

EARTH, WIND, FIRE AND WATER:  
**Sustainable Construction in a  
Changing Environment**



FORUM ON  
CONSTRUCTION LAW  
MIDWINTER MEETING  
**2017**

FEBRUARY 1-3, 2017  
JW MARRIOTT DESERT SPRINGS, PALM DESERT, CA



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# DEAR COLLEAGUES:

Green building and sustainable development are two subjects that send even the most hard-boiled construction lawyers running for cover! The Forum on Construction Law's 2017 Midwinter Meeting co-sponsored with the ABA Section of Environment, Energy, and Resources (SEER) will arm you with what you need to know to advise your clients about changes in this growing field and to avoid traps for the unwary.

Throughout this conference, you will hear from prominent industry and thought leaders who will discuss environmental issues affecting today's projects, best practices for resolving them, and where the industry is heading. These sessions feature not only Forum and SEER lawyers, but also seasoned industry professionals to guide you through a comprehensive discussion of a broad range of environmental topics affecting you and your clients. If you're still not sure, let us share...

## The Top Five Reasons Why YOU Need to Attend:

1. Green is here to stay and is growing in importance across all areas of law, regardless of whether we call it "green building," "sustainable development" or "environmental law";
2. Environmental issues, in a climate that is in a state of flux, affect your clients' businesses—to represent them well and to retain them as clients, you must be able to spot environmental issues as they arise;
3. In a changing environment, the need to address legal issues at each step of the development life cycle, from planning, design and contracting to performance and retrofitting, has never been more important;
4. Top industry leaders, including former U.S. Secretary of Energy, Dr. Steven Chu, are coming to Palm Desert to share the latest developments in the field to help you identify important issues and stay ahead of the curve to guide your clients; and
5. Palm Desert in February. Wow!

Away from the sessions, you'll have a chance to enjoy networking, time outdoors and a variety of activities. It's all right here: from a spectacular trip above the Coachella Valley on the famous Palm Spring Aerial Tram followed by a sustainable energy or architectural tour, to a Jeep and hiking adventure, and much more. Great food and many "on your own" activities await you in a beautiful setting at a great time of year to be there!

We'd like to thank the all-star members of our Advisory Panel for the time and energy they devoted to helping to develop the agenda: Melissa Beutler, Rhonda Caviedes, Ed Gentilcore, Kerry Kester, Chris Ng, and Debra Rubin. We're grateful for your thoughtful participation and leadership! We'd also like to thank the Session Coordinators who volunteered their time and talents to work with our speakers to reach their fullest potential: Emily Anderson, Sean Calvert, Rob Dodson, Julia Hunting, Kerra Hicks, Ted Laperouse II, Craig McCloud, Matt Ninneman, Brian Perlberg, and Sunu Pillai. Finally, we'd like to express our appreciation for the valuable insight and tireless effort of our program marketing coordinator, Richard Wittbrodt.

Special thanks to our co-sponsor for this program, the ABA Section of Environment, Energy, and Resources (SEER). We extend a warm Forum invitation and welcome SEER members to join us!

We can't wait to see you in sunny and beautiful Palm Desert in February!



FEBRUARY 1-3, 2017  
JW MARRIOTT DESERT SPRINGS, PALM DESERT, CA

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## PROGRAM SCHEDULE

### WEDNESDAY, FEBRUARY 1, 2017

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12:00 P.M. – 5:00 P.M.	<b>Early Registration</b>
2:00 P.M. – 5:00 P.M.	<b>Construction Practicum: Advocacy Through Developing and Using Case Themes</b> (See page 10 for full description)
5:30 P.M. – 6:00 P.M.	<b>First Time Attendee Welcome and Kickoff</b>

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### THURSDAY, FEBRUARY 2, 2017

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7:00A.M. – 5:00 P.M.	<b>Registration and Exhibit Hall Open</b>
7:00 A.M. – 8:00 A.M.	<b>Continental Breakfast</b>
8:15 - 8:30 A.M.	<b>Opening Remarks</b>

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#### PLENARY 1

8:30 AM – 9:45 A.M.

