

*Committee Opinion*  
*April 6, 1981*

LEGAL ETHICS OPINION 411

GRATUITOUS LEGAL SERVICES TO  
MEMBERS OF A RELIGIOUS  
ORGANIZATION.

It is not ethically improper for an attorney to provide will-writing services on a gratuitous basis to members of a religious organization. Even though no compensation is involved, the attorney will have an attorney/client relationship with the person for whom he writes a will and is bound to exercise his professional judgment "solely for the benefit of his client and free of compromising influences and loyalties." [See EC:5-2.] An appearance of impropriety would arise if a lawyer engaged in the activities above permitted himself to be named as executor or trustee or lawyer in a will prepared by him. Such undertakings would not necessarily be unethical in every case. However, there would seem to be inconsistency between the gratuitous preparation of the will and the later service of fiduciary or lawyer to the estate. [See EC:5-6; DR:5-101; and DR:2-103.] In addition, the attorney should be very cautious about accepting employment of any kind for one from whom he has drawn a will under the circumstances set forth above.

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