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INTRODUCTION

Since the publication of FLORIDA CONSTRUCTION LAW AND PRACTICE (Fla. Bar CLE 4th ed. 2002), there have been changes to the construction contract forms of the American Institute of Architects (AIA) and other national organizations; changes in the methods of delivery of design and construction services; new federal and state legislation; and appellate court decisions that have modified construction law in this state. Attempts to shift the risks associated with design and construction to other parties through insurance and bonds continue to challenge Florida construction lawyers and their clients. As a result, staying abreast of construction law changes and practices continues to be a major effort for those who practice in this field. The Florida Bar has recognized construction law as a specialty and, in 2005, began a board certification program for lawyers who qualify for and pass the construction law certification exam.

Because the law in this area is not static, this fifth edition is not only timely but essential for busy lawyers who cannot keep abreast of the many opinions of our appellate courts. As with other specialized areas of substantive law, it is not enough to know the rule — for every rule there are several exceptions that may make the rule inapplicable, and, at times, there are exceptions to the exceptions. This edition covers not only the general rules with which even those lawyers who only dabble in construction law may be familiar, but also the many exceptions that are sometimes ignored even by those with substantial construction law experience.

The steering committee has again gathered together authors for this manual who are shining examples of dedicated construction lawyers. They are

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recognized not only for their experience and talents in this area, but also for their sincere desire to share their knowledge with other Florida lawyers.

Practitioners will appreciate the structure of the manual, which allows one to easily locate applicable law and pragmatic advice by type of client as well as by type of dispute. The steering committee expresses its appreciation to the authors of the manual for making this publication a valuable tool for Florida lawyers.

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RIGHTS AND LIABILITIES OF THE OWNER

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