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Ethics: A Case of Mistaken Identity

This article does not represent a determination by the Ethics
Committee of an actual case. One of the responsibilities of the Ethics
Committee is to enhance member awareness about the Code of
Professional Ethics and the Code of Environmental Ethics, which
contain important principles relating to members' duties to clients
and to other members. While there may be additional licensing, legal,
or legally actionable factors in these hypotheticals, the Ethics
Committee's comments address only the implications with regard to
ASLA ethical codes; the discussions of these hypotheticals by the
Ethics Committee do not constitute legal advice.



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Gladto Practice, a landscape architect and principal of a small design firm, was listed in an article in the local newspaper as an expert in geothermal analysis for green construction. The paper was confused by the list of accomplishments that Gladto presented during the interview. While Mr. Practice told the reporter at the



interview he had worked on several projects that involved geothermal analysis, he never took credit as the author of the analysis or geothermal design within the report.

The reporter sent Mr. Practice a copy of the article prior to publication. Mr. Practice misplaced the article upon receipt and never responded to the paper verifying the accuracy of the article. The article was subsequently published in the paper. Mr. Practice finally caught the error in the published article, but was busy with work and never called the reporter to correct the error.

One week later a prospective client called on Mr. Practice with hopes of securing the services of the Practice firm in performing a geothermal analysis, along with multiple other facets of a

The Dirt

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lucrative venture. Mr. Practice was entited by the size and scope of the project. He welcomed the potential income. He still had no expertise in geothermal analysis.

What should Mr. Practice do?

Here is the relevant section of the ASLA Code of Professional Ethics:

Rule 1.108 Members shall not misrepresent or knowingly permit the misrepresentation of their professional qualifications, capabilities, and experience to clients, employers, or the public or be a party to any exaggerated, misleading, deceptive, or false statements or claims by the firms, agencies, or organizations that employ them.

Honesty is his only hope. Gladto Practice is not being responsible or ethical in his hopes of pursuing this project on the basis of misunderstood or misrepresented experience or education. He should immediately contact the prospective client and inform him of his lack of such experience.

Comments

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