The Basic Course in Texas Construction Law

JW Marriott Houston by
The Galleria
Houston, Texas
December 3 & 4, 2026





Earn 13.50 MCLE Hours
including 1.00 Hour Ethics

Designed for
Texas Lawyers and
Construction Industry
Members and
Professionals



Sponsored by
THE CONSTRUCTION LAW FOUNDATION OF TEXAS
&
THE CONSTRUCTION LAW SECTION OF THE STATE BAR OF TEXAS

in cooperation with
THE TEXAS INSTITUTE OF CONTINUING LEGAL EDUCATION

The Basic Course in Texas Construction Law

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JW Marriott Houston by The Galleria • 5150 Westheimer Rd. • Houston, Texas 77056

This course has been approved for 13.50 hours credit (including 1.00 hour of ethics credit) which will apply towards MCLE, the College of the State Bar of Texas, and the Texas Board of Legal Specialization in Construction Law, Civil Trial Law and Real Estate Law. To obtain full MCLE credit, you must attend all sessions, including the luncheons. If you need CLE credit in a state other than Texas, please let us know at registration.

CPAs may obtain 17.10 hours of CPE credit toward licensing with the Texas State Board of Public Accountancy. Sponsor No. 6867

The Texas Institute of CLE is an accredited sponsor with the Texas Department of Insurance. An application has been submitted for 13.0 hours of General credit (all license types.) Approved hours may vary.

The organizers of this conference believe there are approximately 13.50 hours of continuing education credit for architects potentially available over the two-day course. Members of the American Institute of Architects should self-report continuing education to AIA at http://www.aia.org. For reporting to the Texas Board of Architectural Examiners, see https://www.tbae.texas.gov/continuing-education/.

This course is eligible for MCE credit through the Texas Real Estate Commission.

Here's Why You Should Attend:

The course is intended for Texas lawyers and construction industry members and professionals who are interested in acquiring a basic knowledge of Texas construction law, legal relationships between owners, designers, contractors, and their insurers and sureties, and also serves as an introduction to construction industry contracts.

The two-day course will emphasize the practical aspects of construction law, including discussion of construction contracts, Texas lien laws, and construction disputes and their resolution. Attendees will acquire a basic glossary of construction terms and concepts, understand the relationships between the major players in the construction process, and be able to recognize and avoid common pitfalls in contract drafting and in construction litigation.

The program will be taught by experienced construction lawyers who will emphasize the practical aspects of construction law in a setting that will provide ample opportunity for discussion and follow-up questions. The course materials will include a syllabus of recent articles, publications, and cases, together with a glossary and original program materials.

PROGRAM

Thursday, December 3, 2026

8:00 a.m. **Late Registration** – Ballroom Foyer, JW Marriott Houston by The Galleria, 5150 Westheimer Rd., Houston, TX 77056
Telephone: (713) 961-1500

8:00 a.m. **Continental Breakfast –** *Sponsored by Fiebig Architecture, PLLC*

8:35 a.m. **Welcoming Remarks**
William B. (Ben) Westcott, Houston *(Foundation President-Elect)*
Aileen M. Glaeser, Coppell *(Presiding Officer)*

8:45 a.m. **Overview of the Construction Industry and Glossary of Construction Terms** – An explanation of the way the construction industry operates and an introduction to the terminology commonly encountered in the practice of construction law.
Erick L. Lucio, Brownsville

9:45 a.m. **Project Documents** – This presentation focuses on the documents commonly used on commercial construction projects. The overview of key documents should help the practitioner understand the flow of a construction project, along with documents that may be of value in litigation.
Blain M. Donnell, Houston

10:30 a.m. **Morning Break –** *Sponsored by Secretariat Advisors, LLC*

10:45 a.m. -11:45 a.m. **Causes of Action in Texas Construction Law** – Choosing the right cause of action early on in a case can mean the difference between ultimate success and failure. Learn the most common causes of action and how different ones can help (or hurt) your case.
Debrán O'Neil, Dallas

12:00 p.m. **LUNCHEON:** *Tickets for registrants may be purchased for $25. Please purchase your tickets in advance. Tickets will not be sold at the door.*

Liability and Defenses for Design Professionals – Claimants have crafted creative theories to expand the liability of architects and engineers and to avoid defenses like the economic loss rule and lack of privity. This presentation will outline the most common theories of liability and discuss substantive and procedural developments affecting claims against and defenses for architects and engineers.
Hailey L. Suggs, Austin

12:45 p.m. **Break**

1:00 p.m. **Contracts Panel – Owner/GC/Sub Perspectives** – Owners, general contractors, and subcontractors have their own pressure points and goals in negotiating construction contracts. This panel discussion will cover some of the key issues and provisions that can help all parties allocate risks and prepare for things that may go awry.
Moderator: Meredith S. Metaxas, Austin
Wesley Hunnell, Houston *[Owner]*
Daniel G. Gurwitz, McAllen *[GC]*