#### **The Sustainability Forecast: Examining Current Conditions and Things to Come**

Modern construction projects increasingly turn on environmental impact and sustainability concerns. What issues do these projects raise for your clients as owner, governmental and consumer expectations ripple into their space? From land development, energy, and water issues to construction of weather walls, industry thought leaders discuss the latest developments, best practices, and leading trends that you need to know to serve your clients in a changing environment.

**Carla Christofferson, AECOM US**

Los Angeles, CA

**Karen Douglas, Commissioner, California Energy Commission**

Sacramento, CA

**Honorable Gregory J. Hobbs, Former Justice Colorado Supreme Court**

Denver, CO

**Moderator: C. Allen Gibson, Jr., Womble Carlyle Sandridge & Rice, LLP**

Charleston, SC



# THURSDAY, FEBRUARY 2, 2017

9:45 A.M. – 10:00 A.M. **Networking Break**

## PLENARY 2

10:00 A.M. – 11:15 A.M.

### **Do you know your ABCs? Navigating the Alphabet Soup of Sustainable Construction**

As more construction projects incorporate elements of sustainability, it is critical that lawyers understand the “language” of sustainable construction and green building law. How familiar are you with the fast-evolving “alphabet soup” of green building systems, standards and codes, including LEED v4, the IgCC, ASHRAE 189.1, ICC-700, Passive House, WELL, and GRESB? This plenary will provide an overview of the sustainable building process and issues including: (1) recent developments in green design, construction and certification issues; (2) financial, scheduling, life-cycle and “best value” issues; (3) the impact of federal, state and local sustainability requirements and initiatives on construction; and (4) recent case law related to sustainable development.

*Presented in cooperation with the ABA Section of Environment, Energy, and Resources*

**Stuart D. Kaplow**, *Stuart D. Kaplow, P.A.*

Towson, MD

**Steven J. Kismohr**, *Midwest Energy Alliance*

Chicago, IL

**E. Mitchell Swann**, *MDCSystems*

Paoli, PA

11:15 A.M. – 11:30 A.M. **Networking Break**

## WORKSHOP A

11:30 A.M. – 12:30 P.M.

### **Water, Water Everywhere! . . . or Not! Helping Your Clients to Survive**

Water... too little or too much... either way it's an issue affecting construction development and for which clients are increasingly seeking legal advice. Expanding regulations and restrictions affect the rights, use, consumption, allocation and accommodations necessary to address the impact of water on a project. This workshop will help you understand how the legal system can be used to facilitate business decision-making and avoid pitfalls related to water issues.

*Presented in cooperation with the ABA Section of Environment, Energy, and Resources*

**Kevin Patrick**, *Patrick Miller Noto, PC d/b/a Waterlaw*

Aspen, CO

**Stuart L. Somach**, *Somach Simmons & Dunn*

Sacramento, CA

# PROGRAM SCHEDULE

## THURSDAY, FEBRUARY 2, 2017 (cont'd)

### WORKSHOP B

**11:30 A.M. – 12:30 P.M.**

#### **Owners: So You Want to LEED? – Here's What You Need to Know**

Owners and developers increasingly must consider sustainability issues early in a project because they may significantly impact the way a project proceeds.

Workshop B explores what owners must consider to meet their sustainability objectives including LEED certification, obtaining incentives and credits, avoiding penalties, and the legal issues that accompany such analysis. This workshop also addresses “green” issues unique to new construction.

