“Latent Issues”: Considering the Less-Considered Aspects of Construction Law Practice

LIVE and WEBCAST
Thursday, February 21, 2019
North Carolina Bar Center
8000 Weston Parkway
Cary

Register Today!
Save 10% if registration is received by January 31, 2019.
www.tinyurl.com/CLE693CLP
This program focuses on providing North Carolina construction lawyers with knowledge of some of the less-considered issues that arise in construction law practice, including labor and staffing concerns, cutting-edge construction products, technology, matters relating to certain products, and issues that arise before the North Carolina Board of General Contractors.

This program is designed to:

• Educate attorneys on practical aspects of construction technology and products
• Demonstrate the impact that construction technology, products, design issues and labor concerns can have on the legal aspects of construction projects
• Discuss ethical considerations related to construction technology, products and construction law

WHAT PEOPLE ARE SAYING...

"This was one of the most informative and interesting CLEs I have attended. Exactly the right level of detail with excellent handouts for future reference."

"The subject matter was useful, and I will use it in my practice regularly."

"Overall, a high-quality program."

—Attendees, 2018 Construction Law Section Winter CLE
AGENDA

THURSDAY, FEBRUARY 21, 2019 | 8:15 a.m. – 4:15 p.m.

8:15  Registration and Continental Breakfast

8:55  Welcome and Introductions
Behm, Gray, Litwak and Senter

9:00  The Interplay Between Staffing and Construction
Lord
  • The nature of the relationship between a project’s staffing company and the host construction company on a project
  • Considerations relating to the joint responsibility between the staffing company and the host construction company for compliance with applicable OSHA standards, i.e., training, hazard communication and recordkeeping requirements

10:00 Tales from the Design Professional
Conner and Idol
  • The nature of the relationship between the design team and the owner, general contractor and subcontractors
  • Various aspects regarding the creation and execution of the design contract, and any change orders or modification of the contract
  • Specification conflicts when designing in the Southeast: trends with glass, roofing, insulation and temperature considerations
  • Issues to look for when the design team is contracted by the owner to administer the construction contract

11:00  Break
Sponsored by Fuller Group

11:15 Emerging Issues in Defective Construction Products
Bryson
  • Recent trends in defective or substandard products
  • Issues regarding shingles, siding, piping, windows, decking and more
  • How to utilize ASTM standards, project specifications and submittals to prove your case
  • Forecasting potential product issues of the future

12:15  Networking Lunch

1:00  Virtual Design, Construction and Building Information Modeling
McKinney
  • Structuring the construction team
  • Negotiating the allocation of risk
  • Leveraging technology to prevent conflicts in the field
2:00  Ethical Concerns in Construction Matters*  
Modlin and Scruggs  
- The importance of loyalty, confidentiality and independent judgment in attorney/client relationships  
- Conflict of interest traps that arise in construction engagements  
- Prudent practices to put in place in order to avoid malpractice claims and State Bar grievances

3:00  Break  
Sponsored by ESI

3:15  A Fly on the Wall: Everything You Wanted to Know from the North Carolina Board of Licensed General Contractors But Were Afraid to Ask  
Choi, Davis and Shields  
- Considerations from counsel who regularly seek civil injunctions against violators of N.C.G.S. §§ 87 et seq.  
- Insight from counsel that prosecute on behalf of the Board at disciplinary hearings

4:15  Adjourn

* Indicates portion providing Ethics/Professional Responsibility credit
PROGRAM DETAILS

SPEAKERS

- Daniel K. Bryson, Whitfield Bryson & Mason LLP, Raleigh
- Anna Baird Choi, Nichols Choi & Lee, Raleigh
- Tony Conner, HagerSmith Design PA, Raleigh
- Paul E. Davis, Conner Gwyn Schenck PLLC, Raleigh
- Scott T. Idol, HagerSmith Design PA, Raleigh
- Michael C. Lord, Williams Mullen, Raleigh
- Harry L. McKinney, Clancy & Theys Construction Company, Raleigh
- Claire A. Modlin, Lawyers Mutual Liability Insurance Company of North Carolina, Cary
- Mark A. Scruggs, Lawyers Mutual Liability Insurance Company of North Carolina, Cary
- Patricia P. Shields, Hedrick Gardner, Raleigh

CLE AND PUBLICATION SCHOLARSHIPS

Full and partial scholarships are available for attorneys experiencing a financial hardship of any kind. Apply at www.ncbar.org/cle/scholarship.

