

Deconstructing Construction Law Resources

by Marie Summerlin Hamm

FOR THOSE ENGAGED IN CONSTRUCTION LAW PRACTICE, complex facets of contract, tort, and property routinely converge like a law school hypothetical run amok, with a healthy dose of alternative dispute resolution, litigation, environmental, labor, bankruptcy, and tax issues occasionally mixed in for good measure. Despite the need to research effectively across a multitude of subject areas, veteran practitioners count a few trusted treatises as friends and are sometimes hesitant to venture into electronic resources. This article encourages experienced researchers to take advantage of increasingly flexible pricing packages for commercial services and exhorts those just entering the labyrinth to explore the impressive array of resources available through bar association special-interest sections.

Fee-based Tools

Legal information vendors are beginning to appreciate construction law practitioners as a potential market for electronic resources. Westlaw now offers the Virginia Construction Law Advisor Plus Library. The library includes International Code Council (ICC) Model Codes with commentary, state and general practice guides, a forms finder, zoning and planning practice guides, news and current developments, and, of course, *Bruner and O'Connor on Construction Law*. The company touts "unlimited access for one low monthly fee."

Loislaw, now owned by Wolters Kluwer, can put selected titles from the well-known Aspen "Redbook" series on your desktop. The "deluxe" Construction Law Library Online contains twelve titles, including Cushman's *Fifty State Construction Lien and Bond Law*, *Sweet on Construction Industry Contracts*, and the *Legal Guide to AIA Documents*. Though Virginia is not yet among the

states of emphasis, the package does offer a wide variety of e-forms and general practice guides. The company is known for reasonable pricing and flexible subscription plans.

LexisNexis offers a "Construction Law Library" on CD-ROM that is comprised of *Construction Law*, an electronic version of the eight volume Matthew Bender looseleaf set; *Construction Law Digest*; and the "construction law case library." Think all these options sound too good to be true? Too pricey to be feasible?

The rigid access and pricing structures of yesteryear have disappeared. Vendors are increasingly willing to tailor a plan to a firm's size and research needs.

Bar Section Resources

Though section and division websites provide a wide variety of freely accessible information, the old "membership has its privileges" adage holds true even within a bar association. Sections, forums, and divisions not only offer attorneys an opportunity to become meaningfully involved in their bar associations, but also afford access to a wide variety of "members only" resources.

The Virginia State Bar's Construction Law and Public Contracts Section website includes an index to the many construction-related articles published in *Virginia Lawyer* from 1991 to the present. Each *Virginia Lawyer* issue published since June 1999 is available on the Virginia State Bar website, and older individual articles can often be retrieved by searching the title (in quotations) on Google. Section members receive a periodic newsletter, *The Construction Law and Public Contract News*, as well as access to the *Construction Law Handbook* and a digest of construction-related cases.

The Virginia Bar Association's Construction and Public Contracts Law

Section website provides a linked list of member articles published in the *VBA News Journal*. The entirety of the July/August 2007 issue focused on construction law-related subjects. The complete issue is available on the VBA website.

With more than six thousand members and twelve divisions, the American Bar Association's Forum on the Construction Industry provides a plethora of networking and educational opportunities and produces a variety of publications. A subscription to *The Construction Lawyer*, a quarterly national law journal, is a member benefit. A subject index with Westlaw search tips is posted on the forum's website. Also available on the website is the thrice-yearly newsletter, *Under Construction*. The forum's construction-related publications can be purchased or downloaded on the ABA Web store site.

For those who seek quick immersion into an unfamiliar facet of construction law, the continuing legal education programs and materials created by the sections are invaluable.

Conclusion

In construction, it's imperative to have the right tool for the job at hand. The same could be said for construction law research. Take time to explore the multitude of resources available and add a few new tools to your skill set.