

charge lessees for the difference between this amount and the fee awarded by the court from the ward's estate.

Exhibit 13.

This insertion of the practices of the market place into fiduciary relationships seems clearly improper.

See: In re Guardianship of the Estate of Prieto, 52 Cal. Rptr., 80 (1966); Haas v. Greenwald, 275 U.S. 490; Gage v. Billings, 108 P. 664 (1910).

2. Duplication of Services

There is frequent duplication of services rendered by fiduciaries and attorneys, resulting in the payment of two fees for essentially one service. For example, a fiduciary bills an estate for his efforts in effecting a lease of trust property, for handling a right-of-way transaction or for attending a meeting. The same accounting which presents the fiduciary's request for fees for these services also requests that the attorney for the fiduciary be separately recompensed for services purportedly rendered in connection with the same matters. Exhibits 12 and 14.