

Committee Opinion
January 16, 1985

LEGAL ETHICS OPINION 646

FEES – RETAINER – MINIMUM FEE –
REFUND TO CLIENT – CRIMINAL
CASE – PERSONAL INJURY CASE.

It is the duty of an attorney to refund so much of a retainer fee as has not been earned by performance of the services for which the attorney was retained. The opinion of the Supreme Court of Virginia in *Heinzman v. Fine, Fine, Legum and Fine*, 217 Va. 958 (1977) serves as guidance in regard to the standard by which the earned portion of the retainer may be measured.

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