

ADMISION OF BWR Consulting, PLLC

Brent Williams-Ruth, WSBA #32437

XXXXXXX, 2019

EXPRESS WAIVER/NOTICE OF POTENTIAL CONFLICT OF INTEREST ATTORNEY SERVING AS FIDUCIARY

Hand Delivered & Executed with Estate Planning Documents
REDACTED NAME
ADDRESS
CITY AND STATE

Dear **REDACTED**:

Pursuant to our conversation during your meeting to update your estate planning documents on XXXXXXXX, and confirmed in this writing, I have added my name as a fiduciary role into your respective estate planning documents. Specifically, at your request, due to the age and location of your brother, and the fact that you do not have any other heirs either in the immediate vicinity or elsewhere, I will be named as the Personal Representative in your Last Will and Testament, your Agent-in-Fact/Power of Attorney for financial matters, as well as the first successor Agent-in-Fact/Power of Attorney for Healthcare decisions.

Part of this conflict waiver is the agreement that if I am called to serve for you that this will be a professional relationship with me serving as your fiduciary receiving compensation for my time spent assisting in the assigned role. The present hourly rate for fiduciary services is \$XXXX per hour, with my normal hourly rate being \$XXXX per hour, or approximately 31% of the regular hourly rate. My fiduciary services rate will increase proportionately with my hourly rate, in an amount not to exceed 40% of my regular hourly rate. The hourly rate may be charged for all time spent serving as either the Executor/Personal Representative or Agent-in-Fact/Power of Attorney. Because the nature of those appointments is not finite, the total potential cost is not ascertainable nor capped beyond what may be deemed reasonable.

There are other options for professional fiduciary providers, including by not limited to Ohana Fiduciary Services, We Trust Company, and Miller Family Fiduciary LLC. If at any time you wish to have me removed from serving in this capacity, please contact my office and avail yourself of the free-update policy to your estate planning documents. My role as your attorney is not impacted by whether I am listed as a fiduciary in any/all of your documents. The attorney-client relationship is separate from my fiduciary capacity as Executor or Agent-in-Fact/Power of Attorney.

This conflict waiver is provided to comply with the Washington Rules for Professional Conduct 1.7 and 1.8. You are given this written conflict waiver in accordance with Comment 8 of RPC 1.8 which states that I may serve in these roles so long as you have been advised of the "nature and extent of the lawyer's financial interest in the appointment, as well as the availability of alternative candidates for the position."

2 | P a g e XXXXXXX CONFLICT WAIVER Attorney as Fiduciary

Thank you for taking the time to review this notice and waiver of potential conflict of interest. Please also be advised that you may have this document reviewed by separate legal counsel should you choose to do so prior to signing.

An original signed copy of this will reside with you and with your client file (2 originals) and may be revoked upon written instruction to do so.

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Best Regards,
Brent Williams-Ruth
WSBA #32437
TO BE SIGNED:
(Signature)
REDACTED CLIENT NAME
(Printed or Typed Name)
Date: