

Construction Law Graduate Studies around the World

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In September 2006, *Construction Law International*, the magazine of the International Bar Association's International Construction Projects Committee, compiled contributions from committee members and their contacts for a survey of graduate studies programs in construction law around the world.

Contributors to that survey were invited to update their contributions in mid-2008, and further contributions were invited. The contributions to the original and revised surveys have been combined and condensed as set out in this article. By no means do they purport to be a comprehensive survey of the entirety of construction law programs offered throughout the world. They do, however, serve to demonstrate that the remarkable growth in construction as an area of legal practice has been matched by a veritable mushrooming of academic programs promoting the study and development of this area of law.

Introduction

The contributions received reflect that there is a wealth of construction law studies available throughout the world. They also indicate a wide variety of ways in which construction law education is delivered across the various programs, both as to the mode of delivery (whether by way of intensive seminars, semester-long units, or online) and the detail of the curriculum.

On the other hand, a common theme among the programs is

the fostering of links between the potentially disparate disciplines—engineering, architecture, project management, finance, law, and many more—which are required to interact harmoniously if a construction project is to be brought to successful fruition. Such fostering has been identified as a key goal of construction law studies for many years. For example, Thomas J. Stipanowich (1998) observed that

A multi-disciplinary, team-oriented approach to problem solving, partnering law students and graduate engineering (or architecture) students would encourage cooperation and foster greater appreciation of differing perspectives.

Another common theme is strong support being offered to the various programs by leading practitioners, whether as students, teachers, or at a strategic level. While such a symbiotic relationship seems natural in respect of an area of law that is inherently linked to the practice of an industry, its continued existence can only bode well for the future growth of construction law studies around the world.

Upon reviewing a draft of this article, Professor Edwin Chan (whose contribution on behalf of the Hong Kong Polytechnic University is set out later in this article) observed, as a noteworthy result of the survey, that “most of the construction law programmes are closely linked to dispute resolution either through the programme name or in the substance of the programme contents. Perhaps the construction industry has been pestered by disputes for too long and construction professionals cannot ignore the importance of legal knowledge in their professional practice.”

Australia

University of Melbourne

Information contributed by Matthew Bell, Co-Director of Studies for Construction Law.

The Melbourne Law School at the University of Melbourne commenced graduate courses in construction law in 2000. The program comprises a graduate diploma (four subjects) and a master's degree (eight subjects) and is open to graduates in law and the construction professions, including engineers, architects, project managers, and quantity surveyors.

As of 2009, students are able to choose from 20 construction law-specific subjects within the broader Melbourne Law Masters program (which in 2008 offered more than 160 subjects). These subjects cover diverse topics across the range of legal expertise required of industry participants today. In addition to compulsory subjects giving a broad overview of construction law, there are subjects dealing specifically with issues including infrastructure delivery, drafting and interpretation of standard forms, dispute avoidance and management, insurance, project finance, public-private partnerships (PPPs), security of payment, and cross-border contracting and disputes.

Masters students without a law degree from a common law jurisdiction undertake a detailed introductory subject entitled "Fundamentals of the Common Law." On the other hand, lawyers are encouraged to undertake "Construction: Principles into Practice," which gives an overview of the key principles of engineering, architectural, and other technical aspects and their role in construction contracting.

The program is primarily conducted at the state-of-the-art facilities offered by the Law School's building in Melbourne. Certain subjects are also offered in Sydney, and a subject is being offered for the first time in Brisbane in 2009. Students travel to Melbourne from throughout Australasia and around the world to undertake subjects. To facilitate participation of students from interstate and overseas, the bulk of subjects are offered on an intensive basis (full time over five days).

The program has been fortunate from the outset to have harnessed the support and expertise of leading representatives across a range of sectors within the Australian construction industry, whether that participation has been as teachers, students, or members of our advisory board.

Our subject coordinators are academics and practitioners who are recognized as preeminent in their respective fields across a range of disciplines. In addition to the graduate program in construction law, Melbourne offers subjects in construction law at the undergraduate level to students from our Law, Architecture Building and Planning and Engineering Faculties.

