a skill that necessarily
18 transcends any particular specialized knowledge. A lawyer can provide adequate representation in a
19 wholly novel field through necessary study. Competent representation can also be provided through the
20 association of a lawyer of established competence in the field in question.

21 [3] In an emergency a lawyer may give advice or assistance in a matter in which the lawyer does not
22 have the skill ordinarily required where referral to or consultation or association with another lawyer would
23 be impractical. Even in an emergency, however, assistance should be limited to that reasonably
24 necessary in the circumstances, for ill-considered action under emergency conditions can jeopardize the
25 client's interest.

26 [4] A lawyer may accept representation where the requisite level of competence can be achieved by
27 reasonable preparation. This applies as well to a lawyer who is appointed as counsel for an
28 unrepresented person. See also Rule 6.2.

29 Thoroughness and Preparation

30 [5] Competent handling of a particular matter includes inquiry into and analysis of the factual and
31 legal elements of the problem and use of methods and procedures meeting the standards of competent
32 practitioners. It also includes adequate preparation. The required attention and preparation are
33 determined in part by what is at stake; major litigation and complex transactions ordinarily require more
34 extensive treatment than matters of lesser complexity and consequence. An agreement between the
35 lawyer and the client regarding the scope of the representation may limit the matters for which the lawyer
36 is responsible. See Rule 1.2(c).

37 | [Retaining or Contracting With Other Lawyers](#)

38 [6] Before a lawyer retains or contracts with other lawyers outside the lawyer's own firm to provide or
39 assist in the provision of legal services to a client, the lawyer should ordinarily obtain informed consent
40 from the client and must reasonably believe that the other lawyers' services will contribute to the
41 competent and ethical representation of the client. The reasonableness of the decision to retain or
42 contract with other lawyers outside the lawyer's own firm will depend upon the circumstances, including
43 the education, experience and reputation of the nonfirm lawyers; the nature of the services assigned to
44 the nonfirm lawyers; and the legal protections, professional conduct rules, and ethical environments of the
45 jurisdictions in which the services will be performed, particularly relating to confidential information.

46 [7] When lawyers from more than one law firm are providing legal services to the client on a particular
47 matter, the lawyers ordinarily should consult with each other and the client about the scope of their
48 respective representations and the allocation of responsibility among them. See Rule 1.2. When making
49 allocations of responsibility in a matter pending before a tribunal, lawyers and parties may have additional
50 obligations that are a matter of law beyond the scope of these Rules.

51 Maintaining Competence

52 [68] To maintain the requisite knowledge and skill, a lawyer should keep abreast of changes in the
53 law and its practice, including the benefits and risks associated with relevant technology, engage in
54 continuing study and education and comply with all continuing legal education requirements to which the
55 lawyer is subject.