

ESTATE PLANNING:
JOINT REPRESENTATION DISCLOSURE AND CONSENT

It is particularly important that spouses understand the basis upon which an attorney may represent them together in estate planning. Spouses can have differing, and occasionally sharply conflicting, interests and objectives regarding their estate plan. To illustrate, spouses may have different views on how property should pass after the death of one or both of them. Additionally, it might make sense that assets be restructured to take advantage of available tax benefits, which amount other things may involve gifts from one spouse to the other.

If each of you had your own attorney, you would each receive completely separate, privileged and confidential advice. None of the information discussed with that attorney would be disclosed to your spouse without your consent. However, that is not the case when one firm advised both of you jointly. Rincker Law, PLLC cannot be an advocate for one of you against the other if we represent both of you. Information that either of you give us relating to your Last Will and Testament and your estate planning will be available to the other. You have asked Rincker Law, PLLC to advise you jointly, so our efforts will be to assist you in developing a coordinated overall estate plan, and to encourage the resolution of any differences of opinion or conflicting interests in a reasonable manner.

Put simply, there are clear benefits in both cost and efficiency when estate planning together as spouses instead of each of you having separate attorneys; however, it is important that each of you understands our obligations with respect to dual representation. By signing this document, each of you confirms that you have requested the joint representation of Rincker Law, PLLC in connection with your estate plan and agree that communications and information received by either of you will not be kept confidential from the other spouse. Each of you are entitled to seek independent counsel if you choose to do so.

If Rincker Law, PLLC concludes that a serious conflict of interest has developed or is likely to develop then we reserve the right to notify you that we may no longer represent either of you. In that event, Rincker Law, PLLC will not be obligated to disclose to either of you the precise reason why we have decided to discontinue representation.

If you agree to the above terms, please sign this document and return to Rincker Law, PLLC, 11 Broadway, Suite 615, New York, NY 10004.

Dated: _____

Dated: _____

By: _____

By: _____

Name: _____
Husband

Name: _____
Wife