Further information about the Melbourne program is available at www.masters.law.unimelb.edu.au/constructionlaw or by e-mail to m.bell@unimelb.edu.au.

Monash University (Melbourne)

Information contributed by Dr. Paula Gerber, Senior Lecturer, Monash Law School.

At Monash, undergraduate law students are able to undertake an elective unit on construction law. This subject is taught by Dr. Paula Gerber, building on her many years of experience in teaching students in law, engineering, architecture, and other disciplines at the University of Melbourne and elsewhere. Paula involves many of Melbourne's leading practitioners in the teaching of specific aspects of the course.

In its first year of offer, 2005, the subject had close to 100 enrollments. It was originally anticipated that the construction law subject would be offered as an elective every second year, but it has proven so popular that it is now taught every year. Many of the construction law students have gone on to do seasonal clerkships in the construction law areas of large commercial law firms and have indicated a desire to specialize in this area of law.

University of Notre Dame Australia

Information contributed by Dr. Phil Evans, Director, Graduate Law Programmes.

In 2005 the Graduate School of Law commenced a new course in construction law, the Graduate Certificate in Construction and Building Law. This is the only program of its kind offered in Western Australia and has been very successful, with over 60 local and interstate students having now graduated from the course.

This program is part of the University of Notre Dame Australia (UNDA) School of Law and is available both to members of the legal profession and to suitably qualified members of the construction and building industry, such as architects, engineers,

quantity surveyors, and project managers. The program consists of four units: "Construction Contracts," "Construction Claims," "Dispute Resolution in the Construction Industry," and "Professional Liability in the Construction Industry." These units are taught in five-day intensive study mode periods at the Fremantle campus over a one-year period. It is also proposed to offer the course at the Notre Dame Sydney campus.

In addition, the university offers an undergraduate unit in Building and Construction Contract Law. This unit is also offered on an intensive basis in the winter semester each year. It regularly attracts enrolments in excess of 40 students.

The course is coordinated by Dr. Phil Evans, who, in addition to his legal qualifications, is a chartered civil engineer, graded arbitrator, and registered *Construction Contracts Act* (WA) adjudicator. Guest lectures are also provided by practitioners from some of Perth's largest law firms.

Further information on the course may be obtained by contacting Dr. Evans in the School of Law by phone +61 8 9433 0600 or at the UNDA Web site (www.nd.edu.au).

Canada

University of Toronto

Information contributed by Harvey J. Kirsh, Senior Partner and Cochair, Construction and Infrastructure Group, Osler Hoskin and Harcourt LLP, Toronto, Ontario.

The University of Toronto's Faculty of Law offers an upper-year course in construction law entitled "From Blueprints to Buildings." The course, which was created and is taught by Harvey J. Kirsh, is supported by the participation of guest lecturers who are recognized as leaders in the field in Canada.

The course recognizes that the entity known as construction law is a weave of overlapping, intersecting areas of law integrally linked with the custom and practice of its industry. Construction is the largest industry in Canada, employing hundreds of thousands of people and contributing millions of dollars to the economy. The focus of the course is therefore on the review and analysis of the legal aspects of the relationships between the various parties, including their respective roles, rights, obligations, and remedies, by reviewing the applicable legislation, the developing jurisprudence, and the custom in the industry.

Dubai (United Arab Emirates)

Information contributed by Louise Barrington, Director, Centre of Construction Law, King's College London.

As this article was being written, the British University in Dubai (BUiD) and King's College London were signing a cooperation agreement that will establish a new program, to be offered by BUiD in association with King's College London, from 2009. The BUiD program will lead to an MSc degree at a standard comparable to that of the well-known King's College MSc (*see below*). King's College's academic staff will assist and advise BUiD on the design, implementation, and quality control for the program, and on the recruitment of both academic staff and students. Additionally, King's College staff will do some of the teaching for the new MSc.

