

SUPREME COURT OF ARKANSAS

In re Arkansas Bar Association Petition to Amend Rules 1.2, 4.2, and 4.3 of the Arkansas Rules of Professional Conduct

In re Ark. Bar Ass'n Petition to Amend Rules, 2016 Ark. 132 (2016) · No. CV-16-187 · Decided March 17, 2016

SUMMARY

The Supreme Court of Arkansas solicited comments on the Arkansas Bar Association's petition to amend Rules 1.2, 4.2, and 4.3 of the Arkansas Rules of Professional Conduct. The proposed amendments address limited-scope or unbundled legal representation, including informed-consent requirements and communications with persons receiving limited-scope representation.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Arkansas
DECIDED	March 17, 2016
DOCKET	CV-16-187
DISPOSITION	other
PROCEDURAL POSTURE	The Arkansas Bar Association, its House of Delegates, and its Professional Ethics Committee petitioned the Supreme Court of Arkansas to amend Rules 1.2, 4.2, and 4.3 of the Arkansas Rules of Professional Conduct. The court solicited written comments from the bench and bar before deciding the petition.
PRECEDENTIAL VALUE	Published Arkansas Supreme Court rulemaking opinion; primarily procedural and consultative rather than a merits decision.

TOPICS

[appellate procedure](#)[civil procedure](#)

PRACTICE AREAS

[professional responsibility](#)[legal ethics](#)[rulemaking](#)

QUESTIONS PRESENTED

1. Whether the Supreme Court of Arkansas should consider proposed amendments to Rules 1.2, 4.2, and 4.3 of the Arkansas Rules of Professional Conduct concerning limited-scope representation.
2. Whether written comments should be solicited from the bench and bar before the court takes further action on the proposed amendments.

KEY QUOTATIONS

“To assist our deliberations, we solicit comments from the bench and bar.” (1)

“Comments should be made in writing before May 1, 2016” (1)

FACTUAL BACKGROUND

The Arkansas Bar Association, its House of Delegates, and its Professional Ethics Committee proposed amendments intended to facilitate limited-scope legal representation and increase access to justice. The proposed changes addressed written informed consent for limited representation under Rule 1.2 and the treatment of persons receiving limited-scope representation under Rules 4.2 and 4.3. The court provided the proposed language and sought comments from the bench and bar.

PROCEDURAL HISTORY

The Arkansas Bar Association and related entities filed a petition proposing amendments concerning limited-scope or unbundled legal representation. The Supreme Court of Arkansas described the proposed amendments, reproduced the proposed rule language, and invited written comments by May 1, 2016. The opinion does not state a final disposition adopting or rejecting the amendments.

DISPOSITION

other