**Gunnar Hubbard**, *Thornton Tomasetti*

New York, New York

**Peter J. Marino**, *Smith Anderson Blount Dorsett Mitchell & Jernigan, LLP*

Raleigh, NC

**12:30 P.M. – 2:00 P.M.**

#### **KEYNOTE LUNCHEON**

**Dr. Steven Chu**

**Former U.S. Secretary of Energy and Nobel Laureate**

*Presented by the Forum's Diversity Committee*

### PLENARY 3

**2:00 P.M. – 3:15 P.M.**

#### **Laying a Solid Foundation: Special Contract Considerations for Sustainable Construction Projects**

Square pegs rarely fit round holes. Using a contract form that does not address sustainability issues may cause problems for a sustainable project. Plenary 3 compares how standard contract forms (AIA and ConsensusDocs) approach LEED development/certification and sustainability issues in design and construction.

The presentation will address a number of sustainable contract issues from the perspectives of the owner, designer and contractor, including: (1) the suitability of different project delivery systems; (2) the degree to which the design professional's “standard of care” includes achieving sustainability objectives; (3) consequences for failure to meet objectives; and (4) proposed contract modifications to address risk allocation for each major contracting party.

**Philip E. Beck**, *Smith Currie & Hancock, LLP*

Atlanta, GA

**Kory D. George**, *Woods & Aiken LLP*

Denver, CO

**Joelle D. Jefcoat**, *Perkins+Will*

Charlotte, NC



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**3:15 P.M. – 3:30 P.M.      Networking Break**

**PLENARY 4**

**3:30 P.M. – 4:45 P.M.**

**Insurance and Surety in the Sustainability Context:  
Not Sexy, But Critical to Your Client's Bottom Line**

Having the wrong insurance or missing the right type of coverage can bankrupt a company or crush a project. Understanding issues that impact the confluence of insurance with design, construction, sustainability and the environment is critical. Risk identification, available coverages, and handling claims regarding sustainable building will be discussed by a panel of industry professionals to help you better advise your clients in this extremely important area of law.

**Joanne S. Brooks**, *The Surety & Fidelity Association of America*  
Washington, DC

**Frank D. Musica**, *Victor O. Schinnerer & Co.*  
Chevy Chase, MD

**David M. O'Connor**, *O'Connor & Associates, LLC*  
Boston, MA

**Moderator: J. Lee Wright**, *QBE North America*  
Irvine, CA

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**5:00 P.M. – 6:00 P.M.      Women's Networking Reception**

**6:00 P.M. – 7:30 P.M.      Welcome Reception**

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**See Special Events**

Pages 12-13



# PROGRAM SCHEDULE

## FRIDAY, FEBRUARY 3, 2017

7:45 A.M. – 8:40 A.M. **Division Breakfasts**

### PLENARY 5

8:40 A.M. – 9:55 A.M.

#### **The Winds of Change are Blowing: Staying Ahead of the Sustainability Trends in Building Codes and Regulations**

From populous East Coast cities and regions to the deserts in the West, states and municipalities are adapting existing development regulations and building codes to improve sustainability. This plenary summarizes the issues that regulators are addressing and the changes they are implementing to make development more sustainable in a changing climate. Learn how the concept of “resilience” is impacting sustainable development and the policies driving regulatory change. Use this program to guide your clients through the changing regulatory environment.

**Prof. Michael B. Gerrard**, *Sabin Center for Climate Change  
Columbia Law School, New York, NY*

**Theodore L. Senet**, *Gibbs Giden Locher Turner Senet & Wittbrodt LLP  
Los Angeles, CA*

**Tracy L. Steedman**, *Adelberg, Rudow, Dorf & Hendler, LLC, Baltimore, MD*

**Moderator: Thomas L. Rosenberg**, *Roetzel & Andress, Columbus, OH*

9:55 A.M. – 10:10 A.M. **Networking Break**

### WORKSHOP C

10:10 A.M. – 11:10 A.M.

#### **Good Intentions, Scary Results: Avoiding the Money Pit in ‘Green’ Renovations**

With shrinking capital improvement and operating budgets coupled with historical considerations, public and private sector owners are seeking to retrofit existing facilities to improve energy efficiency. Without thoughtful consideration of the risks inherent in “green” renovation projects, the road to financial loss and unrealized goals may be paved with good intentions. This session will equip you to successfully guide your client through a retrofitting project by addressing issues such as:

- Special contract and risk considerations for designers, contractors and owners involved in retrofitting projects;
- Federal, state and local requirements and incentives for sustainable retrofitting; and
- Schedule uncertainty and other unforeseen conditions.