England

King's College London

Information contributed by Louise Barrington, Director, and Philip Britton, Former Director, Centre of Construction Law.

King's College London was the first teaching institution in the U.K. to develop a postgraduate program in construction law. This program began in 1987 as a postgraduate Diploma in Construction Law and Arbitration, rapidly upgraded by the College within the first year to an MSc. Over 1,000 students have now passed through the program.

The program was renamed Construction Law and Dispute Resolution in 2005, better to reflect the proper emphasis now placed on alternative dispute resolution (ADR) and statutory adjudication. The London MSc remains a postexperience postgraduate program, most students completing it part-time over two years and combining it with professional activity (as a lawyer or construction professional) alongside. The structure contains four taught modules, two each year, which start with an introduction to law for nonlawyers and to construction technology for those who are legally qualified. A dissertation completes the program.

Teaching is at the Strand Campus of the College, in intensive three-day blocks (Friday to Sunday) approximately once per month. The recent change to this intensive format offers a more coherent learning experience and seeks to enable students from outside London more easily to take part. The three-day modules have recently been revamped to include both small group tutorials and open for a where alumni and practitioners can join the class for discussion of hot issues in the construction field.

The Centre of Construction Law, since September 2005 part of the Law School at King's College, administers the program and provides its core academic staff, which includes Phillip Capper, the Nash Professor of Engineering Law, and Emeritus Professor John Uff, Q.C. There is also significant practitioner involvement in every aspect of teaching.

After the arrival of statutory adjudication in the U.K. in 1998, it gradually became clear that would-be adjudicators needed fuller training than the statutory minimum. The Centre at King's College therefore designed a new Certificate in Construction Adjudication, part-time over one academic year, which is based on parts of modules from the MSc and welcomed its first students in September 2006.

For details of the London MSc program and the Certificate in Construction Adjudication, request a copy of the prospectus by e-mailing ccldr@kcl.ac.uk.

Leeds Metropolitan University

Information contributed by Martin Green, Course Leader, MSc in Construction Law and Dispute Resolution.

Leeds Metropolitan University has been delivering the MSc in Construction Law and Dispute Resolution (formerly Construction Law and Arbitration) since 1994.

The course is a two-year, part-time, evening-only delivery supplemented by six full-day workshops. It is designed for experienced construction practitioners and construction lawyers. There is a maximum intake of 20 students per year, which ensures that the class size is small enough to maintain personal contact between tutors and students and that effective study groups form. To date, approximately 280 students have gone through the program, many of whom have maintained ongoing friendships and professional networks. The course is normally completed in two years,

but offers a three-year option for those students with family or work commitments that would keep them from completing the course in two years.

All students are interviewed prior to being offered a place and have to pass an entrance test to ensure that they have an adequate knowledge of the English legal system, contract, and tort.

The course is made up of six taught modules and a dissertation. The taught modules are as follows:

- Construction Law Principles;
- Law of Arbitration;
- Developments in Construction Law;
- Arbitration Practice and Procedure;
- Adjudication and ADR; and
- Law and Practice of Claims.

Completion of the program along with adequate marks in the Arbitration Practice and Procedure exam (the Award Writing Exam) provides exemption from the Chartered Institute of Arbitrators examination requirements up to and including fellowship grade.

The School of the Built Environment administers the program and provides some of the academic staff. Most of the tutors, however, are visiting lecturers from around Leeds and from elsewhere in the U.K., including experienced construction solicitors and barristers, judges, and a number of practicing arbitrators and adjudicators.

The course has His Honour Humphrey Lloyd, Q.C. as its visiting professor, who assists in the delivery of the program and in maintaining academic standards generally. There are also experienced visiting fellows in arbitration, dispute resolution, and construction law who assist the course leader with technical input and assessment.

For further details of the MSc program, please contact Martin Green (the course leader) by e-mailing M.B.Green@leedsmet.ac.uk, or Hilary Robson (the course administrator) by e-mailing H.Robson@leedsmet.ac.uk.

University of Salford

Information contributed by Mr. Brodie McAdam, Construction Law Masters Programme Leader.

