



Attorney profile



DANIEL T. BRAILSFORD

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PRACTICE AREAS

- Alternative Dispute Resolution
- Construction and Procurement
- Litigation

EDUCATION

University of South Carolina School of Law, Columbia, SC; J.D.

Honors: Order of Wig & Robe

Law Review: S.C. Law Review, 1966 – 1969

Clemson University, Clemson, SC; B.A.

With Honors

Major: English

Mr. Brailsford's practice comprises three related areas: (1) all aspects of construction law including construction related insurance coverage litigation; (2) procurement litigation under the state (ABA model) Procurement Code and its progeny of local ordinances; and (3) alternative dispute resolution. The fusion of these areas into an integrated law practice has been an evolving process.

Mr. Brailsford began his legal career prosecuting court martial cases in Vietnam and Germany. After six years in Army JAG, he started general civil practice in a small litigation firm. Within a couple of years, he became interested in the construction industry and decided to build a practice in construction law.

Mr. Brailsford became general counsel to the American Subcontractors Association of the Carolinas and the Mechanical Contractors Association of South Carolina. Throughout the '80s and '90s, he served as a lobbyist for a consortium of construction specialty trade associations and wrote a great deal of legislation affecting the payment rights of subcontractors and suppliers. Payment litigation on behalf of trade contractors plays a dominant role in his current practice.

In addition to his representation of specialty contractors, Mr. Brailsford represents a number of excellent design firms. Mr. Brailsford has defended architects and engineers in cases alleging surveying errors, product failures, deaths and injuries from job site accidents, drafting errors, negligent contract administration, deficient performance specifications, mapping errors, and copyright infringement. He also represents many construction owners and developers, public and private.

Within Mr. Brailsford's construction law practice, he has often had the opportunity to counsel and litigate in the area of insurance coverage. Mr. Brailsford has thus added construction-related insurance law to his focus areas in order to provide full service legal support to his construction clients.

Mr. Brailsford was involved on behalf of the subcontracting industry in developing and promoting the passage of the South Carolina Consolidated Procurement Code. As an offshoot of this experience, he became active representing vendors and contractors in procurement litigation on the state and local level. He also advises governmental and quasi-governmental entities regarding the drafting and application of procurement ordinances. Procurement litigation has been an important parallel focus of his because of the interface between procurement law and construction law.

In addition to the two related practice areas of construction law and procurement, Mr. Brailsford is also active in alternative dispute resolution. After having served as an AAA arbitration panelist for fifteen years, he attended mediation training at the Duke University Private Adjudication Center in 1995. Mr. Brailsford has since been active as a mediator in civil cases, primarily construction disputes. He founded and serves as president of Construction Resolution Affiliates (CRA), an informal association of construction law neutrals in the Carolinas and Georgia.

A century of thinking ahead.

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