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People

[Landscape Architecture in the News](#)
[The Dirt](#)
July 10, 2006
Ethics: Signing and Sealing Plans

An ethical question for members with guidance from the ASLA Ethics Committee and its legal counsel.

A well-known developer, Justina Rush, asks Will Hep, a local landscape architect, if he would assist in the submission and processing of site development plans for a residential project that have been completed by another design professional, Ina Bind. Due to an illness in the family, Bind is taking a leave of absence from work and will not be able to complete the plan processing as requested by Rush, and Bind accordingly recommended Hep to complete the work. Since Rush has such an excellent reputation and since this project could lead to a lot more work in the future, Hep agrees to submit the plans for approval and processing with the local authorities to meet the client's schedule. In doing so, Hep provides ample credit to the work completed by Bind, signs and seals the plans, and submits them as requested.



During construction of the project, the site contractor points out numerous questionable design issues to Rush. As an experienced developer, Rush realizes the scope of some of the design flaws and approaches Hep with her concerns. However, Hep contends that the design was performed by Bind and his work was limited to processing the plans as requested. He also points out that the plans clearly note the design was performed by Bind.

This is a violation of Rule R1.302 of the ASLA Code of Professional Ethics, which states:

Members shall not sign or seal drawings, specifications, reports, or other professional work for which they do not have direct professional knowledge or direct supervisory control.

In signing and sealing the site development plans, Hep assumed the responsibility for the design shown on the plans. Hep should have only signed and sealed the plans if he had thoroughly reviewed the plans, was familiar with the design shown on the plans, and was willing to accept complete responsibility for the design.

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