

**Opinion 293**  
**August 1964**  
**18 Baylor L. Rev. 361 (1966)**

**DIVISION OF LEGAL FEES - LAWYER SERVING AS INDEPENDENT CO-EXECUTOR**

Statutory executor's commission may be divided between two co-executors, although one of them is a lawyer and the other is not.

**QUESTION**

Where a lawyer and a non-lawyer are named in a will as independent co-executors and both qualify and serve as such, would it be a violation of Canon 31 for the lawyer and the non-lawyer to share the statutory commission for their services in administering the estate?

**OPINION**

Canon 31 prohibits the division with non-lawyers of "fees for legal services," but does not prohibit a lawyer from sharing compensation for other services with non-lawyers. Therefore, the statutory executor's commission may be divided between the co-executors provided that the lawyer's fee for legal services is not included in such commission and is not shared with the non-lawyer. (9-0.)