

# Design Directions

ASID MINNESOTA  
*Design Directions*

SPRING 2015



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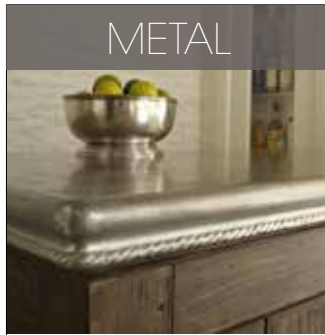
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***“The focus this year for ASID is on revamping and adapting our organization into this century filled with technology and instant information.”***

## **A LETTER FROM OUR PRESIDENT**

Dear ASID MN Chapter:

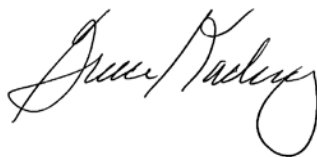
It's the time of year that some of us start falling off our New Year's resolutions. I think I've already slowed up on some myself. It is important, however, that we keep focused on our plans and direction for our chapter. We need to keep striding forward to build our organization. If we don't keep reaching

out for new "relationships" with many of our younger professionals, we are going to wither. I hope many of you are able to attend Sarah Sladek's seminar on getting to know the Gen Ys. They have amazing gifts that they can bring to our old and staid ways. The focus this year for ASID is on revamping and adapting our organization into this century filled with technology and instant information. Our mentorship program is one of the programs that exemplifies "relationship" building. Relationships, beginning one on one, very well may be the key to keeping our organization vital for the next generation. I'm reading one of Sladek's books now and discovering how our approach needs to change.

I hope you are all geared up for our two major events this spring, Design Week and the Designer Kitchen and Bath Tour. We have moved them to April and coupled them together this year for a "bigger bang." We're excited to have so many of you sign up kitchens for the tour. The always entertaining Alexa Hampton is coming to speak at the kick-off for Design Week. There will be other events including panel discussions with some of our colleagues. We are striving even more this year than in the past to reach into the community, educating and developing new clients. So please pass this along to your clients and their friends ... spread the word!

And finally, I want to encourage everyone to thank our Industry Partners for their participation. They sit on our board and committees, provide funding and hosting for our events. Many of them provide sponsorship, which represents a large financial contribution. Make a point of going up to them, shaking their hand and expressing yours and our appreciation for all that they do for us. This adds to our relationship building that will increase our vitality.

Sincerely yours,



**BRUCE KADING, ASID, CID**  
President  
ASID MN Chapter





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*“For those of us who work in the design world, team usually involves a multidisciplinary approach that includes interior designers, architects, lighting designers, graphic designers, engineers, contractors and artists.”*

## A LETTER FROM OUR PRESIDENT-ELECT

Dear ASID MN Chapter:

We all use the word TEAM today. This implies a group effort in achieving a unified goal. For those of us who work in the design world, team usually involves a multidisciplinary approach that includes interior designers, architects, lighting designers, graphic designers, engineers, contractors and artists. Each project

creates a unique set of relationships that must work together in order to achieve our clients' goals. All projects have a unique set of program goals and technical requirements that demand assembling various design disciplines to facilitate the most efficient building process. This integrated approach requires the various stakeholders and disciplines to coordinate and interact as early as possible in the process, and throughout the life of the project, to achieve a holistic design solution.

As leaders and participants in this process, we need to understand and work side by side with other disciplines. This should begin in education where students learn early on that we all benefit from a shared collaborative effort. As practitioners, we also benefit through shared educational experiences. We become more sympathetic to challenges outside of our normal practice, and we grow and learn from one another. These experiences can involve students, faculty, practicing design and engineering professionals, and even clients and regulatory officials. Ultimately, this translates to projects that are creatively designed, and beautifully executed.

As we begin a new year, I encourage everyone to consider the team players we work with every day. How can we improve the process, educate ourselves and bridge the gaps between our various disciplines? May your year be filled with opportunities to create and build — both great partnerships and great projects.

