

Committee Opinion
January 19, 1987

LEGAL ETHICS OPINION 871

FORMER CLIENT – RETENTION OF
FILES.

It is not improper for an attorney to retain his client's file (which includes in equal parts original documents and work product) until his client arranges security for unpaid legal fees, as long as the applicable law authorizes such retention. It is appropriate to give notice to the former client and the client's attorney of the intention to retain the documents. [DR:2-108(D); EC:2-34]

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

Editor's Note. – See also L E Op. No. 1176.