

# **PROFESSIONAL NEGLIGENCE & LIABILITY**

WALTER G. ROBILLARD, ESQ., RLS  
1756 CENTURY BLVD SUITE B  
ATLANTA, GA 30345  
404-248-1602  
robw@mindspring.com

**SCOPE:** This seminar will examine the importance of understanding “what negligence is.” In today’s litigious world, a surveyor must not only be a good surveyor, but it is imperative that the surveyor have an understanding of business of defending the work. Negligence, minimum standards and the resulting problems from simply being a surveyor will be discussed. Recommendation will be made as how a surveyor can defend against the client who screams **negligence.**

## **OUTLINE**

### **I. THE ELEMENTS OF NEGLIGENCE**

- a. Common law      b. Statute law

### **II. THE FEASANCES**

- a. Mal                      b. Mis
- c. Non

### **III. UNDERSTANDING THE STANDARD OF CARE**

### **IV. DISTINGUISHING BETWEEN DUTY AND RESPONSIBILITY**

### **V. WHAT PLACE CONTRIBUTORY NEGLIGENCE?**

### **VI. AGENCY/CLIENT RELATIONSHIPS**

### **VII. NEGLIGENCE IN SURVEYING**

- a. Windshield surveys      d. Control/mapping
- b. Boundaries                      e. Construction
- c. Topographic Surveys

### **VIII. DEFENSES TO ALLEGED NEGLIGENCE**

- a. Consent                      c. Statutes of Limitations
- b. Disclaimers

### **IX. DAMAGES**

- a. General                      c. Punitive
- b. Specific                      d. Contractual

Time: 7 hours