*Christine Frisk*

**CHRISTINE FRISK, ASID**  
**President-Elect**  
**ASID MN Chapter**



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# Welcome New Members

## ALLIED MEMBERS

- » Jackie Loeffler
- » Amanda Maday

## STUDENT ASID

- » Christine Lynn Tanaka

## Emerging Professional — Nicole Sirek

**Name:** Nicole Sirek, Allied ASID

**Current Employment:** Partners 4, Design

**Previous Employment:** SieMatic

**Number of Years in the Industry:** 12 years

**Degree Obtained from:** Bachelors of Science from Art Institute of Pittsburgh — Online Division (2005–2009)

**Professional Associations:** ASID

**Current Involvement in ASID:** Gala Committee

**Have you received any honors or awards for your work, in the field or in school?**

While in school, I won the award for Sustainable project design in the 2008 Student ASID Chapter Design Contest.

ASID MN Awards:

- 2010 — Honorable Mention
- 2011–2013 — 4 Honorable Mentions, 1 First Place

**Area of Expertise:** Kitchen and Bath Design

**Community Involvement:** Being a mom to three children under 8 years of age doesn't allow for a lot of free time. Most of my time outside the office is spent with them, enjoying camping, biking, hiking and most anything outside. I have also been a mentor for a couple of design interns over the past 4 years.

**What is your favorite part about design?**

I enjoy the details portion of the projects, the little things that help make everything work. It is also very gratifying to see the client enjoying the space you have created with them and have them enjoy talking about the project.

**Do you have any advice for newcomers to the field who are looking to be hired at a firm or being their own?**

Understand yourself and be comfortable with yourself, enough to know what it is that you need help with and what your strengths are. Be willing to then learn from others that you see as successful and ask questions.



Project Photos by Gilbertson Photography



# Awards and Accolades

By Elizabeth Bland, Allied ASID

› **TRACY HAINS, ALLIED ASID & CALIE PIERCE, ALLIED ASID**, Che Bella Interiors, were featured in the *Star Tribune* article “Before & After: Makeover for a Master Suite,” November 2014, for their master suite redesign in Hutchinson, Minnesota.

› **LYNN MONSON, ASID**, Monson Interior Design and DreamMaker Bath & Kitchen, were featured in the Sunday, February 1 *Star Tribune* article “Before & After: Cooking Up an Award-Winning Kitchen on a Tight Budget.”

› **LINDA WADDELL, ALLIED ASID**, Waddell Interiors, had her own guest bathroom featured in the *Star Tribune* article “Before & After: Designer Transforms her Guest Bath,” December 19, 2014.

## SAVE THE DATE: Knowing Y Engage the Next Generation Now



Sarah Sladek

Sarah Sladek was leading the charge for organizations and companies to adapt to younger generations long before anybody else. Concerned about declining engagement in our nation’s membership associations, non-profits, and workplaces, she founded one of the nation’s first generation-focused companies in 2002. In fact, her company —XYZ University — remains one of the only companies in North America dedicated to helping

organizations sustain by staying relevant to, and engaging the participation of, Generations X, Y, and Z.

Her latest book, *Knowing Y: Engage the Next Generation Now* (2014), provides advice on how to engage Generation Y, and delves into the economic shifts that have impacted their value systems and differentiated their communication, buying, and engagement behaviors.

Sarah Sladek’s expertise has been prominently featured in international media, including *Forbes*, *Fast Company*, and *National Public Radio*, and she has keynoted events worldwide. Backed by years of experience and supported by solid research, she remains committed to helping organizations engage every generation to thrive and prosper in the new economy.

By 2015, Generation Y (1982-1995) will overtake the Baby Boomer population in the workforce, impacting the economy and the association community. Generation Y isn’t joining, buying,



networking, learning, or engaging like other generations. In her keynote presentation Ms. Sladek will address the fusion of economic shifts and the Gen Y perspective, which is changing everything from recruiting and member benefits to technology, events, and advocacy. Learn how to engage Generation Y, and delve into the economic shifts that have impacted their value systems and differentiated their communication, buying, and engagement behaviors.

