

**UNIVERSITY OF BALTIMORE SCHOOL OF LAW
FALL 2015**

**Course: Construction Law 745/511
Tuesdays & Thursdays, 7:30-8:45 am**

Instructor: Lisa D. Sparks

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Office Location: AL 502; 410 837-5986

Office Hours: Tuesdays 9 - 10 am; Mondays 6:30 -7:30 pm; other times by appointment

Course Description:

Construction Law is the body of the law associated with the building and design of individual homes, shopping centers, residential communities, public roadways, skyscrapers, and other "improvements". This course provides a general overview of the construction process and "construction contract documents", exploring typical legal disputes which arise among developers, contractors, subcontractors, architects and engineers. The course will examine the statutory and common law liabilities which attach once the construction process has been completed, with an emphasis on the rights and remedies of those who purchase defectively constructed or designed homes and buildings.

Course Materials:

1. Allensworth, et al., *Construction Law* (ABA Forum on the Construction Industry).
2. Maryland cases and construction contract documents as assigned via TWEN.

Course Objectives and Outcomes: To provide students with a broad understanding of the parties, documents, disputes, rights, and remedies involved in all types of construction projects. All perspectives will be explored through the analysis of common construction law issues.

Grades: Grading will be based primarily upon one final examination with class participation factored in. Further details will be provided toward the end of the semester. With a small, seminar style class, all students are expected to participate regularly. Small group and drafting assignments may also be given.

Assignments/Participation: Students will be expected to have read the assigned materials and be prepared to discuss the relevant topic(s) during each class.

Attendance: Class attendance is a primary obligation of each student whose right to continued enrollment in the course and to take the examination is conditioned upon a record of satisfactory attendance. [Attendance Policy <http://law.ubalt.edu/template.cfm?page=267>]. A student who exceeds the maximum allowable absences (5) may be compelled to withdraw from the course, or may be barred from sitting for the final exam. A student who is compelled to withdraw or is barred from sitting for the final exam may receive an "F" in the course. Attendance will be taken at the beginning of each class. A student who is present but unprepared for class, who is more than 5 minutes late, or who leaves early may be treated as absent. If you must be late to class, enter as quickly and quietly as possible to minimize disruption. If you are expecting to be late or

absent, please do not call, email, fax, or text me. Obtain notes from a classmate and catch up before the next class.

Computers: Students may use laptop computers for class-related purposes only. You are expected to pay attention and participate throughout the class and avoid distracting your classmates.

Food and Beverage: Snacks and drinks are permitted during class provided that you avoid loud and messy items. Please clean up after yourself.

Class Cancellation: If the instructor must cancel a class, notices will be sent to students via email and posted on the classroom door. If there is inclement weather, students should visit the University of Baltimore web page or call the University's Snow Closing Line at (410) 837-4201. If the University is not closed, students should presume that classes are running on the normal schedule. To avoid makeup classes, an alternative assignment may be provided if the instructor must miss part or all of a class or for closings. You are expected to diligently complete that assignment in accordance with the directions given to earn credit for attending that class period.

Academic Integrity: Students are obligated to refrain from acts that they know or, under the circumstances, have reason to know will impair the academic integrity of the University and/or the School of Law. Violations of academic integrity include, but are not limited to: cheating; plagiarism; misuse of library materials; use of another's book or study materials without consent; unapproved multiple submissions; material misrepresentation of one's academic history or standing; misrepresentation of any academic matter; intentionally giving another student false or inaccurate information about class requirements; inappropriate discussion of exams; and misrepresenting or falsifying class attendance reports. [School of Law Honor Code <http://law.ubalt.edu/template.cfm?page=477>]

Disability Policy

If you are a student with a documented disability who requires an academic accommodation, please contact the Office of Academic Affairs.

TOPICS & ASSIGNMENTS

Week	Topic	Text Chapters
1	Introduction; Parties	1-3
2	Design and Project Delivery Systems	4, 6
3	Contracts and AIA Documents	5, 7
4	Scope of Work; Subcontractors & Suppliers	10
5	Bid & Award; Public Contracting	8
6	Risk Management, Insurance & Bonding	15, 20
7	Performance and Administration	13
8	Contract Price & Payment	9, 14
9	Time of Performance & Completion	11-12
10	Changes	16, 17
11	Termination & Default	18
12	Disputes – Claims; Litigation; ADR	19, 21-22
13	Disputes – Damages	23-24
14	Residential Construction; MD Statutes	

The topics and code sections listed above are subject to shifting based on how quickly the class is able to master certain concepts and any class cancellations. Any changes will be communicated in class and/or via TWEN.

This schedule will be supplemented with Maryland case assignments and articles from appropriate publications via TWEN.