

Construction Law in North Carolina

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Standard of Care for Engineers- the Jury Instruction (law note)

October 27, 2011 by Melissa Brumback



I've previously talked about the [standard of care for design professionals](#) on construction projects.

As you should be aware, the standard is *reasonableness*, not perfection. To illustrate the point, consider a standard North Carolina jury instruction on the standard of care for engineers:

“Under our law, a professional engineer is required to exercise **that degree of care which a professional engineer of ordinary skill and prudence would exercise under the same or similar circumstances**, and if the engineer fails to exercise such degree of ordinary skill and prudence under the same or similar circumstances, the engineer’s conduct would be negligence.”

For an architect, just substitute the word “architect” for “engineer” in the jury instruction above. Sometimes it can be challenging to meet a client’s expectations, and some clients believe that plans should (and can) be perfect. In your discussions about the project with the client, be sure the client has reasonable expectations. It is not reasonable to expect perfection in design plans. Unforeseen conditions, changing criteria, and differing code inspector interpretations are all to be expected. Educate your client about typical errors & omissions at the start of the construction project.

Do you have a question about the standard of care? Drop me an email at mbrumback@rl-law.com. Be sure to sign up for email delivery of blog posts directly to your inbox so you never miss a post!

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