

How to Obtain a Refund of Unearned Fees You Paid Your Attorney

If Your Attorney Has Died

If your attorney has passed away and you want to get a refund of the full retainer fee or any part of the unearned retainer fee you paid the attorney, take these steps:

1. Contact the attorney's office to see if someone has been appointed or designated to sign checks on the attorney's trust account. If so, ask them to return any unearned fees to you.
2. If the attorney's office is closed or no one is responding to your calls or attempts to contact the office, contact the State Bar of Texas Law Practice Management department at lpm@texasbar.com to determine if your attorney named another attorney who agreed to assume responsibility for contacting clients, returning their files or any client funds.
3. Determine if there is an administrator or executor of the attorney's estate, contact that person, and file a claim against the estate.
 - a. Check with the probate court in the county in which the attorney lived to see if the attorney's estate has been filed for probate. If the county does not have a statutory probate court, check the county court instead. Many counties now have probate court filings available online too.
4. If all else fails and based on the circumstances, you may be eligible for payment from the Client Security Fund. Request a brochure describing eligibility and requirements from the State Bar of Texas in writing to P.O. Box 12487, Austin, Texas 78711-2497 or by calling 877-953-5535.

If Your Attorney is Still Practicing Law

If your attorney is still practicing law but has not returned any unearned portion of your retainer, visit the State Bar of Texas information on [Resolving Fee Disagreements](#), which covers the following topics:

1. Talking to your lawyer about the issue first.
2. Contacting the State Bar of Texas Client-Attorney Assistance Program (CAAP) at 800-932-1900.
3. How to file a complaint or grievance against the attorney.
4. A list of local bar associations that may be able to assist you in getting your funds back through their fee dispute resolution programs.
5. A list of Texas dispute resolution centers that may be able to assist you in getting your funds back.