DC BAR PRACTICE MANAGEMENT ADVISORY SERVICE

"Of Counsel" Resources

Applicable D.C. Rules of Professional Conduct:

Rule 1.7: Conflict of Interest: General Rule

Rule 1.9: Conflict of Interest: Former Client

Rule 1.10: Conflict of Interest: Imputed Disqualification: General Rule

Rule 7.1: Communications Concerning a Lawyer's Services

Rule 7.5 Firm Names and Letterheads

D.C. Legal Ethics Opinions (LEO):*

LEO 338 : Whether A Law Firm May Retain the Name of a Partner Who Becomes Both "Of Counsel" to that Law Firm and a Partner in a Different Law Firm Also Bearing His Name

LEO 255: Use of Former Firm Lawyer on a Contract Basis

LEO 247: Whether Settlement Lawyer Selected by Real Estate Purchaser Has a Sufficient Lawyer-Client Relationship With Seller to Warrant Disqualification; Conflict of Interest if Adverse Party Formerly Was Represented by a Firm to Whom Lawyer Is "Of Counsel"

LEO 224: Misleading Firm Name

LEO 151: Not available in electronic format

Other D.C. Resources:

Speaking of Ethics: Of Counsel: by Hope Todd, Washington Lawyer, January 2012

**There may be other legal ethics opinions available to address your specific "of counsel" relationship. The opinions provided herein will give you a sense of other possible issues that may arise. If you have specific ethics questions, you may contact our ethics hotline at 202-737-4700 ext. 3231, 3232 or 3198.*

More Resources:

Adding an Of Counsel to Your Practice, Solo Practice University Blog, Rachel Rodgers, October 6, 2011

Compensation for the Attorney "Of Counsel" to Your Law Firm, FindLaw, March 26, 2008

Of Counsel: An Alternative to Solo and Firm Practice, GPSolo Magazine - July/August 2006, By Elio F. Martinez, Jr.

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