

[Date]

[Spouse 1 Name]

[Spouse 2 Name]

[Address]

[City, State, Zip Code]

**RE: Joint Representation and Conflict of Interest Waiver**

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

Thank you for asking [Law Firm Name] to represent both of you in connection with the administration of [Name of Trust]. We are happy to assist you; however, before we begin, we must clarify the nature of our joint representation.

**1. Joint Representation**

By representing both of you simultaneously, we are acting as counsel for both of you together. Because your interests in the administration of the Trust are currently aligned, we believe we can represent both of you competently and diligently.

**2. Potential for Conflict**

Although you currently share common goals, it is possible that conflicts of interest may arise in the future regarding the distribution of assets, tax elections, or interpretation of trust provisions. If a serious conflict arises where we can no longer represent both of you impartially, we may be required to withdraw from representing one or both of you.

**3. Confidentiality and Information Sharing**

In a joint representation, there is no expectation of confidentiality between the two of you. Any information provided to us by one spouse relating to the trust administration may be shared with the other spouse. We cannot keep secrets between you regarding this matter.

**4. Attorney-Client Privilege**

While your communications with us are privileged as to third parties, should a dispute or litigation arise between the two of you in the future, the attorney-client privilege generally does not apply to communications made during this joint representation.

If you understand the risks and benefits of joint representation and wish to proceed, please sign and return this letter.

Sincerely,

[Attorney Name]

[Law Firm Name]

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## **CONSENT AND WAIVER**

We have read the above letter and understand the potential conflicts of interest described. We hereby consent to the joint representation by [Law Firm Name] and waive any conflict of interest arising from such representation.

\_\_\_\_\_  
[Spouse 1 Signature]    Date: [Date]

\_\_\_\_\_  
[Spouse 2 Signature]    Date: [Date]