

LIONS & TIGERS & STAMPING & SEALING

Stamping and sealing issues are not the most frequent cause of disciplinary action against architects and engineers, but they occur regularly and are highly consequential. Across most U.S. licensing boards, violations related to improper sealing, lack of responsible charge, or misuse of a professional seal typically account for ten to twenty-five percent of enforcement actions each year. That makes them one of the most recurring non-technical compliance failures.

Notably, these cases are rarely driven by poor technical work; rather, they arise from breakdowns in internal processes, documentation, and control over the use of the professional seal. Common scenarios include sealing work prepared by others without sufficient involvement, practicing across jurisdictional lines without proper licensure, sealing outside one's discipline, or affixing a seal to incomplete or inadequately defined documents.

Issues involving unauthorized use of electronic seals and version control have also become more prominent. In many cases, these violations are typically treated as failures to maintain responsible charge, regardless of how the issue is initially characterized. These risks do not fall solely on individual practitioners; firms themselves are increasingly subject to parallel enforcement, corrective actions, and reputational exposure. Because these issues arise from how professional responsibility is exercised and documented, rather than how design is performed, they often fall outside traditional risk controls focused solely on technical quality.

Stamping and sealing enforcement actions are generally easier for licensing boards to prosecute than traditional professional liability claims because they turn on objective compliance with statutory requirements rather than subjective questions of professional judgment. In most cases, the board does not need to prove negligence, a breach of the standard of care, or even actual harm. Instead, the analysis is binary: whether the professional was properly licensed, exercised responsible charge, and used the seal in accordance with applicable regulations.

The evidence is typically straightforward and document-driven—sealed drawings, licensing records, and project communications—often making the case self-proving. In addition, these matters are handled in an administrative forum with lower evidentiary thresholds, and intent is usually not required, meaning even unintentional violations can result in discipline. As a result, sealing-related cases are not only common but also relatively difficult to defend once the underlying facts are established.

It is common for professional liability insurance (PLI) policies for architects and engineers to provide limited or no coverage for disciplinary actions arising from stamping and sealing violations. These policies are designed to respond to claims alleging negligence and seeking monetary damages, not regulatory enforcement by licensing boards. As a result, fines, penalties, and other sanctions imposed by boards are universally excluded from coverage. While some policies may provide limited sublimits for defense costs associated with disciplinary proceedings, such coverage is typically modest and subject to strict conditions. Accordingly, stamping and sealing practices should be treated as a core risk management function, as the financial and professional impacts of violations are often effectively uninsured.

Consequences and Fallout

The fallout from sealing enforcement actions can be significant and often extends well beyond the immediate disciplinary outcome. At the individual level, even minor violations such as a public reprimand can create a lasting record

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that is visible to clients, employers, and licensing boards in other jurisdictions. This can affect professional reputation, future licensing applications, and eligibility for certain projects.

For firms, the impact can be equally consequential. Enforcement actions may trigger reputational concerns, particularly where clients, partners, or public agencies require disclosure of disciplinary history. In jurisdictions requiring a certificate of authorization, firms themselves may be subject to fines, mandated changes to internal procedures, or, in more severe cases, restrictions on their ability to offer services. These events can expose weaknesses in quality control, supervision, or internal processes, often prompting broader operational and management scrutiny.

There are also important insurance and financial implications. Most professional liability policies do not cover fines, penalties, or many disciplinary costs, meaning the financial burden is typically borne directly by the individual practitioner or firm. Moreover, disciplinary history can affect insurance underwriting, potentially leading to increased premiums, reduced coverage options, or heightened scrutiny at renewal.

Most importantly, sealing enforcement actions can have a compounding effect. A single incident may lead to enhanced oversight, stricter internal controls, and increased regulatory attention in future matters. In that sense, the actual cost of a sealing violation is not limited to the initial penalty, it can influence professional standing, business operations, and risk profile for years to come.

Why the Seal Matters

Against that backdrop, it is useful to step back and consider why the seal carries such weight in the first place. In architectural and engineering practice, stamping, sealing, and signing documents are one of the most consequential professional acts. It is not a formality, it is a legal certification that the work has been prepared by, or under the responsible charge of, a licensed professional. When a design professional applies a seal, they make an affirmative statement about their involvement, their judgment, and their accountability. Licensing boards, courts, and project stakeholders rely on that representation. Treating the seal as a routine administrative step is one of the most common—and avoidable—sources of risk.