**Andrew T. Englehart**, *Construction Process Solutions, Ltd., Cincinnati, OH*

**Cassidy R. Rosenthal**, *Stites & Harbison PLLC, Lexington, KY*



## WORKSHOP D

**10:10 A.M. – 11:10 A.M.**

### **Illuminating the Commissioning Process: What Your Clients Need You to Know**

Throughout a building lifecycle, commissioning plays an important role, and owners increasingly turn to professional commissioning authorities to recommend, achieve and verify sustainability goals. In this session, experienced professionals will help you understand the commissioning process as well as the roles, responsibilities and legal obligations of the owner, designer, contractor, subcontractor and commissioning agent. Be prepared to gain insight into best practices and current trends in commissioning that will help you avoid disputes and resolve issues for your clients.

**Nina M. Giglio**, *Perkins Eastman*  
Charlotte, NC

**Tim J. Walsh**, *Norton Rose Fulbright US LLP*  
St. Louis, MO

**11:10 A.M. – 11:20 A.M. Networking Break**

## PLENARY 6

**11:20 A.M. – 12:20 P.M.**

### **Ethics: Avoiding a Trip to Club Fed – Criminal Liability for Lawyers in Construction Contracting**

If professional discipline and malpractice exposure is not bad enough, the roles lawyers play in advising clients in government or private construction contracting can also lead to criminal exposure. This session explores the Dark Side of contracting, including what can get lawyers in hot water with the Feds. Learn how to detect troublesome issues and avoid spending quality time at Club Fed.

**Randy K. Jones**, *Mintz Levin Cohn Ferris Glovsky and Popeo PC*  
San Diego, CA

**Rebecca S. Kanter**, *Assistant US Attorney, S.D. Cal.*  
San Diego, CA

**12:20 P.M. – 12:30 P.M. Closing Comments and Adjourn**



## SPECIAL EVENTS

### WEDNESDAY, FEBRUARY 1, 2017

**2:00 P.M. – 5:00 P.M.**

#### **CONSTRUCTION PRACTICUM: ADVOCACY THROUGH DEVELOPING AND USING CASE THEMES**

Whether a case is tried to an arbitrator, a judge, or a jury, one of the main issues an advocate faces is making the issues in a complex construction case easily understood. One of the best ways to help explain the issues is to use appropriate case themes and stories. By identifying a theme early in a case, experienced construction attorneys shape their discovery and motions practice to tell the story behind them while, at the same time, continually evaluating the theme to ensure that it remains viable in the face of the evidence in the case. Please join us for an interactive program that will instruct and challenge construction advocates of every skill level.

Topics will include:

- Why Use Themes and Stories at All? Why Aren't the Facts of the Case Enough?
- Early Identification of Themes: Benefits and Pitfalls
- Selection of Themes and Avoiding Clichés
- Themes versus Stories
- Developing the Facts through Engaging Stories to Enhance the Theme
- Reassessing the Case Theme Throughout Discovery
- Using and Reinforcing Themes Before Trial
- Using Themes Before and During an Arbitration Hearing and Trial

#### **Panelists:**

**Morgan Chu**, *Irell & Manella LLP*, Los Angeles, CA

**Joel D. Heusinger**, *Woods & Aitken LLP*, Denver, CO

**Craig L. McCloud**, *McCloud Law Group*, Lexington, KY

**Moderator: Catherine W. Delorey**, *Oles Morrison*, Oakland, CA

*Presented By: Division 1 – Litigation and Dispute Resolution; Young Lawyers Division; and the Forum Leadership Circle.*

**SEPARATE REGISTRATION FEE: \$50/PERSON - Limited Space**

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**5:30 P.M. – 6:00 P.M.**

#### **FIRST TIME ATTENDEE WELCOME AND KICKOFF**

This special event welcomes those attending their first Forum meeting, and welcomes back any who are attending for the first time in five or more years. Come meet other first-timers and the leadership of the Forum. All first time attendees are invited to the Exhibitor Reception immediately following.



