



# Section on Construction Law

## **The Mission of the [ISBA Construction Law Section](#):**

To enhance the ability and knowledge of general practitioners and those concentrating in construction and construction related areas of law by promoting communication among lawyers statewide; to disseminate information on current developments in construction law; to review and promote legislation and procedural changes affecting construction law and practice; to sponsor and participate in continuing legal education in the area of construction law; and to liaison with other groups or professions in the construction arena in, order to carry out the mission of this Section.

## **General:**

- ◆ Section fees are \$25 per year.
- ◆ To join, go to [www.isba.org/sections](http://www.isba.org/sections)

## **Continuing Legal Education**

**The Section sponsored one program during the year:**

- ◆ **Understanding a Construction Contract**  
(April 7, 2017)

Section members also receive discounts on section-sponsored CLE programs.

## **Newsletters**

**Delivered electronically unless otherwise requested. During 2016-17 the Section published five newsletters. Articles include:**

- ◆ 2015 AAA Construction Industry Arbitration Rules: Fair, efficient & economical arbitrations? (June 2017)
- ◆ Choice of law, choice of forum, and public policy (Mar. 2017)
- ◆ Developer insolvency not required for direct implied warranty of habitability claims against residential builders (Apr. 2017)
- ◆ Editor's note (June 2017)
- ◆ Editor's note (Apr. 2017)
- ◆ Editor's note (Mar. 2017)
- ◆ Editor's note (Jan. 2017)
- ◆ Editor's note (Sept. 2016)
- ◆ Limitations on the rights of fringe benefit funds to collect in a lien foreclosure action (Sept. 2016)
- ◆ Living with the New AAA Construction Industry Arbitration Rules (June 2017)
- ◆ Oh! Those limitations (Jan. 2017)
- ◆ "Pay if paid" clauses upheld by First District (Jan. 2017)
- ◆ Previous waiver of the implied warranty of habitability bars claim by subsequent purchaser (Sept. 2016)
- ◆ Some industry help for no CGL coverage for defective construction claims (Apr. 2017)
- ◆ The sworn contractor's and subcontractor's statements (Mar. 2017)
- ◆ Why construction law? (Mar. 2017)
- ◆ A winter's tale—Snow liability and construction law (Apr. 2017)

## **Legislation**

**The Section Council reviews proposed legislation that may affect their members' practice area. Highlights of the most recent legislative session include:**

1. Number of bills reviewed: 15
2. Significant legislation:
  - a. House Bill 188 – Civil Tech Jurisdiction
  - b. House Bill 2615 - Mechanics Liens-Waiver
  - c. Senate Bill 326 – Mechanics Lien Act

## **Other**

- ◆ [The ISBA Construction Law Discussion List](#) allows section members to pose questions and share information with fellow section members from around the state.