

The Pro-Active Approach

A Design Professional's Resource



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The Heuer Law Group

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Giving Proper Credit for Past Work?

Question: “How can I represent my or my employee’s past work while not ‘stealing’ from a previous employer?”

Answer: You can represent your or your employees’ past work in promotional materials or on your Web site as long as you are careful to credit the old firm and as long as you state the scope of your responsibility (or that of your employee) on each project listed.

Allegedly misleading or deceptive claims of credit by an architecture firm are issues frequently heard before the AIA’s National Ethics Council (the “Council”). Rule 4.201 of the AIA Code of Ethics and Professional Conduct (the “Code”) states that:

“Members shall not make misleading, deceptive, or false statements or claims about their professional qualifications, experience, or performance and shall accurately state the scope and nature of their responsibilities in connection with work for which they are claiming credit.”

An example of this rule in context is where an architect at Smith Architects, Inc., quits and joins Johnson Design Group. Johnson Design Group wants to mail an announcement to potential clients about their new hire, citing as part of her portfolio several high-profile projects that the architect worked on while at Smith Architects, Inc. The problem arises if Johnson Design Group fails to credit Smith Architects, Inc. in their announcement, or if Johnson Design Group fails to state clearly their new hire’s scope of responsibility on those cited projects.

By not citing Smith Architects, Inc. and leaving the impression that the architect designed the projects after moving to Johnson Design Group, or, alternatively, by leaving the impression that their new hire played a more significant role in the project than was the case, Johnson Design Group’s announcement creates what the AIA Ethics Counsel has referred to as “confusion in the marketplace,” and is “misleading and deceptive and...denie[s] other participants in the projects their proper share of credit.” The principals of Johnson Design Group are also individually in violation of

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