

Preface

Lawyers, accountants, architects, and other professionals once owed a duty only to their clients. Today, however, professionals are increasingly being held liable to third parties—nonclients who rely on them or are otherwise injured when they perform negligently. This book examines all of the instances of professional liability to third parties.

The book aims to help the lawyers who analyze and argue third party cases and the judges who decide them. It surveys the law and presents alternative frameworks that can be used to argue for or against liability. In doing so, it brings to bear insights and approaches from scholarship on economic loss, contract and tort law, and legal argument. There has been much discussion lately about whether law schools and legal scholarship are too far removed from law practice. This book is evidence of the extent to which scholarship can inform practice.

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