

AGENDA



Construction Law Forum 2024

Tennessee Bankers Association - Barrett Training Center
211 Athens Way, Ste. 100
Nashville, TN 37228

January 26, 2024

Program Producers: Tim Crenshaw, Schulman Leroy & Bennett
Theresa Critchfield, TLC Law Office
Regan Steepleton, Evans & Petree

Total Credits: 5 General 1 Dual

8 - 8:30 a.m. CT **Registration & Panera Breakfast**

8:30 - 10 a.m. CT **The Gotchas of Contracts in Construction Law**
1.5 General
Joe Getz, Evans & Petree
Vic McConnell, Smith Cashion & Orr

10 - 10:15 a.m. CT **Break**

10:15 - 11:15 a.m. CT **The Gotchas of Dispute Resolution in Construction Law**
1 General
Tim Crenshaw, Schulman Leroy & Bennett
Theresa Critchfield, TLC Law Office
Mary Beth Hagan, Hagan Jenkins Law Group
Josh Jenkins, Hagan Jenkins Law Group

11:15 - 11:30 a.m. CT **Break**

11:30 a.m. - 12 p.m. CT **Ethics – Part 1: Some Common and Not So Common "Gotchas" in the Everyday Practice of Construction Law**
.5 Dual
According to The American Heritage Dictionary of the English Language, 5th Edition, "gotcha" (among other definitions) is "a potential problem or source of trouble." A potential problem or source of trouble might make a good subtitle for the Rules of Professional Conduct. Let's discuss some ways to avoid getting on the radar of the Board of Professional Responsibility. Part one of the program will cover ethical considerations for contracts and dispute resolution related to construction law.

Jerry Martin, Attorney at Law

12 - 12:45 p.m. CT **Lunch**

12:45 - 1:45 p.m. CT

Mechanics' Liens: The Basics and the Pitfalls

1 General

Mechanics' liens are one of the strongest tools in construction litigation for contractors to get paid. But liens also have many pitfalls and gotchas with the variety of strict deadlines and requirements. This session covers the basics of establishing and enforcing liens as well as practice pointers to watch out for the pitfalls.

Melody McAnally, Butler Snow
Andrew Schrack, Butler Snow

1:45 - 2 p.m. CT

Break

2 - 3 p.m. CT

The Prompt Pay Act: Want to Delay? Don't Forget the PPA!

1 General

This session provides an overview of Tennessee's Prompt Pay Act. It will delve into the provisions regarding retainage, progress payments, and withholding payment based on defective construction and/or breach of contract. The session will also cover the remedies available when there has been a violation of the PPA and the conundrums associated with the act.

Abigail Stephens, Martin Tate Morrow & Marston
Shea Wellford, Martin Tate Morrow & Marston

3 - 3:15 p.m. CT

Break

3:15 - 3:45 p.m. CT

Ethics – Part 2: Some Common and Not So Common "Gotchas" in the Everyday Practice of Construction Law

.5 Dual

According to The American Heritage Dictionary of the English Language, 5th Edition, "gotcha" (among other definitions) is "a potential problem or source of trouble." A potential problem or source of trouble might make a good subtitle for the Rules of Professional Conduct. Let's discuss some ways to avoid getting on the radar of the Board of Professional Responsibility. Part two of the program will cover ethical considerations for mechanics' liens and the Prompt Pay Act related to construction law.

Jerry Martin, Attorney at Law

3:45 - 4:15 p.m. CT

Construction Law 2024: Legislative and Case Law Update

.5 General

Notwithstanding a global pandemic, supply chain disruptions, and inflation issues, the construction industry in Tennessee continues to thrive as a result of its ability to quickly react and adapt to changes. To ensure the industry continues to grow and successfully complete projects, it is imperative to stay on top of pending legislative changes. This session will review several bills pending before the Tennessee legislature and their potential effect on the construction industry.

Wally Irvin, Lewis Thomason