

Registration and Conduct Rules: Some Common Questions

Excerpted and adapted from *The Architect's Handbook of Professional Practice*, 13th edition

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SUMMARY

Common questions regarding the practice and profession of architecture are posed and answered.

COMMON QUESTIONS

Professionals are granted certain rights by society, and in return they are obligated to meet accepted standards of professional behavior. Here are some frequently asked questions and generalized answers concerning professional registration, conduct, and discipline. Every jurisdiction, however, promulgates and enforces its own rules, so you must obtain specific answers from each jurisdiction in which you seek to practice.

Q. What's the difference between a registered architect and a licensed architect?

A. Registration is the act of granting the privilege to practice or offer to practice architecture. The license is a certificate or other official document indicating registration.

Q. When can I use the title "architect"?

A. This title is controlled by an individual jurisdiction's registration law. Generally the title "architect" or any form thereof may not be used without registration in that specific jurisdiction.

Q. What does it mean when I stamp drawings and specifications with my architect's seal?

A. The meaning varies among jurisdictions, but normally use of the seal indicates the architect's responsibility for the contents of the technical documents and that they have been prepared under his or her direct supervision.

Q. Under what conditions can I stamp drawings prepared by others?

A. An architect must exercise direct supervision of, and responsibility for, the preparation of the technical documents to avoid the act of "plan stamping" (stamping someone else's technical documents), which is a violation of jurisdictional laws and rules of conduct.

Q. What is a corporate seal and when is it used?

A. A corporate seal is an instrument reflecting how an architect's firm is organized—that it is some form of corporation. It is not a substitute for an architect's seal as required by most registration laws. Though an architect can practice in various organizational forms—including as a sole proprietorship, partnership, and general or professional corporation—an individual architect (and not the organization) is responsible for the contents of technical documents.

Q. Does soliciting work constitute architectural practice?

A. In most states, unregistered individuals are in violation of the law if they offer services as defined in the laws regulating the practice of architecture.

Q. Can I do a single project in a state in which I'm not licensed?

A. Generally no, but some jurisdictions issue single-project or temporary registration, often referred to as a "fishing license."

Q. Do the registration and conduct rules apply to me if I'm not licensed?

A. Registration laws are written to define the practice of architecture, who is entitled to that privilege, and the penalties for violation thereof. In most jurisdictions, the attorney general or other legal authority prosecutes violations of registration laws by unregistered individuals. Civil and criminal penalties can be invoked for unregistered practice and the consequent actions.

Q. What do I do if a charge of professional misconduct is brought against me?

A. The constitutional protections of due process establish the environment within which a charge of misconduct is adjudicated by a jurisdictional registration board. The preparation of a full response is required. Legal counsel during the preparation of the response and during all proceedings is advisable. The matter should be taken seriously because penalties could include suspension or

revocation of the architect's registration, fines, censure, or admonition.

RESOURCES

For More Information on This Topic

See also "Regulating Professional Practice," by Joseph Jones, Esq, AIA, *The Architect's Handbook of Professional Practice*, 13th edition, Chapter 15, page 486.



See also the 14th edition of the *Handbook*, which can be ordered from the AIA Bookstore by calling 800-242-3837 (option 4) or by email at bookstore@aia.org.



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Key Terms

- Practice
- Business planning
- Quality control programs