

# Certification Matters

## TBLS Announces its 22nd Specialty Area — Construction Law

**The Texas Supreme Court approved Construction Law as the newest Specialty Area for Board Certification.**

Construction law deals with transactions and relationships among contractors, subcontractors, suppliers, owners, architects, engineers, governmental entities, insurers, sureties and lenders regarding development, design and construction on public and private projects. It includes, by way of definition, not limitation:

- Knowledge of construction-related law, including applicable statutes and common law principles and doctrines;
- Drafting, negotiation, and operation of construction-related contract documents and provisions, including the active management and oversight of such transactional matters;
- Knowledge of procurement and project delivery systems;
- Construction lending, insurance and suretyship;
- Construction claim development and presentation, including, but not limited to, the analysis of mechanic's lien claims, payment and performance bond claims, construction and design defect claims, contract claims, delay and special damages claims, construction specific statutory claims (e.g. Prompt Pay Act, Trust Fund Act), construction accident, injury and OSHA claims, administrative claims, private labor and wage claims (related to construction), judgment collection and enforcement, tort claims arising from design and construction activities and equitable claims arising from design and construction activities; and
- Construction dispute resolution through negotiation, litigation, arbitration, administrative hearings, mediation and other forms of dispute resolution, including the active management and oversight of such dispute-related matters.

The 2016 applications are now available at [www.tbls.org](http://www.tbls.org) through the April 4, 2016 deadline. Applicants must be licensed to practice law for at least five years, have a minimum of 40 percent of one's time practicing construction law during each of the five years immediately preceding application, and show that you have been engaged substantially in at least two of the areas below.

1. Negotiation, preparation and operation of contracts and other documents related to construction law.

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2. Experience with procurement and project delivery systems, construction lending, insurance and suretyship.
3. Construction claim development and presentation including, but not limited to, the analysis of mechanic's lien claims, payment and performance bond claims, construction and design defect claim, contract claims, delay and special damages claims, specific statutory claims related to construction (e.g. Prompt Pay Act, Trust Fund Act), construction accident, injury and OSHA claims, administrative claims, private labor and wage claims related to construction, judgment collection and enforcement and negligence and other tort claims arising from design and construction activities.
4. Construction dispute resolution through negotiation, litigation, arbitration, administrative hearings, mediation or other forms of dispute resolution.

Applicant results are sent in August and the exam is on October 17, 2016 in Austin.



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*Make history, and be one of the first attorneys to be Board Certified in Construction Law.*