### KEYNOTE SPEAKER LUNCHEON

Sarah Sladek  
CEO, XYZ University

Date: March 12, 2015

Time: 11:00am to 1:00pm

Location: IMS, Room 185

(Lunch with one hour presentation)

Cost: \$25 per person (Register at <http://goo.gl/iCbz9i>)

Sponsors: Hickory Chair, Miller Rossom, Mingle, and Martha O’Hara Interiors • D •



# Industry Partner Sponsorships: Who, What & Why

By Letitia Little, Allied ASID, CID

Who are our Sponsors and what do they do for our chapter? Many members are unclear about this, so the Sponsorship Committee is starting a new campaign to bring more awareness to these special members.

Sponsors are Industry Partner (IP) members of ASID MN who generously contribute dollars to our chapter in the form of Sponsorship Packages. These packages are made up of specific benefits, such as opportunities to sponsor various special events throughout the year such as Student Affairs Day, Design Week, Distinguished Speakers, IP Network Event, Gala Awards Banquet, ASID Awards, monthly meetings, and Public Relations. The Sponsorship Kickoff event is held every October as a thank you and a means to invite other members to become sponsors. Sponsorship Packages are: Gold Level — \$5,000; Silver Level — \$3,000; and Bronze Level — \$1,500. The 2015 Sponsors are listed below.

Please take a moment to thank these sponsors and especially to do business with them. Members Supporting Members will keep our chapter strong and viable, and we look forward to a mutually beneficial year for all.

If you have questions about the Sponsorship Program or would like to become a Sponsor, please contact Letitia Little, Sponsor Chair at [letitialittle@letitialittle.com](mailto:letitialittle@letitialittle.com) or 952-226-6420.

Sponsorship Committee Members:  
Lori Berg, Allied ASID; Martina Willegalle, ASID; Kevin Walter, Industry Partner Representative for Kohler Interiors; Allison Michel, Allied ASID; Patricia Madden, Allied ASID. • D •

## ASID MN 2015 Sponsors

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Miller Rossom  
Residential Technology Systems  
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**The Sponsorship Program is not only an important part of the success of our chapter, but it can be of direct benefit to industry partners and practitioners alike.**

“All of us at Francis King believe in being involved in the communities in which we work and live. Being a sponsor of the MN chapter of ASID is one way we put those beliefs into action.”

— Charlie Flynn, Owner Francis King Ltd.

“As a long time member of ASID, Interior Places and Spaces, LLC is always delighted to call upon our sponsors first when specifying product for our clients. We appreciate the relationships we have developed over the years with vendors we trust and can rely upon throughout the interior design process.”

— Angela Parker, ASID



# Trend Chasers vs. Style Makers

AMERICAN SOCIETY OF INTERIOR DESIGNERS  
MINNESOTA



By Linda Engler, ASID and Jill Murphy, Industry Partner Representative for Martha O'Hara Interiors



For the third year in a row, ASID MN is partnering with *Midwest Home Magazine* to host Design Week. Meant to emulate the much hailed "Restaurant Week" in NYC, Design Week is a celebration of the vibrancy of our community. The week-long series of events focuses on engaging the consumer and increasing their awareness of the benefits in hiring an ASID design professional. On Tuesday, April 14th ASID MN will be hosting a

late afternoon panel discussion entitled "Trend Chasers vs. Style Makers." Chris Lee, editor of *Midwest Home Magazine*, will moderate a panel of four ASID practitioners who embody the very essence of personal style in everything they do. A wine reception and social hour will follow as the consumer will then have the opportunity to peruse beautifully curated collections of iconic design elements created by some of ASID MN's most talented designers. While this is a consumer-focused event, we encourage trade attendance as well. Tickets will be available at [www.midwesthomemag.com](http://www.midwesthomemag.com), at all three MINQ locations (50th and France, the Shops at West End and the Crystal Court in the IDS Center), and in the ASID office as of March 1, 2015. • D •

**WHEN: April 14, 2015, 4:00–6:30pm**

**WHERE: Room 185**

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# HunterDouglas

# Showcase Home 2015

By Elizabeth Bland, Allied ASID



The Showcase Committee is excited to announce the 2015 Showcase Home.

