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# Whatcha Gonna Do?

## Partnership Lost

Part Two



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When we left Designzit, Buildwell, and Selzum, their partnership was dissolved and each partner had moved on to run an individual practice. Unfortunately, what seemed to be an amicable divorce ultimately resulted in a laundry list of outstanding issues.

How do they divide the work in progress?

Who keeps the phone number?

Who gets the address?

What happens to the errors and omissions policy?

Who pays for the insurance "tail"?

How is credit for collaborative projects shared?

### **How did Selzum, Designzit & Buildwell resolve their differences?**

The [ASLA Code of Professional Ethics](#) requires that credit be given to each partner for his/her role in a project: Buildwell for specs and field observation, Designzit for design, etc. Ongoing projects are subject to negotiation of an agreement among the partners and the clients. While Selzum was responsible for all project acquisition, he cannot leave an equal partnership with all of the work. The former partners need to determine how the liability for errors or omissions in their joint projects will be shared. Their insurer may provide an ever-decreasing, single-premium policy, sometimes called a "tail," that diminishes toward the end of the period of liability. A pre-partnership agreement with "push and shove" clauses might have made the separation easier.

Each principal owns what they contributed to the whole and can take credit for it.

See [ASLA Code of Professional Ethics](#). Pertinent rules include:

R1.101 Honesty.

R1.105 Credit others

R1.106 Be careful not to mislead about future results.

R1.108 Accurately define qualifications

R1. 202 Ensure full disclosure of everyone's role

R1. 204 A warning to "moonlighters."

R1. 301 Broaden our capabilities.

And remember that pre-partnership agreement--it's a good thing.

*Editor's note: One of the objectives of the ASLA Ethics Committee is to educate members about the **ASLA Code and Guidelines for Professional Conduct**. The code contains important principles relating to duties to clients and to members of the Society. [Contact the Ethics Committee via ahixonjazz@home.com](mailto:ahixonjazz@home.com).*