



State Bar
of Georgia



TENNESSEE
BAR ASSOCIATION

Joint Georgia/Tennessee Construction Law Conference

October 9-10, 2025

Program Producers: Mark Carter, Buchalter
Theresa Critchfield, TLC Law Office
Regan Steepleton, Evans Petree

Total Credits: 5.75 General 1 Dual

Thursday, Oct. 9

5 - 8 p.m. ET

Networking Reception - Enjoy complimentary drinks and hors d'oeuvres.

Friday, Oct. 10

7:30 - 8:30 a.m. ET

Registration & Breakfast

8:45 - 10 a.m. ET

Statutory & Regional Differences

1.25 General

This section will deal with several areas of differences between Tennessee and Georgia law, including liens, retainage, and public project bond laws. It is typical that neighboring states would have similar approaches to laws. But Tennessee and Georgia, for example, have very different approaches to the lien laws, with Georgia allowing owners and contractors to give notice of their presence on a project, which requires front-end project notice requirements so the parties can know who is on a project and requirements for second and lower tier subcontractors and suppliers to have to give notice of their presence or lose their lien or bond claim rights. Meanwhile, Tennessee does not have front-end notice requirements, but requires periodic notices over time after work begins in order to have a lien. Similarly, Georgia law requires lien and bond waivers to follow a specific statutory format or else a lien is not waived, while Tennessee does not require waivers to follow as strict wording.

Additionally, retainage has had stricter requirements under Tennessee law, although Georgia has recently enacted a more limited retainage restrictions. Other differences in requirements will also be discussed.

Barry Abbott, Abott Weiss & Faith
S. Gregory Joy, Smith Currie Oles

10 - 10:15 a.m. ET

Break

10:15 - 11:45 a.m. ET

View from the Bench (and Arbitrator's Chair)

1.5 General

This session will provide tips on trial and arbitration presentation, including some observations on common mistakes, best practices, and generally what to do and what to avoid.

Tim Gibbons, Chambliss
Hon. Julie Jacobs, Cobb County Superior Court

11:45 a.m. - 12:45 p.m. ET

Lunch

12:45 - 1:45 p.m. ET

Insurance 101 for Construction Lawyers

1 General

Insurance is a critical, and often misunderstood, component of every construction project. This program will discuss the coverage afforded by the types of insurance policies frequently involved in construction projects and claims: commercial general liability insurance, builders' risk, professional liability insurance, and pollution insurance. We will also discuss insurance-related contract drafting considerations, additional insured status, certificates of insurance, and the insurance claims process.

Heather Wright, Buchalter

1:45 - 2:45 p.m. ET

AI and Ethics in an Everchanging Construction Legal Environment

1 Dual

This discussion will address key ethics and liability issues in the post-Covid virtual and AI driven workforce. Topics include emerging ethical concerns in AI, updates on the Sedona Conference and state laws, liability under the Corporate Transparency Act (CTA), and what constitutes the Unauthorized Practice of Law. The speakers will also explore attorney-client privilege in electronic stored information (ESI) and arbitration, including applicable laws, ethical obligations, and how arbitrators might handle claims of privileged documents.

Todd Heffner, Smith Gambrell Russell
Iman Hyder-Eliz, American Arbitration Association

2:45 - 3 p.m. ET

Break

3 - 4 p.m. ET

Canyon Ridge – The Trial of a Lifetime

1 General

The presentation reviews the history of the initial attempt to develop Canyon Ridge Resort on Lookout Mountain in Walker County, Georgia from 2009-2011, and the lawsuit spawned by those efforts that was in litigation from 2011 to June 2015. The end result is the resort now known as McLemore.

Bill Colvin, William G Colvin PLLC
Duane Horton, Scenic Land Company & GenTech Construction

4 - 5 p.m. ET

Rise in Construction Defect Trends

1 General

The goal of this presentation is to help understand how the pandemic and related material/labor shortages have created a “perfect storm” in the construction field related to delays, defects, and future issues.

Moisture intrusion in the form of leaks and water damage will result in both remediation and replacement of many building components to prevent rot, damage, and the associated hazards. We hope that this presentation will help shed light on these issues and provide some guidance for future methods to handle such cases.

Jeffrey Martin, Fortress Building Envelope Consulting, Inc.

5 - 5:10 p.m. ET

Closing Remarks