This is an exciting home and project for ASID. It is the first time our homeowners are also our charitable partners. Due to the extensive renovations required for this year's home, the ASID MN Showcase Home tour has been moved to the fall and will be open from September 19 to October 11.

The homeowners, Mark & Susan Lacek, are excited to work with ASID on the design of their home. Located near Lake Harriet, their home, originally a 1926 Tudor, is being completely transformed into a 6,600 square foot cedar shingle-style. Their vision of the final product is "Coastal Chic," inspired by their memories of living in the Caribbean for 6 months. The home also needs to be functional for this busy family with two daughters and a rescue dog.

ASID will be partnering with Great Neighborhood Homes who have been working with the homeowner for over a year

on this project. GNH is generously allowing ASID in to work with the homeowners on the interior design of the home. Great Neighborhood Homes' design team will design the kitchen space. The house will undergo a complete remodel with a new addition, and no room or space will remain as it currently is in the home.

The sole charitable partner for this year will be Faith's Lodge, a facility created to support families coping with the serious illness or death of a child. The homeowners started the foundation in honor of their daughter Faith. You can learn more about this charity's services and mission at [faithslodge.org](http://faithslodge.org).

Bids for the project were due January 13 and a kick-off meeting was held January 21. The Showcase Committee and participating designers are all excited to get started creating another stunning Showcase Home that will educate and inspire the public. • D •

**Gala: September 18**

**Tour: September 19–October 11**



# ASID MN Mentorship Program 2015

AMERICAN  
SOCIETY OF  
INTERIOR  
DESIGNERS  
MINNESOTA



By Letitia Little, Allied ASID, CID



The Mentorship Program was started by the membership committee in June 2014 as a resource for recent ASID interior design graduates and emerging professionals to gain first hand practical knowledge of the design industry and have an opportunity to network within our chapter. This new program has attracted a lot of interest and to date we have 28 mentors and mentees. The Membership Committee has hosted 2 luncheons where lively discussions and a high energy exchange of ideas has occurred. More events are planned for 2015. Watch for details.

Please see the Guidelines below. If you are interested in joining this exciting and dynamic group please contact Teresa Antonneau at [t-antonneau@hotmail.com](mailto:t-antonneau@hotmail.com), 952-237-9917, or Letitia Little at [letitialittle@letitialittle.com](mailto:letitialittle@letitialittle.com), 952-226-6420. Membership Chair: Dawn Valverde.

## MENTORSHIP PROGRAM GUIDELINES

### DEFINITION

The Mentoring process is defined by the informational transition of knowledge, social capital, and psychological support as relevant to work, career, and professional development and usually entails face to face communication during a sustained period of time, between a person of more experience and knowledge (mentor) and a person with less experience and knowledge (mentee.)

### REQUIREMENTS FOR MENTORS

- Must be an active Allied ASID, ASID or IP member in good standing.
- Must be a practicing Interior Designer in either residential or commercial design or an Industry Partner.

- Should have at least 10 years experience.
- Must have full knowledge of daily design practices.
- Should have good networking capabilities in design community and good relationships with vendors and industry partners.
- Be willing to mentor for 1–2 emerging professionals.

### REQUIREMENTS FOR MENTEES

- Must be Allied ASID member in good standing as an Emerging Professional, which is defined as having graduated from college within 5–7 years.
- Must be employed or actively looking for employment in the interior design field.
- Must submit a short bio, a list of professional goals as a design practitioner and area of discussion to focus on.

### PROGRAM GUIDELINES

- Suggested topics for discussion should be related to the business of interior design and may include client relationship skills, business to business relationships, networking and business building tips, daily business practices, tips on appropriate business attire, interview skills, résumé building, etc.
- Help mentee to network with ASID and design community.
- Mentor and mentee should commit to an initial face to face meeting and at least three other meetings or phone conversations, and should set up a schedule that is mutually beneficial to both. May use ASID office for meetings.
- Duration of mentorship relationship can be up to the mentor and mentee, but should be at least 6 months.
- Mentee should respect mentor's time by scheduling meetings or phone calls ahead of time.
- Please be aware that this is a volunteer program, so a special thank you in the form of an e-mail or thank you note to the mentor would be appropriate. • D •

