

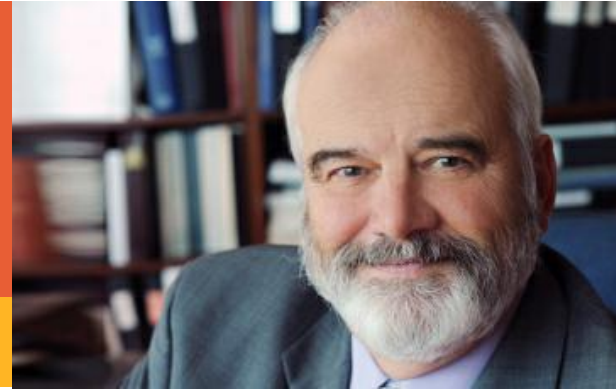


James P. Houghton Shareholder

DIRECT 505.848.1856 FAX 505.848.9710

Email: james.houghton@modrall.com

OFFICE ALBUQUERQUE MAIN 505.848.1800



Related Practices

Real Estate

Related Industries

Construction and Design

Case Stories

Innovative sale of mine preserves income, jobs and power for Navajo Nation

OVERVIEW

Jim Houghton has more than 40 years' experience practicing law in New Mexico. He joined Modrall Sperling in 1973 and was elected shareholder in 1979. He serves as Chair of the Construction and Design Industry Service Group. His practice encompasses transactions, litigation and alternative dispute resolution in the areas of real estate, construction and design law, commercial leasing, and land use (including development, zoning, and subdivision). *Best Lawyers in America®* has recognized Jim twice as "Lawyer of the Year" in Albuquerque, in 2018 for Litigation-Construction, and in 2013 for Construction Law.

Jim has had mediator training through the Attorney-Mediators Institute and advanced arbitration training through the American Arbitration Association. He has handled arbitrations through the Second Judicial District Court-Appointed Arbitration program.

Education

University of Virginia, J.D., 1973

Indiana University, B.S. in Economics and Political Science, 1970, *cum laude* Phi Beta Kappa

Bar Admissions

New Mexico

EXPERIENCE

Construction/Design Professionals

- Jim is a member of the Real Property Section of the State Bar New Mexico and the American Bar Association (ABA), as well as a member of the ABA Construction Forum Committee. He is past Co-Chair of the Design and Construction Contracts Committee (G-3) of the ABA Real Property Section. He is recognized in "*The Best Lawyers in America®*" in the area of Construction Law. He wrote the New Mexico section for the *State by State Guide to Construction and Design Law* publication for the American Bar Association. He authored *Construction Law: A Practical Guide to Common Construction Law Issues in New Mexico* and has written national articles on various construction issues. Most recently, he wrote the New Mexico Chapter for the 4th Edition of *The Design-Build Deskbook* for the ABA Forum on the Construction Industry. He



has represented owners, bonding companies, title companies, engineers, architects, contractors, subcontractors, and suppliers in a variety of construction problems and claims, dealing with both commercial and residential projects. He has drafted alternative clauses and provisions to “standard” form agreements and assisted both public and private entities with their construction documents on numerous projects. He is an associate member with ABC (Associated Builders and Contractors). He also handles all aspects of construction licensing in New Mexico.

Real Estate

- Jim authored *Basic Real Estate Law in New Mexico*. He has been a member of the New Mexico Chapter of NAIOP and has presented programs to the local BOMA (Building Office Manager Association.) chapter on leasing/property management issues. He has drafted commercial leasing and management systems for office buildings and shopping centers and numerous ground leases. He handles litigation and arbitration disputes in various aspects of real estate law, especially in the area of commercial lease disputes, broker disputes, and buy-and-sell agreements. He has handled hundreds of transactions for buyers, sellers, and developers of real estate and has also represented title companies. He is recognized in *The Best Lawyers in America®* in the area of Real Estate.

Land Use and Development

- Jim co-authored *Land Use Law Update in New Mexico* and has represented national and local developers and property owners concerning land development issues. He has assisted developers in addressing their zoning, subdivision, and entitlement issues throughout the state. He also has substantial experience in dealing with commercial sign issues.

Alternative Dispute Resolution

- In response to the rising cost of litigation, Jim places major emphasis in resolving client disputes through alternative dispute resolution. He has received advanced training in arbitration through the American Arbitration Association, together with mediation training. He has presented programs on partnering in construction projects as well as the effective use of arbitration and mediation in settling real estate and construction disputes. Finding that in the business context there is a need to resolve ongoing disputes without ruining long-term business relationships, Jim’s focus is on resolving disputes in a fair manner without alienating business relationships.

ACTIVITIES

Civic Activities

- USS Indianapolis Survivors Organization
- B-29 Wings of the Marianas
- Various Organizations supporting First Responders (Law Enforcement, Fire, EMT)
- Campfire Boys and Girls, Past Vice President

Professional Activities

- State Bar of New Mexico, Real Property Section
- American Bar Association; Real Property Section, Design and Construction Contracts Committee, past Co-Chair; Construction Forum Committee
- Associated Builders & Contractors, Inc.



- Mediator Training through the Attorney-Mediators Institute (40 hours).
- Advanced Arbitration Training through the American Arbitration Association. He has handled arbitrations through the Second Judicial District Court appointed program.

NEWS & ARTICLES

News

Modrall Sperling Attorneys Recognized by Best Lawyers® 2019

Posted on August 15, 2018 By Daniel Schueler

Articles

Changes to the A201 – The Architect’s Perspective

October 8, 1999

By James P. Houghton

DISCOURSE

Presentations

- Jim has written papers and put together programs for the American Bar Association Real Property Section (Construction and Design Law) and the ABA Public Contract Law Section on the use of partnering in construction projects, arbitration of construction disputes, the AIA form documents and also with respect to insurance programs and products in the Construction, Engineering and Architectural industries and professions.

Publications

- Authored New Mexico section for the *State by State Guide to Construction and Design Law* publication for the American Bar Association
- Authored *Construction Law: A Practical Guide to Common Construction Law Issues in New Mexico*
- Authored the New Mexico Chapter for the 4th Edition of *The Design-Build Deskbook* for the ABA Forum on the Construction Industry
- Authored *Basic Real Estate Law in New Mexico*

Articles

- *A Practical Introduction to Change Orders*, published in “The Practical Real Estate Lawyer,” Vol. 3 No. 4
- *Insurance Issues in Design and Construction Contracts*, published by American Bar Association
- *Partnering as a Dispute Resolution Tool*, published by American Bar Association

HONORS

- Best Lawyers 2018 Litigation-Construction “Lawyer of the Year” in Albuquerque
- Best Lawyers 2013 Construction Law “Lawyer of the Year” in Albuquerque
- *The Best Lawyers in America®* in Construction Law, Litigation-Construction and Real Estate



MODRALL SPERLING

www.modrall.com

Law, 2008-present

- *Martindale-Hubbell AV®* Preeminent, Peer Review Rated