

## **Procedures for Attorneys to Engage Us**

We have two methods for attorneys to engage our firm: (1) the attorney may wish to Co-Counsel; or (2) the attorney may wish to engage us on an annual retainer basis.

### **Co-Counsel:**

We accept co-counsel arrangements for asset protection trusts and estate planning. For both asset protection and estate planning engagements, assuming the potential client has been advised regarding the following information, we require a \$800 retainer and engagement in advance before setting up an appointment to discuss the client's specific situation.

#### **Asset Protection Planning Co-Counsel Arrangements:**

We do **not** protect against any current claim or one that a client should reasonably know about. Assuming that there are no current claims, our standard fees that depend on the complexity of the case begin at:

- (1) Domestic asset protection trusts \$17,500, plus the annual trustee fees that are typically around \$2,500;
- (2) Offshore asset protection trusts \$28,000, plus the annual trustee fees that are typically around \$2,800;
- (3) Combined domestic and offshore asset protection trusts \$32,000, plus annual trustee fees for both a domestic and offshore trustee around \$5,500.

If there is a current claim against the client and the client is willing to pay that claim and protect only against the statistical chance of being sued in the future, we may be able to assist the client. However, there will be a due diligence fee of \$5,000+ to review the client's current claim to decide whether we can proceed with any planning.

Assuming co-counsel actively works with us regarding the implementation of the structure, the typical fee split is one third to co-counsel with the balance going to our firm.

Please note that we do **not** review other firms' documents. Also, usually the minimum net worth for a client's non-exempt assets for one of the above types of structures to be cost/beneficial is typically around \$1 million for a domestic asset protection trust; \$2 million for an offshore asset protection trust; and \$5 million for a combined offshore and domestic asset protection trust.

## **Estate Planning**

We charge a minimum of \$10,000 to be involved in an estate planning engagement and we do not review other firm's documents. There is no fee split on this minimum charge. We also charge a minimum \$800 to review the client's proposed transaction or fact pattern.

## **Attorney Annual Retainer Agreement**

We do not review another attorney's documents as part of this service. Unfortunately, the time it takes as well as the liability issues involved makes a poor cost/benefit relationship for the requesting attorney as well as too much of an exposure for our firm. Should you wish to Co-counsel, please see the above areas we Co-counsel.

Regarding the attorney retainer agreement, we have reduced my standard hourly rate of \$525 an hour for international tax planning and asset protection planning or \$450 an hour for domestic planning to \$350 an hour. Should our time exceed the initial retainer amount of \$1,000, we will ask for an additional retainer at that time.

Should you wish to sign up for our attorney retainer service, below is a sample engagement letter. Please e-mail me your contact information, and I will forward you an engagement letter that I have executed with a credit card authorization. Once I receive both completed forms, I would be glad to look at your matter and get you an estimate of the fees involved to answer your question.

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Sample Engagement Letter Below

Denver Office:  
4155 E. Jewell Ave., Suite 500  
Denver, CO 80222



(O) (303) 800-4369  
(F) (303) 261-8374  
Mark@InternationalCounselor.com  
www.InternationalCounselor.com

Date

Name  
Address

Re: Annual Attorney Retainer Engagement Letter:

Dear \_\_\_\_\_:

Thank you for your interest in engaging us to help you with various tax and legal matters.

The Law Firm of Mark Merric, LLC (the “Firm”) provides practices in the following areas: (1) estate planning, (2) international taxation, (3) business structures and transactions, and (4) asset protection. Regarding client questions, hypothetical fact patterns, or technical questions of any kind, we do not answer such questions unless we are engaged in writing and have received the retainer discussed below. *Seldom, if ever*, are there any simple questions in these fields. Also, almost all questions in these areas require a review of the relevant legal documents, organizational structure, past planning, as well as the client’s objectives. Further, we do not review another attorney’s documents as part of this service.

By this engagement, the Law Firm or Mark Merric, LLC (the “Firm”) will assist in answering your legal and tax questions in the above during the year at my reduced hourly rate of \$350. This hourly rate has been discounted from my standard hourly rate of \$525 for international tax planning and \$450 for domestic planning.

Before providing any assistance, we charge a minimum initial annual \$1,000 initial retainer paid in advance that will be considered earned upon receipt due to my discounted hourly rate of \$350 that was quoted above. Should the retainer amount become depleted, we will ask for an additional retainer amount at such time. Any unused portion of the \$1,000 retainer is not refunded at year end, rather such fee is considered earned by the Firm. We will be available at our standard business hours and the timeliness of our service will be the same as with other clients on a first come first served basis.

We reserve the right to withdraw from representation at any time if (1) we consider the transaction involved illegal; (2) unethical; (3) immoral; (4) for non-payment of a requested additional retainer; (5) for non-payment of fees; or (6) if you do not respond to our requests for information in a timely manner. In the event we withdraw from representation for one of the

above reasons, we will bill our time until we withdraw and, in this case, return any unused retainer amount.

We do not bill for copying charges for up to two sets of documents. However, if more than two copies are requested, this is handled on a case by case basis. We also do not bill for fax charges. Seldom do we bill for long distance phone calls, unless the cost of the phone calls exceeds \$20 in a month. A billing statement is prepared monthly. Accounts that are more than thirty days old are subject to an eighteen percent annual interest charge. We both agree that should a dispute arise over the terms of this agreement, the venue where the dispute shall be decided is the Denver County courts.

Should the above terms be acceptable to you, please sign below and return a signed copy me by e-mail.

Respectfully,

Mark Merric

**AGREED:**

Firm Name:

\_\_\_\_\_  
, President

\_\_\_\_\_  
Date