# Storage Trends: Coming Out of the Closet

By Katie Lewis, Allied ASID and Recia Johnson, Allied ASID



Photo Provided by Mingle

From the millennials to the baby boomers, consumer demand for creative storage solutions is on the rise. No longer hidden behind closet doors, space planning for storage is fast becoming an integral part of the interior design process. *Design Directions* had a conversation with Katie Harms, Business Development Director at ASID Industry Partner Scherer Bros., Sam Buchberger, Business Development and Events Manager at ASID Industry Partner California Closets, and Trisha Hausman Tidman, Kitchen & Bath Design Manager at ASID Industry Partner Mingle, who shared their ideas about what is trending in storage design.

## CURRENT TRENDS

### Closet Designers partnering with Interior Designers.

“Closet design specialists are being utilized alongside interior designers because of their unique niche specialty,” said Harms.

Since they work with storage space planning every day, they can help the designer come up with solutions for their client and educate the designer about things they may not have thought of or might not be aware of. “Storage discussion becomes relevant at the front end of the project. People have learned that a well-organized space saves them time and money. A well thought out space has become the expectation. It is not enough to sell a closet ‘system’ unless it functions well.”

### Storage as a design feature and integrated into living space.

Traditional living rooms are being replaced with multipurpose family areas that incorporate storage and multi-purpose furniture. For example, bookcases used as room dividers, well thought out built-in shelving units next to fireplaces, and storage in window seating. Harms said it is becoming the norm





Photo Provided by Scherer Bros.



Photo Provided by Scherer Bros.



Photo Provided by California Closets

to dedicate storage space inside the master closet to house or replace dressers and armoires. This helps maximize the use of available space in the bedroom, which is particularly valuable in smaller homes and condos. Hausman Tidman notes that, in kitchens, cabinets with hidden features to hide appliances are being designed to look like furniture and blend seamlessly into an adjacent great room.

#### **Good storage is a priority for new home buyers.**

A recent survey conducted by the National Association of Home Builders (NAHB) revealed that storage has become a high priority for home buyers and they want help with organization and storage. "Large majorities want a laundry room, a linen closet in the bath, garage storage and a walk-in pantry." According to Buchberger, "Storage is a major factor when shopping for a new home. Typically people look at the kitchen,

bathroom and closets. Home buyers are educated on what to look for and want to see built-in closets. Pole and shelf or wire doesn't cut it anymore."

#### **Mudrooms and laundry rooms.**

"Let's face it, two parents and a couple of kids need a fair amount of room in the mudroom. Think about how many boots the average person has. Where are they stored? Can they be tucked away when not in use so that the mud room stays organized? All closets need laundry storage. This can be as simple as leaving a space for the laundry basket. We need a dedicated space for dirty clothes," Harms said. Mudrooms and laundry rooms are being used as multipurpose rooms, including wrap stations and craft areas. Laundry rooms are no longer hidden in the basement. They are conveniently located where the family lives, so it is crucial that it is designed to be both functional and aesthetically pleasing.



Photo Provided by Scherer Bros.

### **Bolder color and finish selection.**

Buchberger sees a trend in clients making bolder choices in their color and finish selections, because their goal is to make their storage space contemporary and unique. “We try to help our clients by selecting a palette for them mixing textures and colors. It may be done by bringing in a beautiful printed glass backsplash or a pop of color to a top drawer. I am also seeing requests for eco resin, high gloss and Italian glass door inserts or backsplash to help add personalized design elements to an otherwise standard or not very visually appealing spaces, such as pantries, home offices, entryways or garage spaces.” Regarding color selection in cabinets, Harms sees white is still trending number one, followed by Chocolate Apple, which is a rich darker brown.

