

SCENARIOS FOR CASH OR CHEQUE REFUNDS

Scenario	How to refund the balance of the retainer
<p>#1 – Lawyer receives greater than \$7,500 cash in a lump sum</p> <ul style="list-style-type: none"> • Lawyer request an \$8,000 retainer for legal services • Client provides an \$8,000 cash retainer • Lawyer bills the client \$5,000 • Lawyer must refund \$3,000 	<p>The lawyer must refund the \$3,000 in cash because the lawyer received an amount greater than \$7,500 cash</p>
<p>#2 – Lawyer receives greater than \$7,500 cash in the aggregate</p> <ul style="list-style-type: none"> • Lawyer requests a \$5,000 retainer for legal services • Client provides \$5,000 cash retainer • Lawyer bills the client \$5,000 • Lawyer requests a further retainer • Client provides a \$3,000 cash retainer • Client provided \$8,000 in cash in the aggregate • Lawyer bills the client \$1,000 • Lawyer must refund \$2,000 	<p>The lawyer must refund the \$2,000 in cash because the lawyer received an amount greater that \$7,500 cash in the aggregate</p>
<p>#3 - Lawyer receives less than \$7,500 cash</p> <ul style="list-style-type: none"> • Lawyer requests a \$7,000 retainer for legal services • Client provides a \$7,000 cash retainer • Lawyer bills the client \$4,000 • Lawyer must refund \$3,000 	<p>The lawyer is not required to provide a cash refund because the client provided less than \$7,500 in cash. The lawyer may make the refund by trust cheque.</p>
<p>#4 - Lawyer receives a combination of cash and cheque</p> <ul style="list-style-type: none"> • Lawyer requests a \$10,000 retainer for legal services • Client provides an \$8,000 cash retainer and a \$2,000 cheque • Lawyer bills the client \$7,000 • Lawyer must refund \$3,000 	<p>The lawyer must refund the \$3,000 in cash because the lawyer received an amount greater than \$7,500 cash</p>