**Construction and Design Law: Managing the Network of Interdependent Relationships**

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**Preface**

The materials making up this alternative course manual are under development. Separate lessons on discrete topics comprise the main materials. Initially, I will add lessons in draft form as I prepare them. Once the complete set of materials is available, instructors may choose to adopt the manual as a course textbook, or they may draw on it selectively to prepare and present class sessions devoted to individual topics or to facilitate class discussions, assignments, and assessments.

My pedagogic philosophy here reflects the belief that one of the best ways for law students to learn construction law and, more broadly, to develop lawyering skills, is to draw heavily on the same resources practicing construction lawyers consult regularly. Accordingly, many of the proposed reading assignments direct students to read all or portions of practice-oriented articles. In contrast to traditional law school textbooks for doctrinal courses, here I devote relatively little attention to court opinions and to analysis of reported cases. Instead, the assigned judicial opinions primarily serve to expose students to the classic cases common in the construction lawyer’s lexicon or to facilitate discussion of the most important developments in construction law. Moreover, whether the reading assignments consist solely of practical articles or include case reports, the emphasis remains on problem-solving, risk management, and business and relational aspects. Instructors who prefer a casebook approach can incorporate more judicial opinions and adjust the recommended reading assignments in accordance with the time available to them.

These materials especially aim to serve an experiential approach to legal education. Most lessons align well with resources available at the Problems/Exercises/PowerPoints page of the Construction Law Ed. website.

Users will note that many reading assignments reference only citations to the resource and do not include links for online access. Through their schools, law students typically have accounts that allow them to retrieve these materials online through alternative services (including Westlaw, Lexis, Bloomberg and HeinOnline). Only for some resources am I providing open-access links. Rather than including links in this manual to any specific databases or to services requiring a subscription, I leave it to instructors to determine whether or how to direct their students to these resources. Each instructor, of course, must respect copyrights, as well as policies concerning student access to databases and online services.