Preface to the Fourth Edition

In the eight years since *The Of Counsel Agreement*, third edition, was published, important changes have been made to the Model Rules of Professional Conduct that benefit firms and attorneys engaged in “Of Counsel” arrangements, such as the recognition of screening as a method of avoiding the disqualification of an entire firm as the result of one attorney’s conflict. The “Of Counsel” popularity also has continued to increase as law firms and attorneys discover the numerous benefits and flexibility of these arrangements. Although I agree with the authors of previous editions that a well-drafted “Of Counsel” agreement is indispensable for lawyers or law firms that want to establish and maintain a mutually rewarding “Of Counsel” relationship, only about half the “Of Counsel” attorneys I interviewed for this fourth edition had written “Of Counsel” agreements. For this reason, and because this book goes well beyond contract considerations, the title for this edition has been abbreviated to simply *Of Counsel*.

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Jean L. Batman