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Welcome to the Party, Tex — The Spearin Doctrine Finally Adopted in Texas

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The U.S. Supreme Court addressed the implied warranty of adequacy of Owner-provided design plans in its benchmark 1918 decision *U.S. v. Spearin*. The majority of states have adopted this doctrine, but Texas has long been a notable exception — until now.

True to form, Texas has joined the majority in adopting the Spearin concept in its own way. The new law is thoughtfully designed for modern alternative and hybrid project delivery methods and cannot be waived by agreement, say Troutman Pepper Construction group attorneys Ben Deninger and David Mancini.

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