



Ohio Board of Professional Conduct

OPINION 2026-01

Issued April 10, 2026

Limited Scope Representation Through the Drafting of Pleadings for Pro Se Litigants

SYLLABUS: A lawyer, providing legal services through a limited scope representation, may engage in the drafting of pleadings and other case documents for a client proceeding pro se in litigation when the lawyer files a notice of limited appearance pursuant to Civ.R. 3. Lawyers may provide standardized form legal documents to clients proceeding pro se in litigation without giving notice to opposing counsel or courts.

This nonbinding advisory opinion is issued by the Ohio Board of Professional Conduct in response to a prospective or hypothetical question regarding the application of ethics rules applicable to Ohio judges and lawyers. The Ohio Board of Professional Conduct is solely responsible for the content of this advisory opinion, and the advice contained in this opinion does not reflect and should not be construed as reflecting the opinion of the Supreme Court of Ohio. Questions regarding this advisory opinion should be directed to the staff of the Ohio Board of Professional Conduct.



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APPLICABLE RULES: Prof.Cond.R. 1.1, 1.2, 1.3, 3.3, 3.4, 4.1, and 8.4.

QUESTIONS PRESENTED:

- 1). Whether a lawyer may engage in “ghostwriting” for pro se litigants without disclosing the lawyer’s involvement to either the court and/or opposing counsel during active litigation.
- 2). Whether a lawyer may provide standardized form legal documents, pleadings, and other court filings for pro se litigants without disclosing the lawyer’s involvement to either the court and/or opposing counsel during active litigation.
- 3). Whether a lawyer violates Civ.R. 11 when engaging in “ghostwriting.”

ANALYSIS:

“Ghostwriting,” as defined by other jurisdictions, consists of a lawyer providing legal services, typically through the drafting of pleadings or other case documents, to a pro se litigant, when the lawyer’s identity will not be disclosed to the court, the lawyer will not make a formal appearance in the litigation, and the lawyer will not sign the pleadings or case documents filed with the court. *See, e.g.,* Az. Op. 34 (June 24, 2009). The Rules of Professional Conduct and the Civil Rules of Procedure do not expressly permit “ghostwriting” in the manner described above. Lawyers, may, however, provide limited

legal services to pro se litigants if reasonable under the circumstances and communicated to the client, preferably in writing, and otherwise referred to as “limited scope representation.” Prof.Cond.R 1.2(c). Limited scope representation permits a lawyer and client to agree to discrete services that will be provided by the lawyer with other necessary tasks left to be performed by the client proceeding pro se. Drafting services provided by a lawyer to the client with the intention the lawyer will not sign and file a pleading or other case document is a type of permissible limited scope representation. For example, a lawyer and client might agree that the lawyer will only draft the complaint or answer for a civil lawsuit, while the client will sign and file the pleading, make all court appearances, engage in discovery, and participate in settlement negotiations.

Notice of Limited Appearance – Civ.R. 3(B)

Litigants always retain the right to represent themselves in legal proceedings. When exercising this right, pro se litigants may choose to seek legal advice or limited litigation assistance from a lawyer. Unless there is a specific law or procedural rule, as in Ohio, that mandates disclosure, pro se litigants are not obligated to reveal to the court or opposing parties that they have received legal assistance from a lawyer. *See* ABA Op. 07-446 (May 5, 2007).

The Supreme Court adopted amendments to the Ohio Civil Rules of Procedure on July 1, 2018 to better enable lawyers assisting clients in need of some, but not all, of the legal services typically required to litigate a civil case. The amendments were drafted in response to the Supreme Court’s 2015 Access to Justice Task Force recommendation to increase the availability of lawyers willing to provide limited scope representation to clients wishing to proceed in a matter pro se.¹

Lawyers, even when providing legal services in a limited scope representation, are required to obey the rules of a tribunal. Prof.Cond.R. 3.4(c). The 2018 amendment to Civ.R. 3(B) mandates that a lawyer retained to assist a pro se litigant through a limited scope representation file a notice of limited appearance, served upon all parties and counsel, that includes the scope of services the lawyer is providing to the pro se litigant. When the services have been completed, the lawyer is required to file a notice of

¹ <https://www.supremecourt.ohio.gov/docs/Publications/accessJustice/finalReport.pdf> (Retrieved April 5, 2026).

completion of limited appearance that permits the lawyer to withdraw from the matter without seeking leave of court. Civ.R. 3(B).

A lawyer's use of a notice of limited appearance removes the ethical concerns that are traditionally associated with "ghostwriting" by lawyers. By formally appearing in litigation on a permissible and limited basis, with full disclosure to the court, parties, and opposing counsel pursuant to Civ.R. 3, a lawyer avoids directly implicating Prof.Cond.R. 3.3(a)(making a false statement of fact to a tribunal), Prof.Cond.R. 4.1(b)(making a false statement of material fact to a third person), and Prof.Cond.R. 8.4(c)(engaging in dishonesty, fraud, deceit, and misrepresentation) when providing drafting services to a client proceeding pro se.

Civ.R. 11

The Board cannot directly address the question whether providing drafting services to pro se litigants constitutes a Civ.R. 11 violation because the Board's advisory opinion authority is limited to questions concerning the Rules of Professional Conduct, the Code of Judicial Conduct, and the Rules for the Government of the Bar and Judiciary. Gov.Bar R. V(2(D)). However, neither Prof.Cond.R. 1.2(c) nor Civ.R. 3(B) requires the drafting lawyer who files a notice of limited appearance to also sign any pleading or other filing in addition to the pro se litigant.

The Board is unaware of any Ohio state court interpretation of Civ.R. 11 that requires a lawyer to sign a pleading that the lawyer drafted but intended to be signed and filed only by the pro se litigant. Because Ohio state courts have not yet addressed the application of Civ. R. 11 in the context of limited scope representation, attorneys should assess whether providing limited drafting services in compliance with Prof.Cond.R. 1.2(c) and Civ.R. 3(B) is being undertaken to circumvent the requirements of Civ.R. 11. Given the lack of judicial guidance, the Board advises lawyers preparing documents for filing by pro se litigants to generally adhere to Civ.R. 11. This includes ensuring that filings are supported by good cause, are not submitted for purposes of delay, and do not contain scandalous or inappropriate content. This practice can assist in preventing the imposition of sanctions against pro se litigants who are subject to Civ.R. 11 when signing pleadings drafted by a lawyer. Lawyers should counsel a pro se client about Civ.R. 11 and the consequences of violating the rule. *See also* R.C. 2323.51 (frivolous conduct in filing civil claims.)

Providing Standardized Legal Forms to Pro Se Clients

Some lawyers who provide legal services in a limited scope representation, particularly in the legal services sector, provide standardized legal forms for completion and filing to pro se clients and other persons. For the purposes of this advisory opinion, a “standardized legal form” is a prewritten legal document template with fixed, standardized language, that includes blanks or limited fields to be filled by the filing party to litigation. The use of standardized legal forms is widespread, and the forms are readily available to clients and others from a multitude of sources, including the Internet and even courts. Lawyers are permitted to provide standardized legal forms to clients proceeding pro se, or to other individuals, and may also direct such clients or individuals to resources that supply these forms.

The widespread use of standardized legal forms raises the question whether a lawyer’s provision of a standardized legal form to a pro se litigant requires the lawyer to file a notice of limited appearance under Civ.R. 3. The Board suggests that providing a standardized legal form to a pro se litigant for his or her completion, signature, and filing, does not implicate the notice requirements contemplated by Civ.R. 3.