### **Use of accessories and gadgets.**

Being organized is good for your mental health, and closet organization tools are available in abundance. “Our clients love organization and having accessories to help organize every article of clothing, shoes and jewelry,” said Buchberger. Examples of accessories include lighting accents (strip, multicolored, motion censored and puck lighting), pullout full length mirrors, as well as pullout racks for ties, shoes, scarfs, and pants. In kitchens pullout wine racks, spice racks, and pullout shelving for deep spaces in pantries are trending,” Buchberger said. “Tag walls for garage spaces, home offices and craft rooms are popular because clients can order a plethora of different utility hooks or baskets to store and organize anything from ladders, tools, sporting



Photo Provided by California Closets



Photo Provided by California Closets



Photo Provided by Scherer Bros.

equipment and fishing poles to paper trays, wrapping paper and scissors.”

#### **Textured melamines and mixed materials.**

“Melamine closet systems (which are easy to clean) are becoming standard in master bedroom closets and pantries, and they are quickly becoming expected in secondary closets as well. There is also still a place for wire systems and/or a combination of the two,” Harms said. Upgraded islands with materials such as natural wood, glass, granite, Cambria and other quartz surfaces are no longer just featured in kitchens. In reference to kitchen storage, Hausman Tidman also sees this trend of using upgraded materials in pantries. She also said ergonomically correct cabinets with pullouts and drawers are very popular.

#### **Universal Design and Aging in Place.**

One of the many challenges designers face is the ability to accommodate for a client’s ever changing needs, from designing storage for growing families to empty nesters and aging in place. “How to store items is specific to every person. It is important to take time to analyze current needs and wants, as well as in the future. For growing families, their biggest request is pantries and ample storage. Empty nesters want convenience and easy

access,” said Hausman Tidman. Harms said they partner with interior designers, builders, architects and remodelers to build long term relationships with the goal of planning and developing designs that will accommodate for their clients’ ever changing needs throughout their lifetime.

#### **A VALUE-ADDED PROPOSITION**

It is important for designers to educate their clients on the benefits of creating a plan for their storage needs. Harms said that closets are the third most requested item by clients when doing a remodel, following kitchens and bathrooms. “Closets should be given the same amount of thought as a good kitchen design and it should happen early in the process to make every one’s life easier.” There are amazing products and tools available to designers and they all work better when the time is taken to execute a carefully thought out plan.

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*Article Source: NAHB February 19, 2013. NAHB reveals what home buyers really want.*

# Liability Insurance and Risk Management for the Design Professional

By Katie Lewis, Allied ASID and Kristine Kubes, Industry Partner Representative for Kubes Law Office, PLLC



*Editor's Note: Risk Management and Insurance for the Interior Designer was the topic at the ASID business development meeting in December, presented by Kristine A. Kubes, a construction attorney and owner of Kubes Law Office PLLC, and Katie Lewis, agency owner of KK Lewis Insurance.*

For better or for worse, perfectionism is a common trait among successful interior designers. Clients trust the designer to create, organize, and execute a plan to make their space not only beautiful and aesthetically pleasing, but functional and safe. But we live in an imperfect world, where even the most skilled design professional can make a mistake. Measurements may be

incorrect, products break, accidents occur, clients change their minds. How do interior designers protect themselves and their businesses when things go wrong?

## **Insurance**

Interior designers can incorporate processes into their business model to minimize risk of litigation and insurance claims. A variety of business insurance products safeguard against claims, including Commercial General Liability ("CGL"), Professional Liability (also called "Errors and Omissions" coverage or "E&O"), Property or Business Owners Policy ("BOP"), Business Auto, and Workers Compensation.



**Alphabet Soup: CGL and E&O**

Designers do well to understand the difference between CGL and E&O insurance. CGL insurance does not cover a designer’s errors and omissions and vice versa. A CGL policy will cover the designer’s business liability when a third party (i.e. client, vendor, or subcontractor) sues the business for property damage, personal or advertising injury, and libel or slander. For example, if the interior designer leaves a ladder at a project site and the client trips, sustains an injury, and sues the designer, the CGL may pay attorney fees, medical expenses, other damages, or pay to settle the matter out of court.

