
Introduction to the Guidebook

In-house counsel are regularly confronted with a variety of issues to consider, analyze, provide direction for, and decide, often at the same time. The expanse of legal topics and issues has grown exponentially over the years. In fact, there are many areas of the law which I suspect cross the desks of in-house counsel that were not even in existence, or perhaps were only in their infancy, when many counsel attended law school (certainly I can attest to a similar experience); by way of example, cybersecurity law, personal and corporate data privacy, as well as the growth of mediation, are just a few areas of the law which come to mind. Given that some of these topics may not have been within in-house counsel's educational training and/or even their ordinary daily legal frame of reference, we developed this guidebook to assist in-house counsel in addressing these and many other hot topic issues.

The goal and purpose of this guidebook is to provide counsel with a fundamental outline of key issues as well as allow them to garner a basic understanding of certain subject matter. Each chapter covers and highlights the key issues that arise within a particular area of the law and then provides guidance on the key points or issues which may arise; these are identified throughout the book as practice pointers. While we presume that it is more than likely that in-house counsel will eventually tap into experienced outside counsel who possesses more in-depth knowledge in a particular subject area, the information in this guidebook is intended to provide in-house counsel with a baseline of knowledge. The goal is to in the first instance assist and facilitate in-house counsel with the identification of a particular issue or concern. Thereafter, to assist in-house counsel in the subsequent selection of appropriate outside counsel or experts by having a fundamental understanding of what issues are at play in particular area of the law. Finally, by providing in-house counsel with an initial understanding of the fundamental issues at play in a specific area, counsel can then have a more meaningful discourse with outside counsel or an expert in regard to the particular issue which has been presented.

In selecting the topics for this book, I covered what I perceive to be the hot and critical topics facing in-house counsel given the kinds of issues and situations arising in companies today. While not every company will encounter every issue that is covered

in this book, I believe that by and large a good number of these chapters will provide useful over time.

In identifying authors to participate in this publication, time and effort was spent to find leading lawyers in each particular field. The contributing authors are well recognized each in their own right, many writing and speaking on their discrete topics frequently whether it is for the American Bar Association or other nationally recognized organizations.

It has been an absolute pleasure serving as an Editor-in-Chief of this book. Having the opportunity to work with so many distinguished professionals who freely gave of their time and effort has been truly rewarding. In addition to the authors, I thank the ABA and in particular Rick Paszkiet for his never-ending support and guidance in this process.

Leslie A. Berkoff

Editor-in-Chief