2:15 p.m. **Contract Termination** – One of the construction lawyer's key roles is to help the client assess the pros and cons of contract termination, usually in high-pressure circumstances. This topic covers the minefield of that process, including compliance with contractual procedures to mitigate exposure to wrongful termination claims.
Alan R. Phillips, Dallas

3:00 p.m. **Afternoon Break –** *Sponsored by FTI Consulting, Inc.*

3:15 p.m. **The Successful Preparation and Use of Construction Experts** – Through their testimony and written reports, experts are indispensable for educating judges, juries, and arbitrators about complex construction issues. An experienced partner shares practical tips on the proper selection and preparation of experts, including when to recognize that you need one.
M. Jason Spivey, Dallas

4:00 p.m. **Arbitration –** Arbitration was designed to be a more efficient, less expensive, and more industry-specific alternative to the traditional court system. But is it? This session addresses the logistics, rules, and practical considerations involved in arbitration and how those differ from the courthouse.
Allen V. Wilson, San Antonio

4:45 p.m. **Adjourn to Reception –** *Sponsored by GlassRatner & Nelson Forensics, LLC*

Friday, December 4, 2026

8:00 a.m. **Continental Breakfast**

8:30 a.m. **Top Cases Every Construction Lawyer Should Know** – This topic will familiarize the audience with the fundamental cases in construction law. These cases are often cited, often utilized, and often debated. In any event you simply must know these cases and how they shape Texas construction law.
Shaina M.H. Swanson, Belton

9:30 a.m. **What Works and Doesn't Work in Construction Mediation –** Mediation is a chance for clients to control their own fates and save huge amounts of time and money that would be spent on discovery and trial. So why don't all cases settle? This presentation explores both successful and ineffective mediation strategies.
Anastasia Bolshakov, Houston

10:15 a.m. **Morning Break –** *Sponsored by Aperture LLC (formerly Bryant Consultants, Inc.)*

10:30 a.m. **Insurance Basics for the Construction Lawyer** – Every construction lawyer and industry participant should understand the key elements of insurance coverage and claims on construction projects, as well as how to secure and maximize the client's rights under all available policies. This presentation will help illuminate the field and show how to avoid the loss of available insurance coverage and proceeds.
William E. McMichael, Houston

11:30 a.m. -12:15 p.m. **Securing and Enforcing Lien & Bond Claims in Texas** – Texas has one of the most complicated and dangerous statutory systems in the country for construction liens. Learn how to avoid costly mistakes, find relief in statutorily required payment bonds, and take advantage of alternative payment sources when a good project goes bad.
Tatianna S. Brannen, Dallas

12:30 p.m. **LUNCHEON:** *Tickets for registrants may be purchased for $26. Please purchase your tickets in advance. Tickets will not be sold at the door.*

Public Procurement in Texas – Public contract law is both similar to and different from the private realm. It is governed by more statutes; it is more consistent in its rules; and it can contain more barriers for the private contractor than he or she is used to. But with the deep pockets involved in the public sector, that is where "the action" often is, so familiarity with its promises and pitfalls is a necessity.
Joseph R. Bryant, Houston

1:30 p.m. **Afternoon Break –** *Sponsored by Walker Consultants*

1:45 p.m. **Residential Construction – A Holistic Approach –** Residential construction projects, contracts, and disputes present unique legal issues, in part because of the Residential Construction Liability Act (RCLA). This session will cover key issues for owners, contractors, and subcontractors in residential construction.
Justin A. Diaz, Houston

2:45 p.m. **Tips on Avoiding Malpractice –** This presentation will discuss common perils encountered by practitioners as well as key strategies and day-to-day law practice management tips to help avoid malpractice claims and grievances.
1.00 Ethics Credit
Crystal T. Dang, Houston

3:45 p.m. **Adjourn**

CONFERENCE FACULTY

Anastasia Bolshakov, Houston
Weycer, Kaplan, Pulaski & Zuber, P.C.

Tatianna Struble Brannen, Dallas
Buchalter Griffith Davison

Joseph R. Bryant, Houston
Cokinos | Young

Crystal T. Dang, Houston
Rothberg Shurtleff Dang PLLC

Justin A. Diaz, Houston
Fee, Smith, & Sharp LLP

Blain M. Donnell, Houston
Andrews Myers, P.C.

Daniel G. Gurwitz, McAllen
Atlas, Hall & Rodriguez LLP

Wesley Hunnell, Houston
King & Spalding LLP

Erick L. Lucio, Brownsville
Hamilton & Lucio, PC

William E. McMichael, Houston
Pillsbury Winthrop Shaw Pittman LLP

Meredith S. Metaxas, Austin
Allensworth Law

Debrán O'Neil, Dallas
Carrington, Coleman, Sloman & Blumenthal, L.L.P.

