SpencerFane®

Douglas M. Selwyn

Of Counsel

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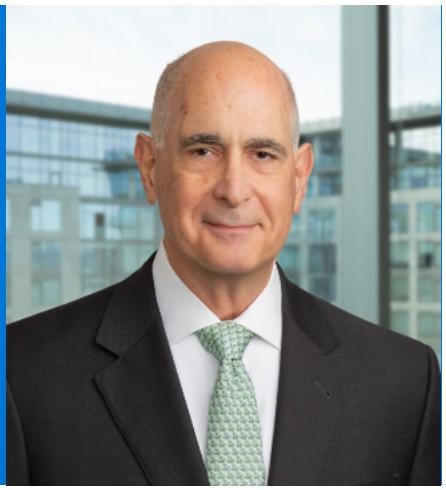

Overview

Douglas Selwyn helps employers, employee benefit plan administrators, and fiduciaries navigate complex employee benefits and ERISA matters so they can maintain compliance, manage risk, and achieve organizational objectives.

For more than 40 years, Douglas has advised clients on the design, implementation, administration, and regulatory compliance of employee benefit programs. His experience encompasses defined benefit pension plans, defined contribution retirement plans, 401(k) plans, health and welfare benefit plans, voluntary employee beneficiary associations (VEBAs), apprenticeship training trusts, and other employee benefit arrangements. Clients rely on his practical guidance to address evolving legal and regulatory requirements while supporting workforce and business goals.

A significant portion of Douglas' practice focuses on ERISA compliance, fiduciary responsibilities, and employee benefits issues arising in complex business transactions. He advises clients on matters involving mergers and acquisitions, plan terminations, withdrawal liability, correction programs, cybersecurity requirements, health care benefit compliance, and regulatory audits and investigations. His experience before the IRS, U.S. Department of Labor, and Pension Benefit Guaranty Corporation enables him to help clients navigate challenging regulatory matters effectively.

Douglas also represents employee benefit plans, fiduciaries, businesses, and individuals in ERISA litigation, arbitration, and other dispute-resolution proceedings. He has served as lead counsel in matters before federal trial and appellate courts, bankruptcy courts, arbitration panels, and administrative agencies, providing clients with experienced advocacy across a broad range of employee benefits disputes.

A recognized leader in the employee benefits field, Douglas serves as a Fellow and Secretary of the Board of Governors of the American College of Employee Benefits Counsel and regularly speaks at regional and national conferences on employee benefits and ERISA-related topics.

Education

- South Texas College of Law, 1979 (J.D.)

- Bethany College, 1975 (B.S.)

Bar Admissions

- Texas

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Fifth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. District Court for the Southern District of Texas
- U.S. District Court for the Western District of Texas

Community Involvement

- Boys and Girls Clubs of Greater Houston, Inc., Chairman, 1987; Secretary, 1989-2012; Board of Directors, 1981-present
- Boys and Girls Clubs of Greater Houston Foundation, Secretary 1987-2012; Board of Directors, Founding Member, 1987-present
- Rotary International, Paul Harris Fellow, 1985

Distinctions

- *Best Lawyers in America*, Employee Benefits Law, 2013-2027
  - Lawyer of the Year, Employee Benefits (ERISA) Law, 2022
- Martindale-Hubbell, AV Rated
- *Texas Super Lawyers*, Employee Benefits/ERISA

Memberships

- American College of Employee Benefits Counsel, Fellow
- Garland R. Walker American Inn of Court, Master
- Texas Bar Foundation, Sustaining Life Fellow
- Houston Bar Foundation, Life Fellow
- Houston Bar Association, Fee Dispute Committee, Founding Chairman, 1987-1988

Presentations and Publications

- "Fiduciary Responsibility and Legal Update for Apprenticeship Trustees," 49th Annual Apprenticeship Training Association, Texas State Convention, January 2020
- "A Basic Approach to Key Terms and Concepts under Title I of ERISA," ERISA Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, May 2011
- "Collectively Bargained Plans," ERISA Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, May 2011

- "A Basic Approach to Key Terms and Concepts under Title I of ERISA," ERISA Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, May 2011
- "Introduction to Multiemployer Plans," ERISA Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, May 2011
- "Collection of Employer Contributions to Multiemployer Employee Benefit Plans," ERISA Litigation National Institute, American Bar Association, Joint Committee on Employee Benefits, November 2010
- "Introduction to Multiemployer Plans," ERISA Basics National Institute, the American Bar Association, Joint Committee on Employee Benefits, May 2010
- Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, May 2010
- "Withdrawal Liability and Collections," ERISA Litigation National Institute, American Bar Association, Joint Committee on Employee Benefits, November 2009
- "A Basic Approach to Key Terms and Concepts under Title I of ERISA," ERISA Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, June 2009
- "Multiemployer Plans," ERISA Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, June 2009
- "Transitioning to a New Third-Party Administrator," 54th Annual Employee Benefits Conference, International Foundation of Employee Benefit Plans, November 2008
- "Withdrawal Liability and Collections," ERISA Litigation National Institute, American Bar Association, Joint Committee on Employee Benefits, November 2008
- "Special Topics in Welfare Litigation," ERISA Litigation National Institute, American Bar Association, Joint Committee on Employee Benefits, November 2008
- "The Uniformed Services Employment and Reemployment Rights Act and Employee Health Benefits," The Houston Lawyer, Houston Bar Association, Sept/Oct 2008
- "Reporting and Disclosure," ERISA Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, June 2008
- "Multiemployer Plans," ERISA Basics National Institute, American Bar Association, Joint Committee on Employee Benefits, June 2008
- "The Pension Protection Act of 2006," Attorneys Annual Conference for the International Association of Bridge, Structural, Ornamental, and Reinforcing Iron Workers, 2007
- "What Every Business Lawyer Should Know About the Pension Protection Act of 2006," American Bar Association, Business Law Today, 2007
- "Fiduciary Responsibility," American Bar Association, Labor and Employment Law Section, Employee Benefits Committee, 2006-2008
- "Ethical Standards of Lawyer Conduct in Employee Benefits Practice," Houston ERISA Industry Group, 2002, 2007
- "Lawyer Ethics in Employee Benefits Law," Dallas Bar Association, 2001
- "Standards of Lawyer Conduct in Employee Benefits Practice," ERISA Fiduciary Responsibility Issues Update, ALI-ABA Video Law Review, June 2000
- "Ethical Standards of Lawyer Conduct in Employee Benefits Practice," Journal of the Corporate Counsel Review, Corporate Counsel Section, State Bar of Texas, May 1999
- "Standards of Lawyer Conduct in Employee Benefits, Practice," Journal of Pension Planning & Compliance, Panel Publishers, Summer & Fall, 1998
- "Ethical Considerations in ERISA Litigation," Benefits Law Journal, 1998
- "ERISA Ethical Issues and Concerns," American Bar Association, 1996
- "Employee Benefits Law," American Bar Association, Section of Labor and Employment Law and the Bureau of National Affairs, Ethics and Fiduciary Responsibility Chapters: Second Edition, 1996-2008
- "Ethics," American Bar Association, Labor and Employment Law Section, Employee Benefits Committee, 1994-2005
- "Policy and Procedures for the Collection of Delinquent Employer Accounts," International Foundation of Employee Benefit Plans, 1983