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7 Attorney for Debtor Laura Owens

8 **UNITED STATES BANKRUPTCY COURT**

9 **DISTRICT OF ARIZONA**

10 In re:

Case No: 2:25-bk-11801-BKM

11 LAURA OWENS, aka
12 LAURA MICHELLE OWENS, aka
13 EMILY LAURA WILSON,

**MOTION FOR LEAVE TO ENTER
LIMITED SCOPE APPEARANCE**

14 Debtor.

15 Pursuant to Fed R. Bankr. P. 9029(c) and Ariz. Sup. Ct. R. 42, ER 1.2(d),
16 undersigned counsel David S. Gingras respectfully moves for an order allowing him to
17 enter a limited scope appearance in this matter¹ on behalf of debtor Laura Owens (“Ms.
18 Owens”).

19 As this Court is aware, Local Rule 9010-1(c)(1) takes an *all-or-nothing* approach
20 to appearance of counsel; i.e., when a lawyer enters an appearance in a bankruptcy
21 matter, the lawyer is ordinarily responsible for all aspects of the case until counsel
22 withdraws or the case is closed:

23 **(1) General Appearance.** An attorney who files a debtor’s bankruptcy
24 petition, or who files a notice of appearance on a debtor’s behalf, must
25 represent the debtor in all matters, other than adversary proceedings, until
26 the case is closed or the Court enters an order approving withdrawal or
substitution of counsel.

27 _____
28 ¹ Undersigned counsel currently represents Ms. Owens in an associated adversary
proceeding, *Echard v. Owens*, 26-ap-0007.

1 Arizona state courts historically applied the same standard – when a lawyer
2 appeared, the lawyer was responsible for the *whole case* until the matter concluded or the
3 Court permitted withdrawal. This was the default rule for many years.

4 Recently, courts have begun to realize this all-or-nothing approach was too harsh
5 because it could often deprive low-income litigants of the ability to obtain counsel who
6 may be willing to appear, but only for limited purposes. For that reason, in 2003, the
7 Arizona Supreme Court modified the Rules of Professional Conduct to expressly permit
8 lawyers to engage in limited scope representations. *See* Ariz. Sup. Ct. R. 42, ER 1.2(d)
9 (stating, “A lawyer may limit the scope of the representation if the limitation is
10 reasonable under the circumstances and the client gives informed consent.”) Based on
11 this change, the Arizona Rules of Civil Procedure were amended to expressly authorize
12 limited scope representations in state matters without leave of court. *See* Ariz. R. Civ. P.
13 5.3(c).

14 Although Arizona’s *state* courts have embraced the benefits of limited scope
15 representations, the federal courts have not (yet) adopted local rules which address this
16 beneficial practice. Despite this, Arizona’s federal courts routinely agree lawyers may
17 properly appear on a limited scope, even without seeking prior leave to do so:

18 The Federal Rules of Civil Procedure do not expressly authorize or prohibit
19 an attorney’s limited scope appearance in a federal action. While the Local
20 Rules of Civil Procedure in some districts expressly authorize limited scope
21 appearances, the Local Rules of Civil Procedure in the District of Arizona
22 are silent as to such appearances. Rule 83(b) provides that, in the absence of
23 controlling law, a “judge may regulate practice in any manner consistent
24 with federal law, rules adopted under 28 U.S.C. §§ 2072 and 2075, and the
25 district’s local rules.” In other cases, judges in the District of Arizona have
26 allowed attorneys to appear in prisoner civil rights cases for the limited
27 scope of participating in the Court’s inmate mediation program. Therefore,
28 a limited scope appearance is not inconsistent with federal law or the
Federal and Local Rules of Civil Procedure.

29 *Jacobs v. Wheaton Van Lines, Inc.*, 2018 WL 2939821, *2 (D.Ariz. 2018) (cleaned up)
30 (emphasis added) (quoting *Folta v. Winkle*, 2016 WL 4087103, *1 (D.Ariz. 2016)).

1 Here, just as Fed. R. Civ. P. 83 permits district courts to adopt local rules (provided
2 they are not inconsistent with federal law), Bankruptcy Rule 9029(a)(1) grants that same
3 authority to this Court. As such, this Court may permit a lawyer to appear on a limited
4 scope basis if good cause exists.

5 Here, good cause exists to allow undersigned counsel to enter a limited scope
6 appearance in this matter. First, the undersigned is representing Ms. Owens entirely *pro*
7 *bono*. Ms. Owens is currently seeking a Chapter 7 discharge from this Court, and she
8 claims substantially no non-exempt assets and no meaningful income aside from support
9 she is receiving from her parents (Ms. Owens currently lives at home with her parents).

10 Ms. Owens is unable to pay for representation of counsel in this matter. As a sole
11 practitioner who is familiar with the history of the events which preceded this action,
12 undersigned counsel is willing to provide *some* legal services to Ms. Owens on a *pro*
13 *bono* basis, but not without any pre-established limits.

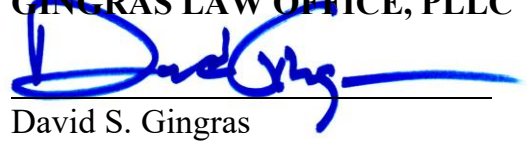
14 For that reason, undersigned counsel proposes to appear for Ms. Owens in this
15 matter, with her informed consent under the following limitations:

- 16 1. If leave is granted, counsel will appear for Ms. Owens in this matter and will
17 handle all aspects of the case for a period of not more than 60 days from the
18 date the Court grants leave. This period should be sufficient to complete any
19 discovery the trustee currently seeks, as indicated in the trustee's recently-
20 filed Application for FRBP 2004 Examination. *See* Doc. 34.
- 21 2. If this matter is *not* resolved before the expiration of the 60-day period,
22 counsel *may* agree to continue representing Ms. Owens for additional
23 limited periods as necessary.
- 24 3. If the amount of work required by additional discovery requests from the
25 trustee or any creditors becomes excessive, undersigned counsel may
26 terminate his representation of Ms. Owens by filing a Notice of Termination
27 of Limited Scope Representation. Upon such filing, counsel will be deemed
28 to no longer represent Ms. Owens in this matter.

1 For the Court's information, undersigned counsel previously met and conferred
2 with trustee's counsel Jennifer A. Giaimo regarding this issue. Ms. Giaimo indicated she
3 would not consent to undersigned counsel appearing on a limited scope basis without
4 leave of court. For that reason, leave is requested for the reasons stated above.

5 DATED February 12, 2026.

6 GINGRAS LAW OFFICE, PLLC

7 
8 David S. Gingras

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3 **CERTIFICATE OF SERVICE**

4 I hereby certify that all counsel of record have been served with this pleading via
5 CM/ECF, and that on this date I emailed a copy of the foregoing to: Laura Michelle
6 Owens, [REDACTED].

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