# THURSDAY, FEBRUARY 2, 2017

**12:30 P.M. – 2:00 P.M.**

**KEYNOTE SPEAKER: DR. STEVEN CHU**

*Presented by the Forum's Diversity Committee*



Dr. Steven Chu is a former U.S. Secretary of Energy (2009-2013) and was the second Chinese American to hold a U.S. Cabinet position. Dr. Chu is also a co-recipient of the Nobel Prize for Physics (1997) and Professor at Stanford University. He is a vocal advocate for visionary research into the challenges and opportunities of renewable energy, nuclear power, and climate change. During his tenure as Energy Secretary, Dr. Chu established Energy Innovation Hubs which focus on specific high priority issues, such as Energy-Efficient Buildings, with the goal of rapidly accelerating the path from laboratory innovation to technological development and commercial deployment of critical energy technologies.

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**5:00 P.M. – 6:00 P.M.**

**WOMEN'S NETWORKING RECEPTION**

Enjoy cocktails in the Santa Rosa Room, network, and socialize with many of the best-known women in construction law. This reception is a great opportunity to meet colleagues and talk about how we got here, where we are, and what the future holds for women in the profession.

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**6:00 P.M. – 7:30 P.M.**

**WELCOME RECEPTION**

Bring your spouse or guest and gather around the fabulous outdoor pool with friends and colleagues for drinks and heavy hors d'oeuvres for an evening of socializing with new and old friends.

*Note: One reception ticket is included in each meeting registration. Guest tickets may be purchased at the time of registration.*



# SPECIAL EVENTS

## FRIDAY, FEBRUARY 3, 2017

1:00 P.M. – 5:00 P.M.

### **PALM SPRINGS AERIAL TRAM AND SUSTAINABLE ENERGY TOUR OR ARCHITECTURAL TOUR**



Join your colleagues for experiences that are truly unique to the Palm Springs area. Begin the afternoon with a visit to the Palm Springs Aerial Tramway on Mt. San Jacinto where you will experience spectacular views of the surrounding cliffs and valleys as you ascend more than 2 miles up the mountainside in the world's largest rotating tram car. Once you reach the Mountain Station (elevation 8,516 feet) enjoy more views from several

observation decks, grab a cocktail at one of the restaurants/lounges, stroll through a natural history museum and gift shop, take a short walk along one of the hiking trails, or enjoy a documentary about the design and construction of the tramway which has been designated as a historical civil engineering landmark. A boxed lunch will be provided as you depart the hotel for the 45 minute trip to the aerial tram.

*Note: The temperature at the Mountain Station atop the aerial tramway can be up to 30 degrees cooler than in the valley. We recommend that you dress accordingly and wear comfortable walking shoes.*

After returning from atop the Mountain Station, guests will have the option to enjoy either a Sustainable Energy Tour, or a tour of mid-century modern architecture in the Palm Springs area.

**Option 1: Sustainable Energy Tour:** The Palm Springs area features a number of sustainable energy sources including solar, wind, and geothermal. Guests will drive by a solar panel farm in route to one of the largest working wind farms in the world. Tour guides will share the history of sustainable energy in the area, the utilization of wind power, and facts regarding the technological wonders of the towering windmills and giant turbine blades. You will have an opportunity to exit the tour bus and get closer than you ever imagined to the massive structures surrounded by spectacular mountain vistas.

