Agenda

Evaluating Construction Defect Claims
What Constitutes a Defect?
- Theories of liability
  - Breach of contract
  - Negligence
  - Breach of warranty
  - Other theories of liability

Exploring Defenses to Construction Defect Claims
- Contractual defenses
- Immunity defenses
- Statute of Limitations
- Economic loss rule

Exploring Defenses to Construction Defect Claims (Continued)
- Exculpatory and indemnity clauses
  - Background
  - Exculpatory clauses
  - Indemnity agreements
  - Limitation of liability clauses

Insurance Issues on Construction Defect Claims
- Insurance
  - Professional liability insurance
  - Commercial general liability (CGL) insurance
  - Key differences between professional liability and CGL policies
  - Insurer’s duty to defend
  - Builders risk insurance

Resolving Disputes Generated by Defects and Failures
- Contract language
- Experts
- Electronic discovery rules
- Overview of ADR – alternative dispute resolution

Ethics Related to Construction Defect Claims
- Applicable ethical rules
- Identifying problematic situations
- Hypothetical ethical situations – group discussion

Learning Objectives

You’ll be able to:

**Determine** what is, and is not, a construction defect.

**Understand** legal theories of liability for construction defects.

**Explore** common defenses to construction defect claims.

**Review** types of insurance coverage and discuss what protections they provide for construction defect claims.

**Understand** ethics issues related to construction defect claims.
How to Register

Online: www.halfmoonseminars.org

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Fax: 715-835-6066

Mail: HalfMoon Education Inc.,
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54720-0278

Complete the entire form. Attach duplicates if necessary.

Tuition

( ) I will be attending the live seminar. Single Registrant - $279.00. Three or more registrants from the same company registering at the same time - $259.00 each.

( ) I am not attending. Please send me the CD manual package for $289.00.

(S/N included. Please allow five weeks from seminar date for delivery)

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Seminars are subject to preapproval in Indiana. The American Institute of Architects and Indiana Engineers and architects seeking continuing education credit professionals and 6.5 HSW contact hours to architects in many states, including Indiana. HalfMoon Education is an approved continuing education provider for Indiana engineers. Architect continuing education providers and courses are not subject to preapproval in Indiana. The American Institute of Architects has approved this course for 6.5 HSW Learning Units (Sponsor No. J888). Only full attendance can be reported to the AIA/CES. Engineers and architects seeking continuing education credit in other states will be able to apply the hours earned at this seminar. in most cases. Refer to specific state rules to determine eligibility.

HalfMoon Education is an accredited CLE provider for Indiana attorneys. The Indiana Commission on CLE has approved the course for 5 HSW CLE hours. This seminar offers a non-credit continuing education opportunity to construction contractors. It has not been approved by any contractor licensing board for continuing education credit.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

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