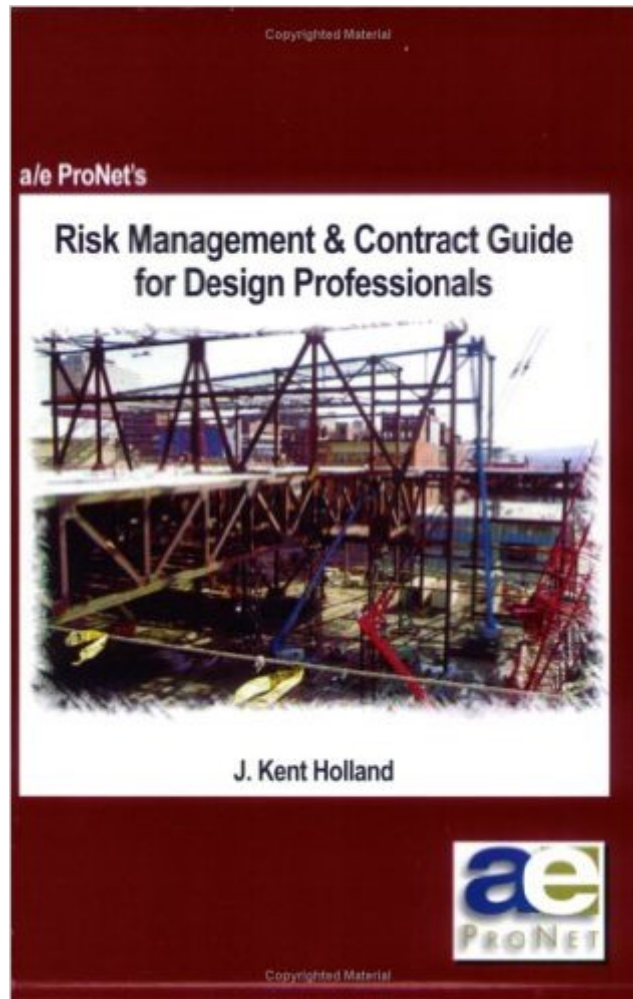


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# Risk Management & Contract Guide For Design Professionals



## **Synopsis**

Over 300 pages of commentary on risk management and contracts. Written by attorney, J. Kent Holland, based upon his knowledge and experience from over 20 years working with design professional contracts, risk management and insurance. This is a practical guide to help design professionals and those who work with design professionals to better understand and manage risks and liabilities potentially arising out of contracts, communication, and documentation. Much attention is given to explaining how contract language may affect the availability of insurance coverage for claims against design professionals. Several chapters address managing communication and documentation, with particular emphasis on e-mail, and records maintenance, retention, and destruction. Over 30 clauses that may be of particular concern for risk management and insurability of risks are discussed. For each of these clauses, one or more key issues is considered. Extensive examples and commentary are offered on various provisions of the AIA and EJCDC forms. In addition to discussing example contract clauses, we have included a discussion of risk management of communication and documentation. As you will see from the litigation examples referenced, many claims against design professionals could be avoided or mitigated through better communication and documentation. This is such an important issue that entire seminars are devoted to it. WHO SHOULD GET IT? (1) Attorneys and insurance brokers that advise design professionals on their contracts and the insurability of contract language; (2) design professionals who desire to have more information and reasoning to use during their contract negotiations with project owners; (3) project owners who desire to understand what and why design professionals are seeking certain language in their contracts and rejecting language proposed by owners. They will also benefit from learning what professional liability insurance can and cannot cover in the way of claims against design professionals. (4) Educators will find this book a useful tool to teaching practical application of the concepts of risk management. The book can easily be used as course book and even provides continuing education quizzes for three distinct continuing education courses based upon reading various chapters of the book.

## **Book Information**

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## Customer Reviews

Kent Holland's Risk Management & Contract Guide for Design Professionals belongs in every law office, insurance brokerage and design professional risk management office. It is an invaluable, easily accessible reference for the constantly recurring topics in design professional contracting. It is usually the first volume I reach for in responding on these issues.

After reviewing this book, I bought over 50 copies for distribution within the engineering and consulting firm for whom I serve as in-house counsel. It is a useful tool for construction lawyers, and a fantastic guide and education resource for design professionals who deal with contract and risk management issues.

Kent Holland draws on his considerable experience as a lawyer and risk management consultant to deliver a guide that is quite sophisticated yet practical. Kent expertly analyzes critical legal concepts and contract terms with clear, concise prose. After defining the problem from a design professional's perspective, he then provides straightforward advice and sample contract terms to resolve the risk exposure. The guide's other core strength is its detailed table of contents, which quickly leads readers to specific topics or contract clauses of interest. This guide deserves the highest accolade because it is truly useful; it is rooted in real world construction law practice and benefits both design professionals and their lawyers.

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