

Wills for Heroes Program
ATTORNEY CODE OF CONDUCT

1. I understand that the Arizona Foundation for Legal Services and Education (Foundation) is an equal opportunity employer and that each volunteer is expected to promote this philosophy in our work and all interactions. Consistent with this philosophy of equal opportunity, the Foundation has a no tolerance policy for harassment of any kind.
2. I understand that the Foundation is committed to maintaining a non-violent environment. There is no support for or tolerance of verbal or physical abuse of any kind at organization-sponsored functions.
3. I understand that the Foundation is a separate legal entity from the State Bar of Arizona (State Bar). I understand that the Wills for Heroes program is a joint venture between the Foundation and the State Bar. I further understand because of possible public perception that the two entities are one and the same, I am expected to behave and hold the same confidence in any State Bar related events or matters as I would for the Foundation.
4. I understand that the State Bar and Foundation are drug-free workplaces. This policy extends to any circumstance in which volunteers represent the Foundation, the State Bar, or the Wills for Heroes program in an official capacity.
5. I understand that all volunteers of the State Bar and the Foundation are expected to act in a professional manner. This behavior includes maintaining a professional appearance; respectful interaction with participants, other staff, and outside agencies; respecting the property of others; and representing the Wills for Heroes program in a positive manner.
6. I understand that respecting the confidentiality of participants, staff, and the Foundation is a primary requirement of each volunteer. Volunteers shall ensure the privacy of others by restraining from sharing information without securing proper authorization.
7. I understand that as a volunteer of the Foundation and the State Bar, I must avoid any actual or apparent conflict of interest, including any outside activity which could be construed as being in conflict with the goals and objectives of the Foundation or which may deter from the accomplishment of the purposes for which the Foundation was formed.
8. I understand that I am prohibited from soliciting any fee-generating business as the result of volunteering for the Wills for Heroes program.
9. I further understand that it is critical that I take steps to avoid any impression or appearance of volunteering for any reason other than to serve the first responder community.
10. I understand that proactively or passively making my business card or contact information available to Wills for Heroes participants is strictly prohibited. However, I understand that I may hand out my business card or contact information *if and only if* the participant asks you for the business card or contact information first.
11. I understand that my service for Wills for Heroes is confined to those activities conducted at any of the scheduled Wills for Heroes events. I further understand that I will not represent myself as performing any Wills for Heroes activities outside of or in addition to scheduled events.

ATTORNEY GUIDELINES

This handout provides attorney volunteers with clarification regarding certain mandatory procedures related to the preparation and review of estate planning documents for Wills for Heroes participants.

BEFORE YOU BEGIN DRAFTING:

1. Confirm with the participant that they signed the disclaimer and returned it to the sign-in table;
2. Review the participant financial net worth worksheet before you begin drafting. If the participant's financial net worth exceeds \$750,000, please contact the on-site coordinator before proceeding; and
3. Explain to the participant what you're doing, how you're going to do it, and how long you anticipate it will take. Let them know that the program basically tracks the questionnaire and that you will be happy to answer any questions as you make your way through their information.

STAY WITHIN THE SCOPE OF THE PROGRAM. Do not give advice regarding titling of assets, beneficiary designations, beneficiary deeds, taxes, international issues if one spouse is not a US citizen and is not domiciled here, special needs trusts, charitable trusts, or trusts to provide for someone over his/her lifetime with the rest of the estate to other beneficiaries at that person's death.

SAVE, SAVE, SAVE. Our laptops are a mix of old and new and everything in between. Please save the answers in HotDocs several times as you input the questionnaire information into the template. If you're not familiar with this HotDocs function, please ask one of the on-site coordinators to demonstrate the 'save answers' feature. Once the documents generate into Word, save it as a Word document using the participant's last name. Saving often will prevent you from having to start from scratch in case of a computer meltdown. If the participant asks, you may inform him/her that all personal information will be erased before the next event.

COUNSEL PARTICIPANTS. Do not assume that the participant understands everything that was asked of him/her in the questionnaire. Explore issues that frequently confuse the participant such as the difference between "per stirpes" and "then living children", and the options available in the living will. At the end of the appointment, the participant should have a good understanding of what the documents mean and how they work.

IF A PARTICIPANT REJECTS A DOCUMENT. If a participant indicates that he or she does not wish to have you prepare a certain document or documents, counsel the participant about the risks of not having a will, financial power of attorney, and the health care power of attorney/living will. For example, in the absence of a financial power of attorney, the spouse of an incapacitated person may find him or herself in a conservatorship proceeding in order to conduct every day business for the incapacitated person. With a power of attorney document in place, the conservatorship could be avoided.

REVIEW THE DOCUMENTS WITH THE PARTICIPANT. After you input the participant's information in HotDocs and generate the draft documents, and regardless of how many people are waiting for appointments, please walk through and review each document with the participant.

When reviewing the documents, please pay particular attention to the 'variable' HotDocs provisions (e.g., names of family members, birth dates, appointment of personal representative/trustee, distribution of tangible personal property, distribution of remainder of property, appointment of guardians, identity & order of agents, choices in the living will, etc.).

If we walk through these items with the participant (rather than leaving the participant to read through the docs on his or her own), there is a better chance that the attorney and participant will catch mistakes together (spelling or otherwise) that the attorney may miss on the first read through.

DO NOT INITIAL OR SIGN DOCUMENTS AT DRAFTING STATION. After you have reviewed the documents with the participant and confirmed that the documents comport with the participant's wishes, direct the participant to the witness/notary table. Participants must initial and sign all documents before the witnesses and notary.

DO NOT HESITATE TO ASK FOR HELP. If you are even the slightest bit unsure about the answer to a question posed by the participant or how to address a particular issue raised by the first responder's questionnaire, please ask the on-site coordinator for assistance and clarification.

Thank you for volunteering your time!