



Top Three Ways Early Attorney Involvement Will Streamline Your Project Plan

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Public project planning often is well underway before eminent domain attorneys are involved. Early attorney involvement can streamline a project plan and avoid common pitfalls. Here are the top three ways early attorney involvement can be beneficial to a project.

1. EVALUATING THE SCOPE OF ACQUISITIONS

An attorney can review project plans to determine whether the correct scope of rights based on project needs is being acquired. An agency may save money and limit damages claims by acquiring an easement instead of acquiring property in fee. Or, the attorney can confirm that a temporary construction easement provides sufficient time to help keep construction on schedule without necessitating the acquisition of additional rights later on.

2. WORKING WITH OUTSIDE CONSULTANTS

Depending on the agency and project type, outside right of way consultants may also be retained. An attorney can advise the consultants to collect important information (such as tenant or business owner information) that will ultimately be necessary to clear any title encumbrances, name defendants in the eminent domain action and serve occupants with the motion for possession. This coordination can avoid future timing pitfalls and possession delays.

3. REVIEWING PRELIMINARY APPRAISALS AND OFFERS

The Eminent Domain Law has unique statutory requirements for the preliminary appraisal and initial offer. If any of the required components are excluded, the agency could face right to take challenges and delays to possession and construction. Attorney involvement at this stage can ensure the agency does not run into these issues by helping to prepare or review the preliminary appraisal and initial offer package.

In sum, these top three aspects of early attorney involvement can help to streamline a project plan and avoid project delays.