

JOINT REPRESENTATION AND CONFLICT OF INTEREST WAIVER

Date: [Date]

Clients: [Spouse 1 Name] and [Spouse 2 Name]

Attorney: [Attorney Name/Law Firm]

Dear [Spouse 1 Name] and [Spouse 2 Name],

You have asked [Attorney/Law Firm Name] to represent both of you in a joint Chapter [7/13] bankruptcy petition. This letter explains the potential conflicts of interest that may arise from this joint representation and requests your waiver of those conflicts.

1. Dual Representation: Under legal ethics rules, an attorney owes a duty of absolute loyalty to each client. When representing two people in the same matter, it is possible that your individual interests may diverge. This could include disagreements over which assets to exempt, how to treat specific debts, or whether one spouse should file individually instead of jointly.

2. Information Sharing: In a joint representation, there is no "attorney-client privilege" between the two of you. Any information provided by one spouse to the attorney will be shared with the other spouse. I cannot keep secrets for one of you from the other regarding this bankruptcy case.

3. Potential Conflicts: Conflicts may arise if:

- One spouse has transferred property to the other or a third party recently.
- One spouse has debts that may be non-dischargeable (e.g., certain taxes, domestic support, or fraud-related debts).
- You decide to separate or divorce during the bankruptcy process.

4. Right to Independent Counsel: You each have the right to hire your own separate attorney to ensure your individual interests are protected. By signing this letter, you are choosing to waive that right and proceed with joint representation.

5. Withdrawal: If a serious conflict develops between you that cannot be resolved, I may be required to withdraw from representing both of you. In such an event, you would both need to hire new, separate attorneys, which may increase your legal costs.

CONSENT AND WAIVER

We, the undersigned, have read this letter and understand the potential conflicts of interest. We voluntarily consent to joint representation by [Attorney/Law Firm Name].

[Spouse 1 Signature]

[Spouse 2 Signature]

[Date]