To coincide with the launch of a full undergraduate law degree program, the Salford Law School teamed up with the School of the Built Environment to develop a combined LLM/MSc in construction law and practice.

The program is targeted at any construction professionals who are interested in deepening and developing their knowledge and capabilities in relation to construction law; this category includes engineers and architects, though the bulk of applicants to date have been lawyers, surveyors, and project managers. The program offers students a number of different pathways, depending on whether the LLM or MSc outcome is preferred (and available), but the basic structure consists of three nonselective units (Fundamentals of Construction Law, Construction Contracts: Operation and Administration, and Liability and Complexity in Construction Law), followed by an elective (chosen from Dispute Resolution, Contemporary Procurement, and Construction Law and the Environment), and a dissertation.

The program is provided part-time and solely on a distance learning basis, providing maximum flexibility for students, but not at the expense of cohort cohesion and collaboration; the intensive use of the Internet and e-resources, both synchronously and asynchronously, serves to bridge the gap between learners

and tutors. Guest contributions from national and international experts provide the opportunity for students to test their mettle against the best in the business.

The course is coordinated by Brodie McAdam, an experienced construction litigator, from whom further information may be obtained at w.b.mcadam@salford.ac.uk.

University of Central Lancashire

Information contributed by Dierdre Davenport.

The School of Built and Natural Environment has developed the discipline of construction law and dispute resolution since 1997, compiling a flexible suite of taught modules and activities for busy professionals employed in the construction sector, nationally and internationally. The e-learning PG program is derived from the traditional campus delivered MSc in response to the needs of the students drawn from construction professions and construction law.

Since 2002 the course has recruited students worldwide and has opened doors to a large number of people who otherwise would not be able to pursue postgraduate study.

The department offers target awards in stages that lead progressively to the final award of MSc in Construction Law and Dispute Resolution as follows:

- Postgraduate Certificate in Construction Law;
- Postgraduate Diploma in Construction Law and Dispute Resolution; and
- MSc in Construction Law and Dispute Resolution.

The MSc award is accredited by the Royal Institution of Chartered Surveyors (RICS) as a recognized route to membership via the Assessment of Professional Competence and also gives membership status of the Chartered Institute of Arbitrators (CIARB).

The program focuses on the development of knowledge and skills relating to construction law and dispute resolution in the context of common law, contractual and statutory requirements, procurement and competition, and sustainable development as applied to professional practice. The provision involves the use of resources delivered via the Web and also utilizes the University of Central Lancashire (UCLAN)'s wide range of electronic databases available on the intranet. Teaching and learning material is available through WebCT and is supplemented by seminars delivered online.

E-learning is supplemented by workshops and online seminars that allow students to meet with each other and the staff for academic and also social purposes. There are three main workshops, two of which are held each year in Paris and are supported by leading practitioners. Further information is available from <http://www.uclan.ac.uk/constructionlaw>.

University of Wolverhampton

Information contributed by Dr. Issaka Ndekugri, Director, MSc Construction Law Programme.

The course launch in September 1996 was preceded by a period of extensive consultation with the construction and engineering industry on the need for such a program and the content appropriate for its needs. Construction lawyers from an original professional background in law were the most supportive. Many reported that their studies at law school had not prepared them for practice in the construction industry. This advice resulted in a module specially designed for lawyers, aimed at imparting knowledge and understanding of construction procurement processes,

design procedures, basic engineering and construction technology, and project planning and control.

Key study areas covered in the Masters course are

- Law of contract;
- Tort law;
- Construction technology and management for noncognates;
- Analysis of the terms of the major standard forms of contracts used in the United Kingdom;
- Planning and environmental law;
- Dispute avoidance strategies;
- Dispute resolution (theories and practice of negotiation, adjudication, arbitration, and alternative dispute resolution);
- Advanced project planning and control; and
- International construction law.

