

He'd hear what we had to say, it'd be said in an informal-type conference, and when he left and Judge Brown took over, we were then in the McCabe-established policy of setting everything out in the petition. I don't think I've ever had any of those preconference-type things with Judge Brown, but I did with McCabe.

Mr. TUNNEY. And, how does Judge Brown decide the fees, the approval of the fees?

Mr. HOLLOWELL. I think—wait a minute, I can throw some light. I remember just several years ago I—one of the task force exhibits there, attributing an ulterior motive to it, I had an accounting and then I had to amend it later, and I had forgotten to set out item-for-item what I was charging for each piece of work, and Judge Brown is a reader and I got down in court and he told me I'd have to file an amendment to it, and then I filed the amendment and set out each piece of work separate and the amount to be attributed to that, so I think Judge Brown's attitude was, he had to be satisfied in writing. We've been mad at him, too, in giving us less than we asked for.

Mr. TUNNEY. Has he ever disallowed your fee?

Mr. HOLLOWELL. Yes.

Mr. TUNNEY. You have a question at this point?

Mr. EDMONDSON. Yes.

Mr. TUNNEY. All right, Mr. Chairman.

Mr. EDMONDSON. Would you say that the general guidelines that were used with reference to charging for fees by a conservator and charging for fees by an attorney for a conservator are the same?

Mr. HOLLOWELL. The attorney is to only be paid for the work he does, and I do have estates where nothing is done for an entire year, and my only fee is for the preparation of the accounting.

Mr. EDMONDSON. Is it just a coincidence, or a remarkable and unique situation that in this exhibit which is in the file as part of exhibit No. 26 in the matter of the conservatorship of Anthony Joseph Andreas, Jr., that the fee which is claimed by Mr. Spiegelman as conservator is \$4,000 which is identical to the fee which is claimed by you as attorney for the conservator in the same estate?

Mr. HOLLOWELL. I would say so, because in most cases my fee is different.

Mr. EDMONDSON. Wouldn't that be a rather remarkable coincidence when you are figuring out the amount of time and energy and effort and so on, that's been put in, and the factor of the value of the estate entering into it, that the figures would come out to be identical in this particular pleading that was filed in the Superior Court of the State of California in and for the county of Riverside on July 6, 1966?

Mr. HOLLOWELL. In 33 estates, as Secretary Udall set as an average rate, that is a coincidence, because in most cases—I can't think of any other, and I wasn't even aware of that one, the fees are different.

Mr. EDMONDSON. Thank you.

Mr. TUNNEY. Thank you, Mr. Chairman. As an attorney, you only should be paid for services performed, while as a conservator, he is paid a percentage if there were no services performed. I understand this is discretionary with the courts; is it not?

Mr. HOLLOWELL. No, sir. As a conservator, I was paying bills, taking in rent, and performing services maybe not on a daily basis, but