

AIA Florida

The Florida Association of the American Institute of Architects

Press Release



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No Good Deed Goes Unpunished; Architects Know First Hand

Tallahassee, Fla. – As first responders continue conducting search and rescue operations in Oklahoma, Florida architects sit trained and willing to respond in the wake of this natural tragedy.

Through the Safety Assessment Program (SAP) AIA Florida has trained hundreds of architects to do assessments after the first responders complete their missions following a natural disaster. While they are willing to donate their time and assistance, and would do so as soon as possible, incurring legal liability for humanitarian aid can be prohibitive for architects and other experts.

Many Florida architects are willing and able to volunteer their time and services in the preservation of a community's health, safety and welfare, however they may find themselves, exposed to personal liability; even if he or she is acting in good faith to preserve the safety of a community.

The Good Samaritan Law in Okla. provides that architects are protected from liability only if the Oklahoma Emergency Management Agency (OEMA) requests their assistance. Oklahoma also allows portability of licensure. In other words, out of state licensees are granted the ability to practice in Oklahoma with a bona-fide license from another jurisdiction. With volunteer assistance by architects during disasters occurring more frequently, good deeds should not be punished or stymied.

As of today, Florida's Michael Lingerfelt, FAIA, President of Architecture and Design at Orlando based firm Lingerfelt International, has trained architects in the SAP across the nation.

Through AIA Florida, more than 500 Florida architects, along with more than 100 in Puerto Rico and 79 in Georgia have received the appropriate training to respond in the wake of these emergencies. In addition, Lingerfelt has provided training to hundreds of architects in Alabama, Mississippi, Louisiana and New Jersey in the wake of recent natural disasters.

“With the nature of disasters this unpredictable and state-by-state statues widely differing, it is as important as ever that the design and construction industry be prepared in every sense of the word when called upon to take immediate action,” says Lingerfelt. “Comprehensive Good Samaritan statues with protection for construction, architectural and engineering volunteers are needed more than ever.”

In Florida, the Good Samaritan law leaves some ambiguity and architects are sometimes unclear about the potential for their exposure to liability. In other states, like Alabama, the Good Samaritan law only protects architects for thirty days following the declaration of a state of emergency. Nor does the Alabama law allow for license portability.

That’s why Florida’s hundreds of volunteers were ignored and Lingerfelt was forced to conduct on the spot training for Alabama licensees in the wake of the 2011 monster tornado in Tuscaloosa, Ala.

At that time, 73 people worked for six days, and spent 1,700 volunteer hours assessing more than 5,000 structures.

“Those volunteer hours were recognized by FEMA and represented a \$300,000 savings to the local communities,” said Lingerfelt.

Since 2007, federally declared weather-related disasters in the United States have affected counties housing 243 million people. This translates to nearly four out of every five Americans.

The ability to provide immediate help to communities in need can make the difference between quick recovery and harmful delay. This ambiguity in Good Samaritan laws and limited license portability needs to be removed so that people and communities hit by disasters can deploy all means at their disposal to get back up on their feet again.

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The Florida Association of the American Institute of Architects, headquartered in Tallahassee, represents the interests of more than 3,400 members in Florida. Members adhere to a code of ethics and professional conduct that assures the client, the public, and colleagues of an AIA-member architect's dedication to the highest standards in professional practice.