Students are required to submit a dissertation on a topic approved by the course management team as relevant to construction law. A compulsory research methods module prepares students to undertake the dissertation. A deliberate decision was taken to allow some flexibility to accommodate the different backgrounds of students and their career aspirations. For this reason, apart from the dissertation and the research methods modules, only the topics on dispute avoidance and resolution (25% of the total credits required for the MSc award) are core topics. Also, students may choose up to a sixth of their programs from modules from other graduate programs in the university, subject to approval by the course management team.

Our International Construction Law module is an important feature of the Wolverhampton program. Covering conflict of laws and an in-depth analysis of the FIDIC family of standard construction contracts, the module recognizes the reality that, in this age of globalization, many transactions have links to many different legal systems and reflect the fact that international contracts are influenced more by the FIDIC family of contracts than the standard forms for the domestic market of any country. The module is particularly well received by overseas students from developing countries, in which the FIDIC family of contracts are often used in the procurement of major projects.

The program is accredited by the U.K.'s Royal Institution of Chartered Surveyors and may be studied full time over 12 months or part-time over two years. Most U.K. students study part-time, while overseas students almost always follow the full-time route.

For further information, please go to www.wlv.ac.uk/sebe (under reconstruction) or e-mail Bernadette Quick at b.quick@wlv.ac.uk.

Many other construction law courses are offered throughout England. These include the subject of International Construction—Contracts and Arbitration, taught by His Honour Humphrey Lloyd, Q.C. within the LLM program at Queen Mary College, University of London (www.qmul.ac.uk). As detailed on the college's Web site, the subject is also available online as part of the International Commercial Arbitration by Distance Learning course.

France

Information contributed by Marc Frilet, Avocat Paris bar, and Visiting Professor, University Paris V-René Descartes.

Sorbonne University (Paris 1)

The Sorbonne University in Paris is an old and famous university. Within the law school, a masters degree is offered entitled “Construction, Urban Planning and Contracts.” The founding directors are Etienne Fatome and Thierry Revet.

The program is open to graduates in law as well as to members of the construction industry (contractors, engineers, and architects). The curriculum covers a wide range of topics. The core program provides an in-depth overview of construction law. In addition, specialized topics are available, including dispute avoidance, environmental construction law, the construction economy, and professional insurance.

The educational program includes both public and private approaches to construction law, which are substantially different in France. This includes French public service concessions, public procurement, project finance, and so forth.

For details of the program, please go to http://www.univ-paris1.fr/formation/juridique_politique/ufr01/formations/masters/master_2_m2/branches_professionnelles/article5327.html and download the PDF presentation.

Assas University (Paris 2)

Assas is also, like the Sorbonne, a leading French university in Paris. The name of the masters degree is Real Estate and Construction Law. The current director is Hughes Perinet Marquet, and the founding director is Philippe Malinvaud.

The program is open to graduates in law as well as to members of the construction industry. It is organized around three major topics: real estate law (horizontal approach), engineering construction law (contract law and commercial law), and construction law (liability, insurance, and subcontracts). In addition, courses are held in specialized matters such as taxation in construction law, administrative authorizations in the area of construction, construction economy, real estate expertise, and so forth.

For details of the program, please download the prospectus from http://www.u-paris2.fr/html/formations/m2_pro/m2pro_droit_immobilier_construction.pdf.

Val de Marne University (Paris 12)

The Val de Marne University is a young university situated in the suburbs of Paris. The name of the masters degree is Construction Law and Urban Planning. The current director is Olivier Tournafond.

The course is two years, open to graduates in law obtaining a license (bac +3) or a master 1 (bac +4). The program covers a wide range of topics. The core program provides an in-depth overview of construction law. In addition, specialized topics are available, including social housing, environmental construction law, archeology construction law, construction economy, professional insurance, and so forth.

The educational program includes both public and private approaches to construction law, which are substantially different in France. This includes public finance, expropriation, complex contracts, public procurement, and so forth.

For details of the program, please go to http://www.univ-paris12.fr/MRDCU/0/fiche_formation/&RH=FOR_TTE and download the PDF presentation.

