



Chris Hamilton Discusses Delegation Clauses in Arbitration for Offshore Engineer and MarineLink

Spencer Fane attorney [Chris Hamilton](#) was recently featured in *Offshore Engineer* and *MarineLink*, where he examined the Fifth Circuit's decision in *Hill v. Jackson Offshore* and its significance for maritime employers, operators, and seamen's counsel.

In his *MarineLink* article, "[Hill v. Jackson Offshore and the Delegation Clause](#)," Chris analyzed how the U.S. Court of Appeals for the Fifth Circuit reaffirmed the enforceability of delegation clauses, emphasizing that parties seeking to avoid arbitration must specifically challenge the delegation clause itself rather than broadly attacking the underlying agreement. The court's ruling makes clear that generalized claims of fraud, duress, or invalidity are insufficient to keep disputes in court when a properly drafted delegation clause is in place.

Similarly, in [Offshore Engineer](#), Chris discussed how the Fifth Circuit's ruling highlights the impact delegation clauses can have on where disputes are resolved. He explained that, when properly drafted, these provisions can require questions about an arbitration agreement's validity to be decided by an arbitrator rather than a court. As a result, parties seeking to keep a dispute in court must specifically challenge the delegation clause itself instead of broadly attacking the agreement as a whole.

Chris also outlined key practical takeaways from the decision, including the importance of carefully drafted delegation provisions, the availability of interlocutory appeals from orders denying arbitration, and the ongoing judicial debate over contract formation and arbitrability. He noted that, for offshore operators, maritime employers, and energy companies, a well-crafted delegation clause can offer

meaningful protection when disputes arise.

At Spencer Fane, Chris combines extensive litigation experience with in-house leadership experience to counsel clients in complex business, transportation, maritime, environmental, and real property matters.

Read Chris's article in [MarineLink](#) and [Offshore Engineer](#) to learn more about the evolving role of delegation clauses in arbitration and maritime litigation. Chris also discussed the topic in a firm [client alert](#).