
APPENDIX C
Sample Estate Planning Engagement Letter
Involving Dual Representation¹

[FIRM LETTERHEAD]

Re: Engagement Agreement

PRIVILEGED AND CONFIDENTIAL

Dear _____ and _____:

It was a pleasure meeting you on _____. On behalf of _____, we appreciate the confidence demonstrated by your decision to engage us to work with both of you in connection with your estate planning.

1. **Our Client.** The purpose of this engagement letter (“Letter”), as well as the associated Terms of Business (“Terms”), is to set forth the agreement pursuant to which _____ (the “Firm,” “we,” “us” and “our”) will represent you.

2. **Scope of Representation.** We anticipate that we will provide (and, to some extent, have already begun to provide) the following services to you:

- (a) Discussions regarding your wishes with respect to your estate planning and how best to implement them;
- (b) Preparing documents to implement your wishes; and
- (c) Reviewing with you and supervising the execution of such documents.²

During the course of our representation, we will be available to answer your inquiries. We wish to emphasize, however, that we will not be in a position to render proper estate planning services to you unless you provide us with all the relevant facts, figures and documentation in a timely manner.

3. **Terms of Business.** Attached is a copy of our Terms of Business. Unless stated otherwise, defined terms in this Letter have the meaning stated in the Terms. In the event of a conflict between the provisions of this Letter and of the Terms, the provisions of this Letter shall control.

4. **Our Team.** Although I will be principally responsible for this engagement, it is anticipated that other Firm lawyers and, potentially, legal assistants will work with me.

5. **Our Charges.**³

¹ Must be modified to suit the circumstances.
² Add more detail if appropriate at this point.
³ Use only *one* of these fee provisions. *Omit bracketed titles.* Modify as appropriate.