Hong Kong SAR of China

Hong Kong Polytechnic University

Information contributed by Edwin H. W. Chan, Professor and Programme Leader, MSc Construction Law and Dispute Resolution.

The MSc Construction Law and Dispute Resolution program has been offered by the Faculty of Construction and Land Use (FCLU) of The Hong Kong Polytechnic University (the PolyU) since 2004. The program and its design are inspired by the operational mode of the MSc program at the Centre of Construction Law, King's College London (*see above*), where the program leader, Edwin Chan, studied for his PhD degree. The program is hosted by the Department of Building and Real Estate and assisted by sister departments of the FCLU, which cover civil and structural engineering, building service engineering, and land surveying.

The program aims to integrate the necessary knowledge in construction management and law for the needs of construction professionals. It cuts through disciplinary barriers by integrating the various skills and strengths of the different professions to produce a specialized contribution to the construction industry. The program applies theory to practice by providing training on key dispute resolution skills—arbitration and mediation—offered by approved trainers. It targets construction graduates and lawyers who wish to specialize in construction law and alternative dispute resolution. Part of the program is designed in the context of international construction projects to meet the need for knowledge of cross-countries practice, as well as for knowledge of projects in Hong Kong and mainland China.

To be eligible for the award of the MSc degree, students must complete seven subjects plus a dissertation, or project work subjects. Students are recommended to follow a suggested progression pattern to complete their study. The compulsory subjects required for the program are Principles and Practice of Law, Statutory Framework for Construction Practice, Construction Law, Dispute Management and Law for International Projects, and Arbitration Law and Practice.

Elective subjects are available from a list offered in the FCLU's Construction Scheme for MSc programs. The elective subjects have an emphasis on either legal issues or international aspects. They aim to broaden the horizons of students with study on other construction subjects beyond that covered in their primary profession.

Up-to-date practical subjects are delivered with the support of visiting lawyers, arbitrators, mediators, experts from China, and senior construction professionals. To maintain the presence and influence of the program in Hong Kong, public lectures by visitors are organized regularly to cover contemporary topics relating to construction law and management. The program enjoys a harmonious environment with contributions from academics, practitioners, and students with various professional backgrounds. In summer 2008, the program celebrates its third cohort of graduates.

Detailed information on the program is available at http://www.polyu.edu.hk/~fclu/postgrad-scheme/acad_bre_02.html or from Professor Edwin H. W. Chan (phone: +8627665800; e-mail: bsedchan@inet.polyu.edu.hk).

Netherlands

Technical University of Delft

Information contributed by Prof. Dr. Monika Chao-Duivis.

The Technical University of Delft offers a course called "Construction and Infrastructure Law," which is a masters elective course for students of civil engineering, architecture and policy and management. It is especially directed toward management and process-oriented students.

The university commenced teaching this program in 2006. It is planned to be a permanent subject both in the curriculum of the university and in the national developments around the three technical Dutch universities.

Main topics covered include contract law, Dutch and FIDIC conditions of contract, European and Dutch procurement law, arbitration and dispute review, planning law, European environmental law, the Infrastructure Planning Act, land assembly, and permits.

Scotland

Robert Gordon University, Aberdeen

Information contributed by Derek P. Auchie, Course Leader Construction Law and Arbitration LLM/ MSc.

Robert Gordon University (RGU) runs a very successful, practical, and flexible program covering both construction law and arbitration. This master's course is taught on the university's award-winning virtual campus, which involves interactive learning from anywhere in the world at any time.

The course is accredited by the Chartered Institute of Arbitrators (CI Arb) and the Royal Institution of Chartered Surveyors (RICS) and is one of very few similar courses given anywhere. The course allows exit routes after years 1, 2, or 3, and exemption from the CI Arb fellowship or membership exams can be achieved after only one year with the award of a postgraduate certificate in arbitration.

The RGU's virtual campus allows students to post messages in answer to activities in a dialogue with other students into which the tutor will regularly feed. There are presently over 11,000 students taking courses on the RGU virtual campus, so we are very experienced in this flexible form of delivery.

