

Opinion 66
March 1953
18 Baylor L. Rev. 225 (1966)

CONFLICTING INTERESTS - ESTATES

An attorney representing the estate of a decedent may not file a claim on behalf of a third party against the estate and request an attorney's fee from the estate for the collection of the claim.

Canon 6.

QUESTION

Is it a violation of the Canons of Ethics for an attorney representing the estate of a decedent to file a claim on behalf of a third party against the said estate and request an attorney's fee from said estate for the collection of said claim?

OPINION

It is the opinion of this committee that such conduct is a violation of Canon 6, which prohibits the representation of conflicting interests. Some members were also of the opinion that such conduct is a violation of Canon 34. (9-0)