Tasks/Issues to be Apportioned

Two checklists follow. They address the two ways in which limited scope representation arrangements may be itemized/ apportioned. In the first, the client and attorney agree which tasks are to be performed by each of them. This is by far the most common arrangement. In the other model, the attorney handles one or more discrete service/issue from start to finish, with the client assuming responsibility for the other issues.

The checklists should be tailored to your practice and to each case and may be used in two ways:

1. Use them as part of your intake to memorialize your discussions with the client regarding the limitations on scope and do a new one each time the scope changes (as it frequently does).
2. Use them as exhibits to the fee agreement of your choice and replace or revise them each time the scope changes.

Tasks to Be Apportioned May Look Like This:

Client instructs attorney not to do discovery, and undertakes the information gathering role;

- Client asks attorney to draft motion or responsive pleadings for a hearing the client attends pro se;
- Client consults with attorney on strategy and tactics;
- Client appears at the hearing and asks the attorney to draft the order;
- Client asks attorney to review correspondence or pleadings which the client has drafted;
- Client asks attorney to prepare subpoenas;
- Client asks attorney to write a brief to be filed pro se;
- Client asks attorney to run computer support programs on her, or review and analyze computer support calculations proposed by the opposing party;

Issues to Be Apportioned May Look Like This:

- Attorney represents client in connection with custody and visitation issues (maybe including support); client is *pro se* on property issues.
- Attorney collects past due child support while client enforces the order to sell the house;
- Attorney obtains supervised visitation and drug testing orders, and client is *pro se* on support issues;
- Attorney prepares QDRO dividing pension or order apportioning stock options, while client self-represents on other issues;

***Note: Each limited scope arrangement is different, and must be tailored to the client, case and issues presented. These checklists are designed to be flexible and should be tailored to each case.**

Attachment to Limited Scope Fee Agreement
Tasks to be Apportioned

Use this form to allocate tasks between attorney and client. Attach this form to your original and new/revised fee agreement if the scope of representation changes.

TASK	ATTORNEY TO DO	DATE COMPLETED	CLIENT TO DO
Draft papers to start divorce			
File and serve papers			
Draft Motions			
Draft affidavits and declarations			
Analyze case and advise of legal rights			
Procedural advice			
Formulating strategy and tactics			
Investigate facts; which issues?			
Obtain documents; which ones?			
Draft correspondence			
Review correspondence and pleadings			
Appear in court			
Run computer support programs			
Prepare subpoenas for documents			
Take depositions			
Review depositions and documents obtained from others			

Attorney initials

Client initials

Tasks to be Apportioned – Continued

TASK	ATTORNEY TO DO	DATE COMPLETED	CLIENT TO DO
Legal research and analysis			
Contact witnesses			
Draft or analyze settlement proposals			
Contact expert witnesses			
Draft orders and judgments			
Outline testimony			
Trial or negotiation preparation			
Review orders and judgments that client drafts			
Draft orders			
Draft dislosure documents			
Advise regarding appeal			
Enforce orders			
Draft other papers as necessary			
Other:			
Other:			
Other:			

Attorney signature	Client signature
Date	Date

Attachment to Limited Scope Fee Agreement
Issues to be Apportioned

Use this form to allocate services/issues between attorney and client. Attach this form to your original and new/revised fee agreement if the scope of representation changes.

TASK	ATTORNEY TO DO	DATE COMPLETED	CLIENT TO DO
Custody/Visitation dispute			
Set or modify child support			
Collect past due child support			
Collect past due spousal support			
Real property valuation and division			
Business interests			
Bank accounts			
Investments			
Pension rights			
Stocks and bonds			
Stock options			
Value and divide employee benefits			
Health insurance			
Life insurance			
Value or divide other assets/debts			

Attorney initials

Client initials

Issues to be Apportioned – Continued

TASK	ATTORNEY TO DO	DATE COMPLETED	CLIENT TO DO
Enforce orders (describe)			
Pursue an appeal			
Other issues:			
Other issues:			
Other issues:			

Attorney signature	Client signature
Date	Date