

Committee Opinion
March 31, 1978

LEGAL ETHICS OPINION 292

PAYMENT OF FEES – RETENTION OF
FILES.

It is not improper for a patent attorney who has withdrawn or been discharged from a case to retain the client's case file pending payment for services if such retention does not prejudice the client and failure to retain will require the attorney to pursue an out of state suit for payment of outstanding fees and costs. [See II: DR:2-108(D).]

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Legal Ethics Committee Notes. – Rule 1.16(e) governs a lawyer's duty to provide files to a former client.