



Construction Law  
Foundation of Texas

# 2021 ANNUAL CLE FOR BOARD CERTIFIED CONSTRUCTION LAWYERS

## ONLINE SEMINAR

IN COOPERATION WITH THE CONSTRUCTION LAW SECTION OF THE STATE BAR OF TEXAS  
AND THE TEXAS INSTITUTE OF CONTINUING LEGAL EDUCATION

**Wednesday, November 3, 2021 @ 10:00 a.m. - 3:00 p.m. Central  
Online/Virtual Event**

This program has been approved for 4.00 hours credit which will apply towards MCLE, The College of the State Bar of Texas, and the Texas Board of Legal Specialization in Construction Law, Real Estate Law and Civil Trial Law. You must attend all sessions to obtain full MCLE credit.

### PROGRAM AGENDA ➤ WEDNESDAY, NOVEMBER 3, 2021

**10:00 a.m. Best Practices for Drafting Awards in Arbitration**

In the aftermath of arbitration, parties often have additional work to do. Whether it is confirming an award (or seeking to vacate it), or seeking collection from an insurer or multiple parties, the text of the arbitration award matters. Additionally, rightly or wrongly, sometimes arbitrators place drafting responsibility on the parties themselves. Thus, both arbitrators and advocates should be aware of best practices when tasked with preparing an arbitration award.

*R. Carson Fisk – Andrews Myers, P.C., Austin, TX*

**11:00 a.m. The Real Truth about The Miller Act**

Claims under the Miller Act have unique issues that construction attorneys should be attune to. This is not your normal subcontractor/prime relationship. Unique issues include prompt payment under the FARS, government certification, and pass-through concepts. Another key concern: Are attorney's fees even recoverable?

*Jonathan M. Bailey – Bailey & Bailey, P.C., San Antonio, TX*

**12:00 p.m. Lunch Break**

**1:00 p.m. Insurance Law Update**

Every construction lawyer should be up-to-date on developments in insurance law. Policy provisions and exclusions will be discussed, as well as updates on developments related to anti-indemnity.

*Travis M. Brown – Cokinios | Young, Irving, TX*

**2:00 p.m. Construction Contract Drafting After the 87th Legislative Session**

The Legislature passed a number of new laws in 87th Session that will impact construction practitioners. This presentation specifically addresses legislation that passed this session through the lens of how it may affect drafting standard construction contract provisions, such as addressing SB 219 design defect liability, standard of care, and retainage for government contracts.

*Cathy L. Altman – Carrington, Coleman, Sloman & Blumenthal, LLP, Dallas, TX*

**3:00 p.m. Adjourn**



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### REGISTRATION FORM

**Live Online Seminar Details** — This event will occur live via Zoom (or similar videoconferencing platform) on Wednesday, November 3, 2021. Access instructions will be provided via email to registered attendees in the days leading up to the event. Individual registration is required and only registered attendees may receive MCLE credit. Attendance will be recorded by the platform – access details may *not* be shared. It is the responsibility of the attendee to ensure their technology and internet connection are sufficient for online participation. This event is being recorded. By participating you are granting consent for the display of your name, likeness and any questions or comments you may submit for our use in the live and recorded versions.

**Pre-Registration** — To ensure sufficient capacity is available for all expected attendees, pre-registration is strongly encouraged. Late registration is an additional \$50.00. *Course materials will only be provided online.*

**Cancellations & Refunds** — Refunds, less a \$25 processing fee, will be given to registrants who cancel by 5:00 p.m. Central Friday, October 29, 2021. *No refunds will be granted thereafter.* The link(s) to access the course materials and session video recordings will automatically be emailed the week *after* the event to any prepaid registrants who were not able to attend.

**Special Accommodations** — If special arrangements are required for a person with a disability to attend this program, please contact us at (512) 451-6960.

**Mail to:** The Construction Law Foundation of Texas  
P.O. Box 4646  
Austin, TX 78765

**Email\*:** [info@constructionlawfoundation.org](mailto:info@constructionlawfoundation.org)  
**Online\*:** [www.constructionlawfoundation.org](http://www.constructionlawfoundation.org)  
**Phone\*:** 512/451-6960      **Fax to\*:** 512/451-2911  
*\*Must be accompanied by MasterCard, Visa or AmEx information*

**Please register me for the seminar as follows: (All registrations include online access to program materials.)**

- Registration Fee (*due by 5 p.m. October 22nd*)..... \$150.00
- Late Registration Fee (*after 5 p.m. October 22nd through 5 p.m. November 1st*)..... \$200.00

**Can't attend the live event? Order the recorded version with access to be provided the following week.**

- Course Video Recording(s) (*Online access to the recordings & materials, \$150 + .0825 tax*)..... \$162.38

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Make check payable to "The Construction Law Foundation of Texas" or Please Charge:  Visa  MC  AmEx

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