

From: Doug VanEpps
To: CDRP Centers
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Subject: "Unbundled" legal services ethics opinion

Directors:

Over the years we have fielded quite a few questions from attorneys asking whether they could assist pro se litigants for the sole purpose of preparing and reviewing documents and explaining court procedure, without formally representing the litigants in court. I assume that this has been an issue at your centers as well. Until now, we have not been able to provide a definitive response.

A recent Michigan State Bar ethics opinion appears to address this:

RI-347
April 23, 2010

SYLLABUS So long as he or she complies with the Michigan Rules of Professional Conduct and other law, a lawyer may, without appearing in a proceeding or otherwise disclosing or ensuring the disclosure of the lawyer's assistance to the court or to other counsel and other parties, assist a pro se litigant by giving advice on the content and format of documents to be filed with the court, including pleadings, by drafting those documents for the litigant, by giving advice about what to do in court or any combination of these.

The full text of the opinion appears here:

http://www.michbar.org/opinions/ethics/numbered_opinions/ri-347.htm

Doug

Doug Van Epps
Director, Office of Dispute Resolution
Michigan Supreme Court
State Court Administrative Office
P. O. Box 30048
Lansing MI 48909
Tel: 517.373.4839
Fax: 517.373.5748
Email: vanepspd@courts.mi.gov
Website: <http://courts.michigan.gov/scao/dispute/odr.htm>