**Sponsored By: Interface Consulting**

**Option 2: Architectural Tour:** Palm Springs contains one of the largest concentrations of mid-century modernist architecture in the world. You'll see architectural treasures by talented 20th century architects including homes of past and present celebrities, innovative civic structures, and well-preserved historic neighborhoods that defined mid-century Palm Springs. You will learn some interesting facts about the architects, their clients, the materials used and the creative flourish of the times that made Palm Springs such an important living museum of mid-century modern architecture.

*Please select your option when registering for the program. Space is limited and will be available on a first come basis.*

**Sponsored By: Alberti Group and Conspectus, Inc.**

# SATURDAY, FEBRUARY 4, 2017

9:30 A.M. – 3:00 P.M.

## FORUM GOLF SCRAMBLE

No visit to the Palm Springs area would be complete without golf! Join us as we take full advantage of the perfect climate and enjoy the Desert Springs Golf Club (Palm Course) conveniently located on the JW Marriott property. Golfers of all skill levels are invited to join us for fun on the links in a “scramble” format tournament.

***Sponsored By: Construction Process Solutions; Demand Construction Services, Inc.; FTI Consulting; Hill International; Kenrich Group; Litcon; Navigant; Nelson Forensics and Veritas***

10:00 A.M. – 3:00 P.M.

## INDIAN CANYONS JEEP TOUR, HIKE AND PALM OASIS PICNIC



Guests will depart the hotel in open-air, red jeeps and will enjoy an area eco-tour in route to the dramatic Indian Canyons, located at the base of Mount San Jacinto. The Indian Canyons are among the area’s most popular outdoor destinations with a unique desert landscape that combines waterfalls, the largest natural California Fan Palm oasis in the North American hemisphere,

and a full range of safe and scenic hiking trails. This excursion includes a gourmet family-style lunch served at the Palm Oasis picnic site.

# GUEST ACTIVITY

THURSDAY, FEBRUARY 2, 2017

8:30 A.M. – 10:00 A.M.

## “FARM TO FORK” CULINARY EXPERIENCE

This spouse and guest culinary class is all about the celebration of fresh fruit and vegetables, sustainable meats and seafood, and finish with dessert of course...

If you’ve ever wondered about organic, local farming, farmer’s markets and what Chefs look for when sourcing food this is a class for you. Chef Thomas Horner has spent the last 20 years speaking with many folks in the food/dairy/produce growing chain, and he promises that this class will share all of those learnings. His passion and enthusiasm for preparing unique and delicious culinary dishes along with his experience with gardening and Aqua-ponics will explain how you can “eat more real food.”

Guests will savor all of the food the Chef and his team prepare during the demonstration.



# SPONSORS AND EXHIBITS

Visit Forum Sponsors in the Exhibits Area! The Forum Exhibits Area brings a variety of companies together in one place with capabilities fitting the unique needs of construction lawyers. The Exhibits Area will be open Thursday, February 2, 7:30 AM – 5:00 PM and Friday, February 3, 7:30 AM – 12:30 PM. Thanks to all of the Forum Sponsors for their continued support of the Forum!

## CONFERENCE INFORMATION

**Hotel Information:** The conference will be held at the JW Marriott Desert Springs, Palm Desert, CA. To reserve a hotel room visit: <https://resweb.passkey.com/go/ABAForum2017>. Or call 877-622-3140.

**Hotel Reservations: You must register for the conference prior to making your hotel reservation.**

The deadline for reservations is **December 26, 2016** (5 PM CST) or before if the room block is exhausted. Room rates are: \$245 (single/double)/night (plus tax). Please reference the ABA Forum on Construction Law 2017 Midwinter Meeting.

Rooms are available through the above date or until the room block is exhausted, whichever is earlier. After the above cutoff, the hotel will assign rooms on a space-available basis. Individuals with guaranteed reservations must cancel their reservation 72 hours prior to the scheduled day of arrival to avoid a one night cancellation charge.

**Air Travel:** ABA Airfare discounts available at American Airlines available at Egencia. Car rental discounts and more information is available at [http://www.americanbar.org/membership/aba\\_advantage\\_discounts/egencia.html](http://www.americanbar.org/membership/aba_advantage_discounts/egencia.html).

