

August 20, 2008


To: The Faculty of the College of Engineering
From: Division of Construction Engineering and Management
Subject: New Course

The Faculty of the Division of Construction Engineering and Management (CEM) has approved the following new course listed below. This action is now submitted to the Engineering Faculty with recommendation for approval.

CEM 42400 Legal Aspects in Engineering Practice
Sem. 1, Class 5, cr.3.
Prerequisite: CEM 29100 – Construction Internship II

Course Description: Legal principles and landmark cases relevant to engineering. Subjects covered include contracts, torts, agency, real property, environmental and labor laws, expert testimony, arbitration, patents and copyrights, sureties and ethics. Three evenings may be required.

Reason: This course will be taught by the same instructor of the existing CEM 52400 Legal Aspects in Engineering Practice. This course will be co-listed and continue to be offered in the Spring semester. The syllabus for the existing course is attached. This course will serve as a key course at the 400 level for CEM majors, as part of their undergraduate curriculum.


Makrand Hastak
Professor and Head

August 20, 2008

496/822

SUPPORTING DOCUMENTATION

CE 524
Legal Aspects of Engineering Practice
Fall 2007, Civil 3153
Tuesday 5:30 p.m.

Instructor: **John M. Stuckey** jms@stuartlaw.com
300 Main Street, Suite 900 8888 Keystone Crossing, Suite 640
Lafayette, IN 47901 Indianapolis, IN 46240
765.423.1561 317.575.2555 (direct)

Office

Hours: After class or e-mail/call for appointment

Teaching

Assistant: Varun Kishore
765.491.0693
vkishore@purdue.edu

Textbook: "Contracts and the Legal Environment for Engineers and Architects" by Joseph T. Bockrath, McGraw-Hill, 6th Edition

Selected

References: Johnson, Deborah, (1991). *Ethical Issues in Engineering*, Prentice Hall

Sample contract documents, American Institute of Architects 1987 Ed. (B141, A101, A111, A201, A311, and A312) and Engineers Joint Contract Documents Committee 1996 Ed. (1910-1 and 1910-8).

Selected cases, statutes, etc. –TBA

Course Description:

Legal principles and landmark cases relevant to civil and construction engineering. Specific subjects covered include contracts, torts, agency, professional liability, labor laws, insurance, expert testimony, arbitration, patents and copyrights, sureties and ethics.

Course Objectives:

Principles of ethical and professional conduct of engineers. Gaining familiarity with the basic structure of the US legal system as it relates to legal obligation and responsibilities of engineers. Legal and regulatory concerns relating to the facility acquisition process from an engineer's perspective. Obligations of parties to contracts for professional services, construction and material procurement. Methods of avoiding and resolving disputes between parties to design and construction contracts.

Tentative Schedule of Topics Covered

August 21:

Overview of the Course; Course administration (e.g. grading, attendance, classroom participation); Engineering ethics; Overview of U.S. judicial system and sources of law.

Handouts available through WebCT

August 28:

Topic: The Engineer's Relationship With His or Her Employer.

JTB 269-304

Handouts from prior week

September 4:

Topic: The Engineer's Professional Liability

JTB 305-369; 312-346

Handouts from prior week

September 11:

Topic: Basic Principles of Contract Law

JTB 17-60

Handouts from prior week

September 18:

Topic: Basic Principles of Contract Law, cont.

JTB 61-100

Handouts from prior week

Discuss term paper topics

September 25:

Topic: Introduction to Construction Contracts

JTB 101-155

Handouts from prior week Construction Contracts

Review for Midterm

October 2:

Topic: Midterm Examination (one hour); Construction Contracts, cont.

JTB 157-210

Handouts from prior week

October 16

Topic: Construction Contracts, cont.

JTB 211-265

Handouts from prior week

October 23

MEMORANDUM OUTLINE OF TERM PAPER DUE TODAY

Topic: The Protection of Intellectual Property – Copyrights, Trademarks, Patents, Trade Secrets, Employment Agreements, Covenants Not to Compete

JTB 435-454

Handouts from prior week

October 30

Topic: Public Contracts: Issues Raised By Spending Public Money

Handouts from prior week

November 6:

Topic: Construction Scheduling: Effects of Delay

Handouts from prior week

November 13: **TERM PAPERS ARE DUE TODAY**

Topic: Claims and Dispute Resolution

JTB 461-502

Handouts from prior week

November 27:

Topic: Insurance & Bonds

JTB 371-390

Handouts from prior week

December 4:

Topic: OSHA and other administrative regulation of the workplace – Review for Final Exam.

Handouts from prior week

Outside speakers on Law and the Practice of Engineering

December 10-15:

Finals Week – Date and time of final exam TBA

Assignments and Grading Procedures:

1 Midterm	30%
1 Final Examination (cumulative)	30%
Paper (>20 pgs)	20%
Classroom discussion participation	10%
Classroom presentations	10%

Each student is expected to read all assignments, cases, etc. in advance of class periods, and should be prepared to be called upon in class to debate or lead a discussion related to the assignment.

Guidelines for Term Paper on Case or Legal Topic of Personal Interest

A term paper (maximum 20 pages) should be turned in by the due date. You have a considerable freedom in selecting a topic for this report, but it must be related to a legal issue, and preferably be related to engineering practice. It may be an analysis of selected legal issues related to a specific engineering project, or analysis of recent or emerging government regulations. The paper topic should not concentrate on a single court case, but should focus on policy issues raised by a legal controversy or issue of your choice. These issues may and should be illustrated by two or more example cases, either past cases on which there is a court verdict or pending cases still in litigation. You are required to submit a memo outlining your paper topic and content and secure approval of it before you begin this assignment. You are also encouraged to review drafts of this paper with Mr. Stuckey during the course of the semester.

Late Submission Policy:

No late papers or memoranda will be accepted without prior approval and for good cause shown. You are responsible for managing your schedule so that last-minute emergencies do not prevent you from submitting your work product in a timely fashion.

Selected Due Dates:

Term Paper Outline Submitted for Approval by Instructor: **September 25, 2007**
Term Paper Submittal: **November 13, 2007**