



BOSTON MUNICIPAL COURT DEPARTMENT
TRIAL COURT OF THE COMMONWEALTH OF MASSACHUSETTS
EDWARD W. BROOKE COURTHOUSE
24 NEW CHARDON STREET
6TH FLOOR
BOSTON, MA 02114

**LIMITED ASSISTANCE REPRESENTATION (LAR)
FREQUENTLY ASKED QUESTIONS FOR LITIGANTS**

Q. What is Limited Assistance Representation (LAR)?

A. Limited Assistance Representation (LAR) is when an attorney represents or assists a litigant (party in a lawsuit) with part, but not all, of his or her legal case. In all divisions of the Boston Municipal Court Department, LAR is available in civil cases only, such as supplementary process or small claims or civil motor vehicle appeals, but NOT in any criminal case. The attorney and litigant enter into a detailed limited assistance agreement setting out what specific tasks the attorney will be responsible for, and what specific tasks the litigant will be responsible for in the case.

Q. Who can use LAR? When can LAR be used?

A. Any party who has a civil case pending or to be filed in court may use LAR. LAR can be used at any stage in a civil case when a party does not wish to represent himself or herself throughout the entire case, but also does not wish to hire an attorney to represent him/her throughout the entire case. The litigant and attorney together agree on who is responsible for completing which specific tasks in the case.

Q. What are some of the ways an attorney can help a litigant using LAR?

A. An attorney can coach a litigant outside of court on what the law is and what the rules of civil procedure are without ever filing an appearance or appearing in court on behalf of the litigant. An attorney can also draft documents for a litigant to file with the court without filing an appearance or going into court with the litigant, but the attorney must write on the document that it was prepared with the assistance of counsel. (This is called "ghostwriting" and is discussed below.) An attorney can also appear in court with a litigant for part of the entire case, for example attending only a pretrial conference. In this instance, the attorney must file a Notice of Limited Appearance with the court describing the specific issue or event in which the attorney is representing the litigant. After the completion or conclusion of that issue or event, the attorney must file a Notice of Withdrawal of Limited Appearance.

Q. Will I have to pay for this service?

A. As with all legal services, you and your attorney will negotiate and agree on whether you will pay him or her and how much.

Q. How do I find a lawyer who will represent me on a limited basis?

A. Attorneys must first take a mandatory information session before they may provide limited representation. A list of attorneys who may participate in LAR will be available in the Clerk's Office of each division as well as posted on the Boston Municipal Court Department's website found at www.mass.gov/courts, and may also be available through local bar associations in the future. **This list only represents those attorneys who have completed the mandatory LAR information session. The courts do not endorse, recommend or otherwise comment on the legal capabilities of the attorneys on this list.**

Q. What duties does an attorney owe a client when there is limited assistance representation?

A. An attorney must follow all ethical rules and standards of professional responsibility whether providing full or limited representation to a client. The requirements of zealous advocacy, confidentiality, avoiding conflicts of interest, etc. all apply.

Q. If I choose to represent myself in my legal case, will the court help me or give me special consideration because I am not an attorney?

A. No. The Judge must remain impartial in hearing your case and court employees cannot give you legal advice. If you choose to represent yourself for the entire case or part of the case, you are responsible for all aspects of your case, including costs, and you are expected to learn the relevant law and procedures. If you are not confident in your ability to represent yourself, you should hire an attorney.

Q. If one party is represented by an attorney in court and the other is not, will the rules of evidence be less strictly followed and the expectations of the party without an attorney be reduced?

A. No. The rules of evidence and the law will be applied equally to all parties appearing before the court, whether or not they are represented by an attorney.