**Ground Travel:** The JW Marriott Desert Springs 74855 Country Club Drive, Palm Desert, CA 92260 is approximately 12 miles from Palm Springs International Airport and 82 miles from LA/Ontario International Airport and 135 miles from LAX. Hertz Rental Car is located on property at the JW Marriott.

**Program Registration:** To register for all programs and events described in this brochure, **we encourage you to register online at [www.americanbar.org/groups/construction\\_industry](http://www.americanbar.org/groups/construction_industry)**. Confirmations will be emailed to you within 72 hours of registration receipt. In order to be included in the list of program attendees, you **must register by January 11, 2017**. Special events are available for this meeting. Please see the registration form for price details.

**Onsite Check-In:** February 1, 2017 from 12:00 p.m. to 5:00 p.m., attendees may check in at the ABA registration desk to pick up name badges and course materials.

**Onsite Registration:** If you plan to register at the door, please contact Lisha Morris at [lisha.morris@americanbar.org](mailto:lisha.morris@americanbar.org) on or before Friday, January 13, 2017, to confirm that space is still available. Failure to call in advance may preclude admission to a sold out conference. Onsite registrants must pay the registration fees Visa, MasterCard, or American Express. **NO** registrations will be accepted without payment.

**Tuition and scholarship information:** Please contact Tamara Harrington by email at [Tamara.Harrington@americanbar.org](mailto:Tamara.Harrington@americanbar.org) or at 312-988-5794 for more scholarship information. **Qualifying attorney may receive a 50% reduction.**

**Cancellation Policy:** Registrants who are unable to attend the conference will receive a refund less a \$50 administrative fee if written cancellation is received by **January 13, 2017**. Cancellations may be emailed to [tamara.harrington@americanbar.org](mailto:tamara.harrington@americanbar.org) or call 800-285-2221. **No refunds will be granted after January 13, 2016.** For substitutions please contact Tamara Harrington. For all others conference materials will be sent in lieu of a refund after the program. The ABA reserves the right to cancel any programs and assumes no responsibility for personal expenses.

**CLE Credit:** The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 11.0 CLE credit hours (including 1.0 ethics hours) in 60-minute states, and 10.25 credit hours (including 1.2 ethics hours) in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit [www.americanbar.org/groups/construction\\_industry](http://www.americanbar.org/groups/construction_industry) or contact Tamara Harrington by email at [tamara.harrington@americanbar.org](mailto:tamara.harrington@americanbar.org).

**Membership:** Not a member? Forum membership dues are \$60 for attorneys/associates and \$0 for law students. New rule: Membership in the ABA is a prerequisite to Forum membership but you no longer need to join a section first. Please make a separate to the American Bar Association for membership dues prior to registering for the program online or at 800-285-2221.

**Tax Deduction for Educational Expenses:** In the United States an income tax deduction may be allowed for educational expenses undertaken to maintain or improve professional skills. This includes registration fees, travel, meals and lodging expenses (see Treas. Reg. Sec. 1.162-2) *Coughlin v. Commissioner*, 203 F.2d 307 (2nd Cir. 1953).

**Americans with Disabilities Act:** If special arrangements are required for disabled individuals to attend this program, please contact the Forum in writing by January 11, 2017 at the American Bar Association, 321 N. Clark Street, Chicago, Illinois, 60654. Fax: 312-988-5677. Email: [tamara.harrington@americanbar.org](mailto:tamara.harrington@americanbar.org).

**For the latest program information:** Please visit the ABA Forum on Construction Law's website: [www.americanbar.org/groups/construction\\_industry](http://www.americanbar.org/groups/construction_industry).

**Questions:** If you have questions or require additional conference information, please contact Tamara Harrington via email [tamara.harrington@americanbar.org](mailto:tamara.harrington@americanbar.org) or phone 312.988.5674.

