

Litigation Avoidance and Risk Transfer

We represent a wide range of clients in the construction industry, including developers, property owners, general contractors, subcontractors, construction managers, design professionals, building products manufacturers, and others. With full knowledge of the time and money (as well as disruption to our clients' business) that litigating construction claims require, we routinely counsel our clients on risk management and litigation avoidance issues, so that our clients may proactively avoid such claims, or otherwise reduce their exposure significantly.

We strive to engage our clients as early as possible and minimize the potential for serious exposure by transferring risk away from a client through the implementation of various risk management, insurance, and indemnification mechanisms, or by assisting the clients in implementing internal protocols to reduce their future exposure. We also perform advisory services to our construction industry clients, such as comprehensively reviewing their existing contracts, and helping them develop internal standard operating procedures. In so doing, we help our clients reevaluate the terms of their existing contracts and ensure they are adequately protected from the various risks inherent in the construction industry. Much of our counseling and advisory practice is guided by our construction litigation practice; in working with a client in a construction defect case, we might learn that their contracts do not adequately protect them from future litigation. We are then retained to review and update their contracts to minimize the risk of liability in the future, or to provide them with additional avenues to transfer that risk in the future. Ultimately, our attorneys form close, collaborative partnerships with clients, enabling them to gain insight into the factors that are likely to impact a client's overall interests, both business and legal.

We believe proactive legal engagement is critical to the success of our construction clients, and that the failure to identify and execute an effective litigation avoidance strategy could lead to significant long-term costs. By understanding the nature of the risks faced by our clients, we help our clients minimize their liability going forward.