

# Renovating Your Virginia Construction Law Collection

by Marie Summerlin Hamm

Winston Churchill once observed, “We shape our buildings; thereafter they shape us.” Construction law practitioners then are shaped by what noted practitioner Philip L. Bruner has described as “a towering legal edifice built out of modern statutes, ‘contextual’ common law principles of and foundational legal concepts sustaining and binding the multitude of parties — architects, engineers, contractors, subcontractors, material suppliers, material manufacturers, sureties, insurers, code officials, and tradesmen — typically engaged in varying degrees on construction projects.”<sup>1</sup> This area of practice has developed a well-deserved reputation for complexity, and staying current is imperative. This article highlights recently published editions of foundational Virginia construction and public contracts resources.

## Virginia CLE Publications

The *Virginia Construction Law Deskbook* provides essential reference and expert analysis for navigating through the multitude of issues that so often surface in a construction project. Content for this two-volume loose-leaf is contributed by a veritable “who’s who” of Virginia practitioners. The title covers Licensing; Codes, Permits, and Zoning; Immigration and Labor Law; Bond Claims on Public Projects; Contractor Rights and Remedies; Mechanics’ Liens; Bankruptcy; Insurance Coverage; OSHA; Legal Ethics; a plethora of contract issues; and other selected topics. Recognizing that resolution of disputes can be complex and litigation expensive, the *Deskbook* also addresses arbitration and other alternative dispute resolution methods. The newly published 2015 edition is available not only in print, but also electronically on the Virginia CLE website as a searchable PDF via USB Flash Drive, CD ROM, or immediate download. Individual chapters are also available for download.

Also newly available from Virginia CLE is the *36th Annual Construction and Public Contracts Law Seminar*. The material is compiled by the Construction Law and Public Contracts Section. Topics covered in the 2015 edition include: Trial Advocacy in a Complex, Document-Intensive Case; Evidentiary Issues in a Construction Trial; Foundation and Admissibility of E-Documents; Federal and State Evidentiary Rules; Proving Damages at Trial; Direct and Cross-Examination of Construction Experts; Jury Instructions and Closing Arguments; and Advanced Mechanic’s Lien Trial Issues. In addition to the extensive treatment of trial related matters, there is also a chapter outlining Legal Issues and Challenges in the MWAA Dulles Silver Line Project. As always, there is a chapter dedicated to ethical considerations as well as a chapter that addresses recent developments in Virginia construction and public contracts law. Of course, the best way to add this title to your collection is to attend the annual two-day meeting. For over three decades, this event has afforded attendees an unparalleled opportunity learn from and to network with some of the most talented construction and public contracts professionals from across the Commonwealth and beyond. The title is also available for purchase on the Virginia CLE website in print or searchable PDF via download, USB Flash Drive, or CD-ROM.

## Virginia Practice Series

Volume 14 of the *Virginia Practice Series*, the newly published 2015–2016 edition of *Construction Law* includes summaries and analysis of statutes, regulations, and cases. Written by Peckar & Abramson PC partners Michael A. Branca and Mark R. Berry, the title covers a range of major legal issues including: Licensing; Building Code Compliance; Public-

Private Partnerships; Public Contract Bidding and Performance; Dispute Resolution; Damages; Third-Party Liability; Liens and Bonds. This treatise also explores the interrelation of federal procurement and fraud statutes with Virginia law. Published by Thomson Reuters, the title is available in print as a soft-bound book as well as electronically in both WestlawNext and via the newly debuted ProView™ eReader. This new electronic platform allows a user to access the Thomson Reuters eBooks and periodicals on up to 4 devices (Android, iOS, Microsoft) at a time, and offers a number of handy features including the ability to bookmark pages and highlight passages, create color-coded notes, and search across owned libraries. Additionally, the platform simplifies access to controlling authority by linking to WestlawNext and KeyCite.

Whether your construction law resource collection is in need of a full renovation or just a bit of sprucing up, consider adding these new editions. After all, “A fresh outlook is like a fresh coat of paint. It doesn’t cost much, but sometimes it makes a huge difference.”

Endnote:

- 1 Philip L. Bruner, *The Historical Emergence Of Construction Law*, 34 WILLIAM MITCHELL LAW REVIEW 14 (2007).



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