

**Chief Justice Chase T. Rogers  
Limited Scope Representation  
Quinnipiac University Law School  
Friday, October 28, 2011**

Thank you for giving me the opportunity to address you this afternoon. I know that you are going to be spending the afternoon talking about limited scope representation – both the benefits and some of the concerns.

As you may know, 44 other states have adopted the ABA Model Rule 6.5, which specifically authorizes an attorney and client to limit the scope of the attorney's responsibilities. As part of the development of the Judicial Branch's Strategic Plan, the issue of limited scope representation was one of the most difficult yet pressing initiatives before the Committee on Self-represented Parties. This Committee was chaired with great enthusiasm and hard work by Judge Norko who is here today. Working with both the Connecticut Bar Foundation and the Connecticut Bar Association, the issue of how limited scope representation might work in Connecticut was examined, and the result was the discussion and the proposal you are going to hear about today.

Some of the comprehensive issues that are going to be discussed this afternoon include issues of liability, good practice, common myths, potential ethical issues, the possibility of creating a new client base, grievance issues, and other areas.

As you know, I have been very concerned about the increasing numbers of self-represented parties in our courts. Some people assume that the only people who represent themselves are those who make a deliberate choice to do so. As my colleagues John Broderick, former Chief Justice of New Hampshire and Ronald George, prior Chief Justice of California have written, "litigants who can afford the services of a lawyer will continue to use one until a case or problem is resolved. Lawyers make a difference and clients know that. But for

those whose only option is to go it alone, at least some limited, affordable time with a lawyer is a valuable option we should all encourage.” The truth is many people who represent themselves do so because they cannot afford a lawyer and feel that they have no choice.

Encouraging pro bono work is one way to address this trend. Earlier this month, we held a very well-attended summit in Hartford to provide information to law firms and in-house corporate counsel about the value of pro bono work. We also provided resources and information intended to remove barriers to this type of work. Our goal is to make it easier for attorneys to represent others in need, support the bar in those efforts, and recognize those who go above and beyond. Limited scope representation may be another way for Connecticut to remove barriers and make our justice system more accessible.

I understand that there is some hesitancy among some members of the bar that limited scope representation will encourage litigants to dissect their cases in an effort to save money. That by offering too much assistance to self-represented parties, the courts themselves are undermining the value of the legal profession. In response to this concern, I turn once again to the words of Justices Broderick and George – “we believe that limited scope representation rules will allow lawyers – especially sole practitioners – to service people who might otherwise have never sought legal assistance. In talking to my colleagues around the country that have a limited scope rule, this is exactly what is happening.

I also understand that one of the concerns expressed by the bar is the fear that judges won’t allow lawyers to withdraw from a case once they have filed a limited appearance. To address this particular situation, there is a proposal that you will hear about today for a Certificate of Completion which would allow for an

automatic withdrawal of the limited appearance. I hope that this certificate will address these concerns from both a judicial and bar perspective.

Before I conclude my remarks this afternoon, I would like to thank all of those who have worked so tirelessly and thoughtfully on this initiative.

This symposium is an important step towards determining whether limited scope representation can help ensure that self-represented parties have access to justice.

Thank you for the opportunity to provide these remarks, and thank you for taking time out of your busy schedules to attend this symposium.