



## Thoughts and Thank Yous from Construction Law Musings



Well, I'm back from vacation and right back into the fun world of construction law with both feet. Talk about hitting the ground running. Off of the plane on Monday, a General District Court hearing on Tuesday and a 10 hour mediation on Thursday last week. While the pace is high, [the clients are great](#) and the area of law one that I truly enjoy so the pace makes my practice fun.

This past week brought to the forefront two main areas of [my construction law practice](#), mediation and litigation. Both have their place in the pantheon (yes I was in Rome so this sort of word is on my mind) of dispute resolution. Construction litigation can and often is a great avenue for dispute resolution when other options run out. [Miller Act bond claims](#), [mechanic's lien](#) litigation and the tried and true breach of contract action have a wonderful place in the heart of the construction attorney. These rights are necessary tools for contractors, subcontractors and suppliers when the payment stream breaks down. Without these tools, construction would slow in my opinion because such rights allow for work to be done while the construction professionals that do the work feel somewhat protected from risk (of course [a good contract](#) is the best way to protect yourself from risk).

Ironically, litigation can also lead to one of my favorite dispute resolution techniques: mediation. Mediation ([even when it does not end in an agreement](#)) gives business people the chance to come up with their own solution to a business problem. With the assistance of a mediator (and of course their trusted construction lawyer), the parties can deal with their legal dispute on their terms and avoid the time, direct and indirect expense of litigation. I highly recommend that any litigator at least take a CLE giving some insight into the mediation process. I can attest to the fact that my training to become a [Virginia Supreme Court certified General District Court mediator](#) has given me insight that has helped my clients resolve disputes that may not have been resolved but for this insight.

Thank you to all of you that read this construction blog and particularly those that contribute to the Guest Post Friday page. Thanks also to those of you who have supported [my firm](#) for the last two plus years. Without you all, my professional world (not to mention this blog) would not be half as interesting and fulfilling.

*Please check out my [Construction Law Musings Blog](#) for more on Virginia construction law and other topics.*