

Committee Opinion
December 12, 1978

LEGAL ETHICS OPINION 309

ESTATE ADMINISTRATION.

If "A" and "B" have tendered to an attorney a deed that is part of "C's" estate and at a later time "B" demands return of the deed under a claim of right, the attorney holds the deed in a fiduciary capacity for the benefit of the estate and should deliver the deed to the estate after the appropriate personal representative has qualified. [See II: DR:2-108(D), DR:5-105, DR:7-101(A) and DR:9-102(B)(3) and (4).1

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