

## DISCLOSURES (Mandatory)

We have asked the law firm of Wenzel & Wenzel, PLLC to assist us with estate planning and in preparing the necessary documents. In completing this worksheet, we acknowledge:

1. We will be the clients. No one else can give direction or make decisions for me.
  - a. Our documents may name people to make decisions for us at a later date, but these people cannot change our documents for us.
  - b. Even though we are planning together, my spouse cannot make decisions or changes for me.
2. We must provide accurate confidential information to the attorney and her staff.
3. We have both completed this worksheet personally, to the best of our abilities.
4. We must both participate personally in all discussions with the attorney and staff.
5. We must both be at the appointments with the attorney.
6. If I am unable to handle decisions for myself, the law office of Wenzel & Wenzel, PLLC will be unable to assist me with estate planning documents.
7. Wenzel & Wenzel, PLLC does not handle any planning for protecting my assets if I need to go to a nursing home or other long-term care facility.

## WAIVER OF POTENTIAL CONFLICT

### (Mandatory for Joint Clients)

You have asked our office to assist you both in planning your estate and in preparing the necessary estate planning documents. Although it is customary for spouses to employ the same attorney to assist them in such matters, the Rules of Professional Conduct of the State Bar of North Carolina require me to inform you in writing of the following potential conflicts of interest:

8. Spouses may have conflicting interests concerning their property. If, as you request, I act as the attorney for both of you for your estate planning, I must try to balance all factors and cannot, therefore, act as an advocate for either of you. This balancing could end up favoring one of you to the detriment of the other.
9. To complete your estate planning, I must necessarily obtain confidential information from each of you. However, as between the two of you, I cannot keep that information confidential since I am representing both of you. Of course, anything either of you discuss with me is privileged from disclosure to third parties.
10. I may make recommendations which could affect each of your interest in your assets during your lifetimes, after the first death, and after the death of the survivor. There could be a conflict in the determination of what is joint property, community property, and separate property which may be more beneficial for one of you than the other. These determinations could potentially affect income, property division, and support provisions in the event of divorce.
11. Based on the foregoing, you must decide whether or not you want to do estate planning jointly with our office representing both of you as joint clients for you estate planning. You are each, of course, welcome to have your own counsel for any part or for all of the matters in which I would be acting; in addition, either of you may, at any time, forbid me from being involved in any way on behalf of the other. If you wish me to proceed, please execute the acknowledgement below.

We have each read and understand that there are potential conflicts of interest between us. If either of us wish to have separate counsel or desire your office not to be involved at all, that spouse shall notify you. We each hereby consent to having you represent both of us in the drafting of our estate planning documents, and we each hereby waive any potential or actual conflicts of interest. We understand that since you will be representing both of us on the same matter, as between ourselves and you, there are no confidential communications.

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**Spouse 1's Signature**

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**Spouse 2's Signature**

If you are **not comfortable** with the above, please **do not sign this** and notify our office that you will not be proceeding jointly, and that only one of you will be coming in as our client. Please do not share any confidential information with us prior to signing this, or we will not be able to represent either one of you.

### **OPTIONAL**

If you wish for the attorney to be able to speak with any other people involved in your estate planning, please indicate that below and sign this page.

This is not required, but is sometimes helpful to clients, depending on the situation.

#### **Authorization for Release of Confidential Information**

I hereby authorize Sarah P. Wenzel, or the law firm of Wenzel & Wenzel, PLLC, to release confidential information to the following and I authorize the following to release confidential financial and/or estate planning information to my attorney, Sarah P. Wenzel, or the law firm of Wenzel & Wenzel, PLLC

☐ My Financial Advisor(s) \_\_\_\_\_

☐ Life Insurance Agent \_\_\_\_\_

☐ Retirement Account Manager \_\_\_\_\_

☐ Another advisor  
\_\_\_\_\_

☐ Accountant \_\_\_\_\_

☐ Another attorney  
\_\_\_\_\_

☐ Other family member or person \_\_\_\_\_

Regarding: ☐ My Financial Information    ☐ My Estate Planning Documents

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Spouse 1's Signature**

\_\_\_\_\_  
**Spouse 2's Signature**

Please add contact information for these people to page 5.