# PROGRAM REGISTRATION

Advanced Registration Deadline: December 12, 2016

FORUM ON CONSTRUCTION LAW MIDWINTER MEETING  
EARTH, WIND, FIRE AND WATER:  
Sustainable Construction in a  
Changing Environment

## FOUR WAYS TO REGISTER



Online at

**ambar.org/constructionlaw**



Fax your form to

**(312) 988-5850**



Call

**1.800.285.2221**



Mail the completed registration form to the American Bar Association  
**Attn: Service Center – Meeting/Event Registrations – CI0117**  
**321 N. Clark St, Fl. 16 Chicago, IL 60654**

## 1. REGISTRANT INFORMATION

LAST NAME	FIRST NAME	M.I.
NAME AS YOU WISH IT TO APPEAR ON ATTENDEE LIST AND NAME BADGE/ABA MEMBER ID#		
FIRM / COMPANY / AGENCY		
ADDRESS		
CITY	STATE	ZIP
(AREA CODE) BUSINESS PHONE NUMBER	(AREA CODE) BUSINESS FAX NUMBER	
EMAIL ADDRESS		

## 2. REGISTRATION FEES

	Before or On 12/12/16	After 12/12/16
Non-ABA Member	<input type="checkbox"/> \$800	<input type="checkbox"/> \$850
ABA Member	<input type="checkbox"/> \$700	<input type="checkbox"/> \$750
Forum Member	<input type="checkbox"/> \$580	<input type="checkbox"/> \$630
SEER Member	<input type="checkbox"/> \$580	<input type="checkbox"/> \$630
New Forum Member / FTA / YLD*	<input type="checkbox"/> \$455	<input type="checkbox"/> \$505
Government / Academic / In-House*	<input type="checkbox"/> \$420	<input type="checkbox"/> \$470
Law Student	<input type="checkbox"/> \$50	<input type="checkbox"/> \$65
Young Lawyer Practicum		<input type="checkbox"/> \$50
Materials Only ( <i>I will not be attending and wish to order program materials</i> )		<input type="checkbox"/> \$150
Welcome Reception Guest Ticket		<input type="checkbox"/> \$65
Palm Springs Aerial Tram and Energy Tour		<input type="checkbox"/> \$50
Palm Springs Aerial Tram and Architecture Tour		<input type="checkbox"/> \$50
Indian Canyons Jeep Tour, Hike, Picnic		<input type="checkbox"/> \$75
Forum Golf Scramble		<input type="checkbox"/> \$150
"Farm to Fork" Culinary Experience		<input type="checkbox"/> \$25

## TOTAL PAYMENT

\$

\*\*Join the Forum for \$60 and save on this and future programs and books at [ambar.org/constructionlaw](http://ambar.org/constructionlaw)

## 3. PAYMENT INFORMATION

- Check (made payable to American Bar Association Forum on Construction Law)  
 Credit Card:  MasterCard  American Express  Visa  Discover

CREDIT CARD #	EXPIRATION DATE	CW
NAME ON CARD		
SIGNATURE		

## 4. DIVERSITY AND INCLUSION

As part of its effort to eliminate bias, enhance diversity, and promote full and equal inclusion in its activities, the Forum has a goal of identifying diverse members and program participants. Please help us by completing the following information (supplying this information is voluntary):

- Gender Identity:**  Female  Male  Transgender  
**Ethnicity:**  Caucasian  African-American/Black  
 Spanish/Hispanic/Latino  Asian  Middle Eastern  
 American Indian or Alaska Native  Pacific Islander  Other: \_\_\_\_\_  
**Disability:**  Yes  No  
**Sexual Orientation:**  Bisexual  Gay  Lesbian  Heterosexual

**COMMUNICATIONS** Unsubscribe to manage your communication preferences at <http://bit.ly/abaunsubscribe>.



American Bar Association  
321 North Clark Street MS 18.2  
Chicago, IL 60654  
[ambar.org/constructionlaw](http://ambar.org/constructionlaw)



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