Understanding the Legal Framework

A critical distinction exists between statutory requirements and the professional standard of care. Statutes and licensing regulations dictate when and how documents must be sealed. These rules are mandatory and jurisdiction specific. The standard of care governs how services must be performed and reflects what a prudent architect or engineer would do under similar circumstances. Compliance with one does not ensure compliance with the other, both must be satisfied to avoid exposure. These principles, however, only matter if they translate into day-to-day practice.

Responsible Charge: The Core Obligation

At the center of these obligations is the concept that most directly drives enforcement exposure. The practical test is straightforward: if you cannot explain the work, you should not seal it. Responsible charge is the foundation of lawful sealing. It requires direct control, supervision, and decision-making authority over the work, including active involvement in design decisions and the ability to explain and defend the resulting documents. Sealing work without adequate involvement, whether prepared internally or by third parties, creates significant regulatory and liability risk.

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From Policy to Practice: Where Risk Actually Occurs

While policies and procedures provide the framework for compliant sealing practices, the actual management of sealing risk occurs at the project level. It is within the day-to-day flow of project delivery, meetings, coordination efforts, interim deliverables, and deadline-driven decisions, that risk either accumulates or is controlled.

Effective firms recognize that sealing is not a discrete act at the end of a project, but the culmination of a series of decisions made throughout the design process. This begins with clearly identifying who will exercise responsibility for each discipline and ensuring those individuals have both the authority and the practical involvement necessary to meet that obligation.

Internal workflows should align review milestones with anticipated sealing points, preventing premature issuance of documents simply to satisfy external pressures. Equally important is the clarity of communication, both internally and externally, regarding document status. Distinguishing between preliminary, review, and final documents through consistent labeling and controlled distribution reduces the likelihood of unintended reliance.

Coordination among project participants also plays a critical role. In multi-disciplinary and subconsultant environments, responsibility must be clearly defined, actively managed, and consistently reinforced. Prime consultants should not assume completeness of subconsultant work without appropriate review, and subconsultants must understand the limits of their obligations and sealing responsibilities.

Managing sealing risk in practice requires consistent discipline rather than rigid rules. Firms that embed these principles into their project execution processes are far better positioned to maintain control over their professional obligations and avoid downstream exposure. These operational controls must be reinforced by consistent contract language.

Digital Practice, Real Risks

Layered onto these obligations is the reality of modern digital practice. Digital seals and electronic signatures have improved efficiency, but they introduce new risks. Unauthorized use, version confusion, and cybersecurity vulnerabilities can compromise document integrity. Firms should implement secure document management systems, restrict access to digital seals, maintain strict version control, and clearly label document status. Digital convenience should never dilute professional accountability.

Where Problems Commonly Arise

Most sealing-related issues arise from predictable scenarios: sealing incomplete documents, practicing outside one's discipline or jurisdiction, misrepresenting oversight, or failing to clearly define delegated design responsibilities. These issues are often driven by schedule pressure or unclear communication rather than intentional misconduct. Recognizing these patterns early is essential to avoiding them.

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Practical Risk Management

Effective firms treat sealing as a structured process. Establish clear internal policies, require peer review where appropriate, and document involvement to demonstrate responsible charge. Training is equally important, ensuring staff understand both the significance of the seal and the limits of unlicensed work. Professionals must also manage client expectations, particularly when pressure exists to seal documents prematurely.

Aligning Contracts with Practice

Contracts should support, not undermine, sound sealing practices. Agreements should reinforce the right to rely on owner-provided information, avoid elevating the standard of care, and clearly allocate responsibility for delegated design. Contracts should also limit reuse of documents without the professional's involvement, as such reuse creates risks that cannot be controlled once documents leave the professional's oversight.

A Matter of Professional Integrity

The professional seal represents more than compliance—it reflects integrity, accountability, and public trust. Proper use protects both the practitioner and the public, while misuse can result in regulatory action, liability exposure, and reputational harm. Stamping, sealing, and signing should be approached deliberately and consistently, supported by clear processes, and aligned with both legal requirements and professional judgment.

Summary

Stamping and sealing sit at the intersection of legal compliance, professional judgment, and risk management. They arise from breakdowns in process, unclear responsibility, and loss of control over the use of the professional seal. Maintaining that control requires intentional structure. Firms that establish clear sealing protocols, reinforce accountability, align contractual obligations, and manage client expectations are far better positioned to avoid disciplinary exposure. Most importantly, sealing risk is largely uninsured, meaning the consequences are borne directly by the individual practitioner and the firm.

At its core, the seal is a statement of trust. Preserving that trust requires discipline, clarity, and consistency. When approached in that manner, stamping and sealing fulfill their intended purpose, protecting both the public and the professionals who stand behind their work.