



Commonwealth of Massachusetts

THE TRIAL COURT

PROBATE AND FAMILY COURT DEPARTMENT

Limited Assistance Representation Project Probate and Family Court

Frequently Asked Questions For Litigants:

Q. What is Limited Assistance Representation (LAR)?

A. Limited Assistance Representation is when an attorney represents or assists a litigant with part, but not all, of his or her legal matter. The attorney and litigant enter into a detailed agreement defining what tasks the attorney will be responsible for and what tasks the litigant will be responsible for. LAR is allowed in all Divisions of the Probate and Family Court as of May 1, 2009.

Q. Will I have to pay for this service?

A. As with all legal services, you and your attorney will negotiate whether and how much you will pay him or her. There are instances where an attorney may be willing to provide services without a fee, i.e. *pro bono*.

Q. Who can use LAR?

A. LAR can be used by anyone who has a matter pending or to be filed in court and that party does not wish to represent him/herself but does not wish to hire an attorney to represent him/her throughout the entire case.

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

A. Attorneys must take a mandatory training to provide limited representation. A list of qualified attorneys may be available in the registry of probate and local bar associations.

Q. When can I use LAR?

A. You can use LAR whenever there is a matter pending or to be filed in court and you do not wish to represent yourself but you do not wish to hire an attorney to represent you throughout the entire case.

Q. If I choose to represent myself in my case, will the Judge 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 cannot give you legal advice. If you choose to represent yourself for the entire case or part of the case, you are expected to learn the relevant law and procedure. If you are not confident in your ability to represent yourself, you should hire an attorney.

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

A. No. The rules of evidence and the law will be equally applied to all parties appearing before the court.