

1 **Rule 6.5: Short-term Limited Legal Services ~~Nonprofit & Court-Annexed Limited~~**
2 **~~Legal Services Programs~~**

3 (a) A lawyer who provides short-term limited legal services to a client through a one-
4 time consultation or a representation provided through a program sponsored by a
5 nonprofit organization, a government agency, a law school, or a court, without
6 expectation by either the lawyer or the client that the lawyer will provide continuing
7 representation in the matter, ~~under the auspices of a program sponsored by a nonprofit~~
8 ~~organization or court, provides short-term limited legal services to a client without~~
9 ~~expectation by either the lawyer or the client that the lawyer will provide continuing~~
10 ~~representation in the matter:~~

11 (1) is subject to Rules 1.7 and 1.9(a) only if the lawyer knows that the representation
12 of the client involves a conflict of interest; and

13 (2) is subject to Rule 1.10 only if the lawyer knows that another lawyer associated
14 with the lawyer in a law firm is disqualified by Rule 1.7 or 1.9(a) with respect to the
15 matter.

16 (b) Except as provided in paragraph (a)(2), Rule 1.10 is inapplicable to a representation
17 governed by this Rule.

18 (c) Notwithstanding the above, other lawyers in a firm are not disqualified from
19 representing clients whose interests are adverse to a client who received short-term
20 limited legal services from a lawyer in the firm if:

21 (1) the lawyer who provided the services is timely screened from the adverse
22 clients' matters; and

23 (2) receives no fees directly from those matters.

24 Comments

25 [1] Legal services organizations, courts, and various nonprofit organizations have
26 established programs through which lawyers provide short-term limited legal services

27 | – such as advice, [a court appearance](#), or the completion of legal forms – that will assist
28 | persons to address their legal problems without further representation by a lawyer. In
29 | these programs, such as legal-advice hotlines, advice-only clinics or pro se counseling
30 | programs, a client-lawyer relationship is established, but there is no expectation that the
31 | lawyer's representation of the client will continue beyond the limited consultation. Such
32 | programs are normally operated under circumstances in which it is not feasible for a
33 | lawyer to systematically screen for conflicts of interest as is generally required before
34 | undertaking a representation. See, e.g., Rules 1.7, 1.9 and 1.10.

35 | ~~[2] A lawyer who provides short-term limited legal services pursuant to this Rule must~~
36 | ~~secure the client's informed consent to the limited scope of the representation. See Rule~~
37 | ~~1.2(e).~~ If a short-term limited representation would not be reasonable under the
38 | circumstances, the lawyer may offer advice to the client but must also advise the client
39 | of the need for further assistance of counsel. Except as provided in this Rule, the Rules
40 | of Professional Conduct, including Rules 1.6 and 1.9(c), are applicable to the limited
41 | representation.

42 | [3] Because a lawyer who is representing a client in the circumstances addressed by this
43 | Rule ordinarily is not able to check systematically for conflicts of interest, paragraph (a)
44 | requires compliance with Rules 1.7 or 1.9(a) only if the lawyer knows that the
45 | representation presents a conflict of interest for the lawyer, and with Rule 1.10 only if
46 | the lawyer knows that another lawyer in the lawyer's firm is disqualified by Rules 1.7 or
47 | 1.9(a) in the matter.

48 | [4] Because the limited nature of the services significantly reduces the risk of conflicts of
49 | interest with other matters being handled by the lawyer's firm, paragraph (b) provides
50 | that Rule 1.10 is inapplicable to a representation governed by this Rule except as
51 | provided by paragraph (a)(2). Paragraph (a)(2) requires the participating lawyer to
52 | comply with Rule 1.10 when the lawyer knows that the lawyer's firm is disqualified by
53 | Rules 1.7 or 1.9(a). By virtue of paragraph (b), however, a lawyer's participation in a
54 | short-term limited legal services program will not preclude the lawyer's firm from

55 undertaking or continuing the representation of a client with interests adverse to a
56 client being represented under the program's auspices. Nor will the personal
57 disqualification of a lawyer participating in the program be imputed to other lawyers
58 participating in the program.

59 [5] If, after commencing a short-term limited representation in accordance with this
60 Rule, a lawyer undertakes to represent the client in the matter on an ongoing basis,
61 Rules 1.7, 1.9(a) and 1.10 become applicable.

62 [65a] This Rule differs from ABA Model Rule 6.5 to the extent that it changes the title,
63 changes paragraph (a), and adds new paragraph (c).

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