

# Issue Spotting for Construction Lawyers

Cosponsored by the Construction Law Section

Register at [www.osbar.org/seminars](http://www.osbar.org/seminars) (search for CNST22)



Construction law does not exist in a vacuum. This seminar will educate you on the other fields that influence how your clients integrate your advice into their business. Presentations will include experts in the fields of insurance, BOLI, CCB, tribal law, ethics, lending, bankruptcy/receivership, and mediation, as well as the Construction Law Section's annual legislative and case law updates.

**Construction Law Section members save \$20 off registration rates.**

*Special thanks to the Construction Law Section for sponsoring lunch for all in-person attendees.*

**[Register for the LIVE WEBCAST](#)**

**[Register for the IN-PERSON EVENT](#)**

The Oregon State Bar requires that all attendees at in-person events sign and return a **Vaccination Attestation Form** prior to attending the event. Please complete the form in advance of the event (an electronic signature will suffice) and submit to the OSB CLE Service Center at **[cle@osbar.org](mailto:cle@osbar.org)**.

**Friday, Oct. 21, 2022, 8:30 a.m.–4:25 p.m. PDT**

## **IN-PERSON**

Oregon State Bar Center  
16037 SW Upper Boones Ferry Rd., Tigard

or

## **LIVE WEBCAST**

CLE credits: 5.5 General and 1 Ethics (OR Specific)

MCLE ID#: 92562



### **In-Person Registration**

- \$125 ONLD member
- \$180 Construction Law Section member
- \$200 OSB member
- \$210 Non-OSB member
- \$0 Box Lunch

*Electronic materials are included with your registration.*



### **Live Webcast Registration**

- \$125 ONLD member
- \$180 Construction Law Section member
- \$200 OSB member
- \$210 Non-OSB member

*Webcast registration includes online access to the recorded seminar for 60 days after the event. Electronic materials are included with your registration.*

50-Year and Active Pro Bono OSB members and Oregon judges and their lawyer staff – please call the OSB CLE Service Center at (503) 431-6413 or (800) 452-8260, ext. 413 to register for this seminar.



### **Need help with registration, refunds, tuition assistance or accessibility accommodations?**

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## Schedule

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- 8:00 Continental Breakfast and Registration**
- 8:30 Employment Issues for Construction Lawyers**
- Wage and hour basics and prevailing wage Issues
  - Updating and enforcing safety policies
  - Other considerations/Q&A
- Tyler Volm, Sussman Shank LLP, Portland, OR**
- 9:00 Transition**
- 9:05 Builders' Risk—The Cornerstone of Construction Project Insurance**
- Form basics
  - General contractor and subcontractor interests
  - Owner interests
- Pat Dooney, Anchor Insurance & Surety Inc, Lake Oswego, OR**
- 9:35 Transition**
- 9:40 Contractual Risk and Insurance for Professional Services Firms**
- Overview of design professional insurance programs and market trends related to insurance premiums, limits, and coverage
  - Assumption of liability in professional services contracts and insurability of the same including standard of care, warranties, and indemnity
  - Understanding the interplay of coverage and claims with respect to professional liability and commercial general liability
- Kent Collier, Greyling Insurance Brokerage & Risk Consulting, Alpharetta, GA (remote participation)**
- 10:10 Break**
- 10:20 Ethics: Digging into the Rules of Professional Conduct (ORPCs)**
- Conflicts: who do you represent and who controls settlement?
  - Candor: in settlement, in liens, to the court
  - Confidentiality: managing the risks of lawyering on the go
- David Elkanich, Buchalter, Portland, OR**
- 11:20 Transition**
- 11:25 Navigating Insolvency Scenarios Including Bankruptcy and Receiverships**
- Design and construction contracting tips
  - Collection strategies upon default
  - Assessing your options upon a bankruptcy or receivership filing
  - Tips and traps when filing a proof of claim
  - Pursuing insurance and other sources of recovery
- Justin Leonard, Leonard Law Group, Portland, OR**
- 11:55 Transition**
- 12:00 Tribal Law Update**
- Gibson Masters, Miller Nash LLP, Portland, OR**
- 12:30 Lunch** (included with in-person registration)
- 1:00 Annual Construction Case Law Update**
- Gary Christensen, Miller Nash LLP, Portland, OR**
- 2:00 Transition**
- 2:05 Annual Construction Legislative Update**
- Kirsten Adams, Director and Counsel – Policy and Public Affairs, Associated General Contractors Oregon-Columbia Chapter, Wilsonville, OR**
- Bob O'Halloran, Brownstein Rask LLP, Portland, OR**

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**2:35 Break**

**2:45 What to Expect When You're Expecting a Construction Loan**

- Collateral assignments of borrower rights under professional services contracts
- Collateral assignment of property management contracts
- Overview of construction loan draw process

**Jeffrey Martin**, *Snell & Wilmer LLP, Portland, OR*

**3:15 Transition**

**3:20 Construction Contractors Board (CCB) Update**

- CCB complaints and bond claims
- CCB enforcement
- Current hot topics at the CCB

**Van White III**, *Samuels Yoelin Kantor, Portland, OR*

**3:50 Transition**

**3:55 When Mediating a Construction Case Isn't Just About Construction**

- Simple/lien payment claims
- Fire loss disputes
- Employer liability law and Workers' Compensation disputes
- Involvement of public entities and application of the Oregon and Federal Torts Claims Acts
- Statutory claims

**Martha Hodgkinson**, *Hodgkinson Street Mephram LLC, Portland, OR*

**4:25 Adjourn**

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## Planning Committee

**Laurie Hager**, *Snell & Wilmer LLP, Portland, OR*

**Katie Jo Johnson**, *McEwen Gisvold LLP, Portland, OR*

**Stacey Martinson**, *Miller Nash LLP, Portland, OR*

**Justin Monahan**, *Otak, Portland, OR*



## Upcoming Seminars

**August 31**

Joys and Pitfalls of Estate Planning

**ONEWL22-4**

**September 14**

Attorney Well-Being Awareness

**ONEWL22-5**

**September 21**

Legal Careers in Legislative and Policy Advocacy

**ONEWL22-6**

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