The course is taught by a mixture of academic staff and practitioners, with high-quality experienced input from an arbitrator and from experienced practicing specialist construction lawyers.

Assessment in year 1 is by a mixture of coursework and examinations (the latter can be taken anywhere in the world—no need to come to Aberdeen) and in year 2 by coursework only. Year 3 involves the submission of a dissertation on a subject of the student's choice, often an area in which the student works. Intensive supervision of the student during the whole dissertation period is available.

This course offers a range of high-quality and valuable career progressive qualifications to a whole range of professional sectors, including lawyers, surveyors, construction industry professionals, engineers, architects, oil and gas professionals, and many more.

For further details of the course, visit the course Web pages at <http://www.rgu.ac.uk/abs/postgraduate/page.cfm?page=4986>.

Other construction law courses available in Scotland include the LLM/ PgDip in Construction Law offered by the

Glasgow Graduate School of Law (a joint venture of the Strathclyde and Glasgow Universities). See www.ggsl.strath.ac.uk/courses/construction.html.

Singapore

National University of Singapore

Information contributed by Associate Professor Philip Chan, Deputy Head (Academic), Director, KCL-NUS MSc in Construction Law and Dispute Resolution, and Co-Director of Project Management and Construction Law.

Currently, the law relating to building contracts, torts committed in the construction industry, and the statutes regulating practices in the construction industry, including the *Building and Construction Industry Security of Payment Act*, are taught at the Faculty of Law and the Department of Building at the National University of Singapore (NUS). They are taught at both the undergraduate and graduate levels.

The Faculty of Law offers an undergraduate module in construction law in view of the lack of training facilities for graduating lawyers who were keen to do construction work. The module is available as an elective module for third- and final-year law students (the NUS law degree is a four-year program). It consists of 12 weeks of three-hour seminars and is an entry-level introductory course.

In the Department of Building, construction law is taught to the undergraduates of the BSc (Project and Facilities Management) as part of the Project Management Law module. The module takes the students through 12 weeks of lectures and tutorials, including assignments and examinations. Construction law is also taught at the graduate level in the MSc (Project Management) degree program, where it is an elective module providing 12 weeks of three-hour sessions in the evenings. The coverage of the graduate module is in greater depth and application as compared to the undergraduate module of the same name.

The only graduate program in Singapore dedicated to construction and dispute resolution started in 2003 and was conducted in Singapore by the Centre of Construction Law at King's College in collaboration with the Department of Building at the NUS. Very regrettably, the program is not able to continue because of insufficient suitable applications. The joint program stopped admitting students in 2007 and should see the last batch of students graduating in 2009.

United States

John Marshall Law School, Chicago

Information contributed by Stanley P. Sklar.

The Center for Real Estate Law of the John Marshall Law School, located in Chicago, presents a graduate program in real estate law to educate real estate professionals in the substance and practice of commercial real estate law. The program is open to graduate students who are in pursuit of an LL.M (attorneys) and M.S. (business professionals). It has an advisory board, representing all segments of the real estate industry, which has an essential role in current and future planning.

One of the program's required courses is construction law, covering such topics as construction contracts, claims, and dis-

pute resolution options. It explores the rights and duties of developers, contractors, subcontractors, design professionals, sureties, and lenders. It engages in the analysis of the contract phase, claims for defective construction, claims for delay, mechanics' liens, and insurance as it relates to construction.

The course is currently taught by Adjunct Professors Stanley P. Sklar, a member of the law firm of Bell, Boyd and Lloyd LLC, and Lorence Slutzky, a partner in the law firm of Robbins, Schwartz, Nicholas, Lifton and Taylor, Ltd.

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seeking of contributions, by His Honour Humphrey Lloyd, Q.C. in identifying courses in Britain, and by Harvey J. Kirsh in identifying references on construction law studies.

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References

- Stipanowich, T. J. (1998). "Reconstructing construction law: Reality and reform in a transactional system." *Wis. L. Rev.*, 2, 463–578.