In contrast, E&O insurance protects the design firm from lawsuits that allege the designer made mistakes or failed to deliver quality interior design services. The policy may protect the designer against errors and omissions that may have occurred during the process of creating, developing and delivering design. For example, if the designer makes a mistake in space planning and orders the wrong size furniture, or makes changes and modifications to the plans without client consent. If coverage is found, E&O insurance may provide the designer’s legal defense costs (up to the policy limit), even if the allegations have no merit. E&O coverage may also, when endorsed properly, be extended to cover mistakes made by employees and /or independent contractors working for the designer.

**Insurance for Workers, Vehicles, and Property**

While CGL and E&O get the most attention when design professionals consider insurance and risk, several other areas

also require insurance for proper protection of the business. If a design firm has any employees, MN law requires the firm to carry Workers Compensation insurance — or be able to prove to the MN Department of Commerce that the design firm has the financial ability to self-insure — to cover any workplace injury or illness. If the designer uses a vehicle for business, but does not have a business auto policy, it is important to notify

the insurance company, because some personal lines auto insurance policies will not extend the coverage to vehicles used in business unless it is specifically endorsed. The design firm’s CGL policy may also be endorsed to extend coverage for auto liability to employees. The Business Owners Insurance Policy (BOP) includes both CGL and business property. This policy will protect the designer’s physical assets and inventory against a variety of perils, including fire damage, theft, specific weather-related

claims and burglary/vandalism.

In sum, wise designers will discuss these issues, along with the scope of their business and their practice, with an insurance agent/broker knowledgeable in construction and design to identify the best insurance package for their practices.

**Risk Management Tools**

While insurance may protect a design firm when mistakes or accidents occur, it is only one aspect of risk management. A full risk management program includes an over arching plan for effective communication and documentation, starting with the design firm’s contracts and running through project performance to completion.

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*“While insurance may protect a design firm when mistakes or accidents occur, it is only one aspect of risk management.”*

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### Contracts and Project Documents

One of the most important practices interior designers can incorporate into their business practice to mitigate risk is the use of contract documents and the proper retention of project documentation. Insurance carriers will appreciate a designer's observance of these business formalities; most will require it. Contracts set forth the agreement between the parties and, therefore, need to be clear about parties' responsibilities, project scope, price, and expectations. Contracts can also allow the parties to agree about how they will work out issues, claims — even termination — should they arise during the course of the project.

In addition to the contract itself, critical project documentation includes change orders, meeting minutes, correspondence regarding issues, selections, and authorizations, receipts, daily logs, etc. The wise designer will document meetings, especially where decisions and/or changes are made; put into writing any changes — be they owner-directed or otherwise; prepare change orders; and get the owner's signed approval prior to performing the work. By taking these steps to confirm in writing and obtain owner approval, the designer works to ensure that both the owner and the designer have fully understood the changes requested to the project.

### Record Retention

In order to benefit from the contract and communications, these documents must be written, signed as necessary, and properly preserved. A typical process is to file and retain those documents safely and securely, by project and by category of document, for later use. Designers need to be able to locate the contract,

change orders, minutes, and communications when needed, in order to prove a point, settle a dispute, or move a work item forward. A document retention plan ensures the designer will have access to the data to support the design process and the project when needed.

### Effective Communication

Documentation aside, the designer's concise and clear communication is key to managing risk — as well as to cultivating a successful client relationship. Many claims arise from disgruntled clients who feel they did not receive adequate communication during the project, or did not get a timely response when issues arose. What may have begun as a misunderstanding, if left unaddressed, may fester and lead to a breakdown in the relationship — the owner may withhold payment, pick apart good work to find a problem, or countersue if the designer seeks to collect its fee. The wise designer will address issues timely and proactively with the client to resolve them — before any damage occurs to the relationship.

Finally, prudent designers will consult legal counsel to discuss the scope of practice and assist with risk management strategies, communications, and contracts. These steps can strengthen a business and mitigate risk.

*Kristine A. Kubes, kristine@kubeslaw.com, is an attorney and principal of the Kubes Law Office, PLLC, Serving Design and Construction Professionals. She is an ASID Industry Partner and former Chair of the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience & Interior Design. This article does not constitute legal advice. Each case must be evaluated on its own facts. • D •*

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