Alan R. Phillips, Dallas
Slates Harwell Campbell LLP

M. Jason Spivey, Dallas
Martin, Disiere, Jefferson & Wisdom, L.L.P.

Hailey L. Suggs, Austin
Graves Dougherty Hearon & Moody, P.C.

Shaina M.H. Swanson, Belton
Sanderford & Carroll P.C.

Allen V. Wilson, San Antonio
Sanderford & Carroll P.C.

Foundation President-Elect / Section Chair-Elect
William B. (Ben) Westcott, Houston
Andrews Myers, P.C.

Presiding Officer
Aileen M. Glaeser, Coppell
Martin, Disiere, Jefferson & Wisdom, L.L.P.

Conference Sponsors also include:
* **Flash Drives** – Spire Consulting Group, LLC
* **Hotel Key** – Peritia Partners LLC
* **Internet** – Ankura Consulting Group, LLC
* **Name Badge Lanyards** – Weaver
* **Notepads** – Thornton Tomasetti
* **Tote Bags** – Socotec
* **Power Strips** – WindForce Engineering & Inspection & The VERTEX Companies, LLC

GENERAL INFORMATION

JW Marriott Houston by The Galleria – A limited number of rooms have been reserved at The JW Marriott Houston by The Galleria at the special rate of $259.00 per night for a single/double. The hotel deadline is **November 11, 2026** or until the room block is exhausted, *whichever comes first.* You must identify yourself as a participant with the 'Basics in Construction Law Conference' in order to obtain a room from our room block. Please call JW Marriott Central Reservations at 1 (800) 268-3777 or book your reservation online at *https://book.passkey.com/go/constructionlaw*. We recommend that you make your reservations immediately if you plan to attend this course.

Pre-Registration — To ensure sufficient materials are available for all attendees, pre-registration is strongly encouraged. Door registration is an additional $100.00. *No audio/video version is available.* Your registration includes the course materials on USB drive. The printed 3-ring binder is available to purchase for an additional fee.

Registration Online or by Telephone — You may register by calling (512) 451-6960 or visiting www.constructionlawfoundation.org. Phone and online registrations require an AMEX, DISCOVER, VISA or MASTERCARD number, expiration date, security code and full billing address with zip code.

Cancellations and Refunds — Refunds, less a $50.00 processing fee, will be given to registrants who cancel by 5:00 p.m. on the Friday preceding the course. No refunds will be granted thereafter. Course materials will automatically be mailed to 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.

REGISTRATION FORM

Mail to: The Construction Law Foundation of Texas
The Basic Course in Texas Construction Law 2026
P.O. Box 4646
Austin, TX 78765-4646
Make checks payable to: The Construction Law Foundation of Texas

Online: www.constructionlawfoundation.org
Scan to: *info@constructionlawfoundation.org*
Phone: (512) 451-6960
(Online, Scan and Phone Registrations must be accompanied by AmEx, Discover, Visa or MasterCard Information.)

Please register me for the course as follows:

❒ Registration fee for CL Section Members (Due by 5 p.m. November 20) ..... $ 395.00
❒ Registration fee for Non Members (Due by 5 p.m. November 20) ..... $ 445.00
❒ Late Registration fee (After 5:00 p.m. November 20 and at the door) ..... $+100.00
___ Thursday Luncheon Tickets at $25.00 each ..... $_____
___ Friday Luncheon Tickets at $26.00 each ..... $_____
❒ Construction Law Section Dues *(eligible for the discounted member registration fee)* ..... $ 30.00

Course Materials: Your registration fee includes the course materials on USB Drive.
You may also purchase the printed binder version for an additional fee below.
❑ Add Printed Version (3-Ring Binder) at $50 + .0825 tax ..... $ 54.13

I cannot attend the course. Please forward the following:
____ USB Course Materials Only at $160 + .0825 tax (Print version can be added above for additional fee.) ... $ 173.20

TOTAL ENCLOSED ..... $_____

***No refunds after 5:00 p.m., Friday, November 27, 2026.* See cancellation policy above.**

(Please Print)

Name _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

E-mail _____ Bar Card No. _____

Make Checks payable to: **The Construction Law Foundation of Texas**

Please Charge: ☐ AMEX ☐ VISA ☐ MASTERCARD

Card No. _____ Exp. Date _____

Name on Card _____ 3 or 4 Digit Security Code _____

Authorized Signature _____

Billing Address (Street+C/S/Z) _____

Construction Law
Foundation of Texas
P.O. Box 4646
Austin, TX 78765-4646

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THE BASIC COURSE IN TEXAS CONSTRUCTION LAW . . .

has been designed for the 1-5 year lawyer, the senior lawyer who hasn't been involved in a construction law case, contractors, design professionals and others who are interested in gaining a basic knowledge of Texas construction law.

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