HOTEL INFORMATION

Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and rooms may sell out.

TownePlace Suites by Marriott
120 Sage Commons Way, Cary

- **Nightly Rate**: $114 studio queen with sleeper sofa (Sunday–Thursday)
- **Reservations**: 919.678.0005
- **Ask for the NCBA corporate rate**.

Embassy Suites (limited availability)
201 Harrison Oaks Boulevard, Cary

- **Nightly Rate**: $169 single/double
- **Reservations**: 919.677.1840 or www.tinyurl.com/NCBA-Embassy
- **Corporate Account Code**: 2691626

PLANNERS

- Christopher K. Behm, Block Crouch Keeter Behm & Sayed LLP, Wilmington
- Philip T. Gray, Stephenson Law LLP, Cary
- Nancy S. Litwak, Rosenwood Rose & Litwak PLLC, Charlotte
- David A. Senter, Nexsen Pruet PLLC, Raleigh
Upcoming Technology Program for All Legal Professionals:

Mastering Microsoft Word in the Law Office

When legal instruments require complex formatting, most Microsoft Word users struggle to get the document to look the way they want. Users often describe it as a "wrestling match" or having to "outsmart the program." Some advanced features like automatic paragraph numbering, tables of contents, and tables of authority seem inaccessible or broken. Because legal professionals require so much out of Word, they often feel extremely frustrated by it.

If you’re sick of the struggle, this program — designed by a lawyer — is to help legal professionals master and control Word.

Wednesday, February 20, 2019
North Carolina Bar Center, Cary

CLE Credit: 6.0 Hours Technology credit

Contact the CLE Department at 800.228.3402 for details or visit www.tinyurl.com/CLE823MWP.

SPECIAL ACCOMMODATIONS
NCBA makes every effort to ensure a quality learning experience. If you have dietary restrictions or need special accommodations, please contact us at least one (1) week prior to the program start date.

EARLY ARRIVALS RECEPTION
Wednesday, February 20, 2019
5:00 – 6:30 p.m.
Anderson Jones, PLLC
421 North Blount Street
Raleigh, NC 27601
Sponsored by MBP

We extend our sincere gratitude to the NCBA Construction Law Section as well as the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the highest quality.
REGISTER TODAY!

Online: www.tinyurl.com/CLE693CLP | By phone: 800.228.3402
By mail: Attn: Accounting–NCBA, 8000 Weston Parkway, Cary, NC 27513

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Print Full Name: __________________________________________________________
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STEP 2: Select your tuition rate. (Register early and save 10%. Payment must be received three (3) weeks prior to program date to qualify for the early rate.)
Standard Rate:   ☐ $325 / ☐ $295 Early
NCBA Member:    ☐ $270 / ☐ $245 Early
Construction Law Section Member: ☐ $250 / ☐ $225 Early
CLE Premier Pass: ☐ $0

STEP 3: Select your learning format.
☐ Live (693CLP) ☐ Webcast (693LWC) ☐ Video Replay (See below.)

Video Replay registration (if selected).
Video Replays are scheduled for this program. The agenda may not include certain breakouts/tracks shown at the original program. For a list of dates and locations visit www.tinyurl.com/CLE693CLP and indicate your choice below.
Location: _________________ Date: ________ Code: _________

STEP 4: Complete your payment information.
(Registration is complete only after payment is processed. Please print clearly.)
I am registering for this program at the tuition rate checked above.
☐ Enclosed is a check, payable to NCBA. ☐ Please charge my credit card.
Card Number: ___________________________ Exp. Date: ________
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NCBA is an accredited CLE sponsor under the MCLE regulations promulgated by the North Carolina State Bar Board of Continuing Legal Education.

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www.tinyurl.com/PremierPass