

ADMINISTRATIVE ORDER OF THE  
CHIEF ADMINISTRATIVE JUDGE OF THE COURTS  
WITH THE CONSENT OF THE  
ADMINISTRATIVE BOARD OF THE COURTS

Whereas, the due administration of justice is the firmest pillar of good government and a just society; and

Whereas, a crucial component of due administration of justice is the availability of qualified legal counsel to all who come before the courts, in matters civil and criminal, without regard to economic station; and

Whereas, it has been estimated that 1.8 million people attempt to navigate New York State's civil justice system without benefit of counsel each year; and

Whereas, the legal issues presented in the civil matters of these unrepresented litigants – including domestic violence, veterans' rights, consumer credit, foreclosure, eviction, divorce – address the most fundamental matters of health, security and well-being of the participants; and

Whereas, this large number of unrepresented litigants in civil matters before the New York State courts imposes upon the administrative leadership of the Unified Court System a responsibility to exercise its discretion to take all appropriate steps to increase legal assistance to low- and moderate- income individuals in civil cases; and

Whereas, limited scope legal assistance (also called unbundled legal services or discrete task legal assistance) constitutes an attorney-client relationship in which, by advance agreement of the parties, the legal services provided by attorney to client are limited in scope and duration to a degree less than full service representation; and

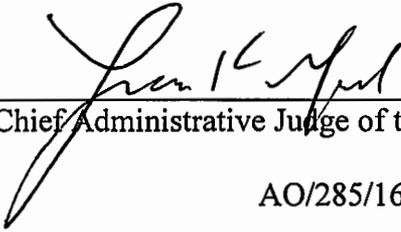
Whereas, the provision of limited scope legal assistance by attorneys is ethically permitted pursuant to the Rules of Professional Conduct (22 NYCRR Part 1200, Rule 1.2[c]); and

Whereas, in the opinion of the Administrative Board of the Courts, the expanded use of limited scope legal assistance by properly trained attorneys constitutes an appropriate method to broaden access to civil legal assistance to unrepresented litigants;

Now therefore, by the powers vested in me, and with the advice and consent of the Administrative Board of the Courts, I declare it the policy of the Unified Court System to support and encourage the practice of limited scope legal assistance in appropriate cases, and to encourage judges and justices to permit attorneys to appear for limited purposes in civil cases under the following circumstances:

1. the appearing attorney has completed a certified training course in limited scope representation administered by the Office of Court Administration; and
2. the attorney and client have executed a retainer agreement which clearly articulates the scope of limited representation, and the client has given informed consent to the arrangement; and

3. the court deems the limited appearance otherwise appropriate under the circumstances.

  
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Chief Administrative Judge of the Courts

Dated: December 16, 2016

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