



## Hubert J. "Hugh" Bell, Jr.

Partner

**HUBERT J. BELL, JR.** Hugh is a partner of Smith, Currie & Hancock LLP. He is a graduate of Davidson College and Pacific Lutheran University. He received his law degree with honors in 1981 from the University of Georgia Law School where he was elected to membership in the Order of the Coif. He was an infantry officer and pilot in the United States Army from 1966 to 1978. He remained in the United States Army Reserve until 2002, serving on the Army General Staff in contracting-related assignments and is a Lieutenant Colonel, Retired.

Hugh has been admitted to the bars of Georgia, the District of Columbia and Florida. He has been admitted to practice in many state and federal courts as well as the United States Supreme Court. Hugh was appointed by the Georgia Supreme Court in November 2010 to a five-year term on the Georgia Commission on Dispute Resolution. The Commission is the arm of the Supreme Court which sets policy for and approves all court-connected dispute resolution programs in Georgia.

Hugh has published papers and book chapters concerning contracting issues and has spoken at many seminars and programs. He has served in various positions for the Section of Public Contract Law of the American Bar Association, including Chairman of its Committee on Dispute Resolution, and of its Construction Division for three years. Hugh was a member of the Section Council from 1997 to 2006. He then successively was Vice Chair and Chair-Elect, becoming Chair of the Section in August 2003. He is also a member of the ABA's Forum Committee on the Construction Industry and Sections of Litigation and Alternative Dispute Resolution. Hugh was President of the Atlanta Chapter of the National Contract Management Association and a National Director.

He has been designated by his peers as a Georgia Super Lawyer for 2004, 2007, and 2008. He was selected as one of 20 construction lawyers in Georgia to be included in *The International Who's Who of Business Lawyers* for 2006 and one of 26 construction lawyers in Georgia for the 2007 edition. Hugh was appointed to the Disciplinary Board of the State Bar of Georgia in 2005. He was Chair of the Investigative Panel of the Board in 2008-2009.

He is a member of the American Arbitration Association's National Construction and Commercial Panel of Neutrals and of the AAA National Panel of Construction Mediators. He was appointed by the AAA president to the national Task Force on the Construction Industry in 1994 and currently is a member of the AAA National Construction Dispute Resolution Committee. He has had arbitrator training by the AAA and has been an instructor in AAA arbitrator training courses. Hugh was trained

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### Areas of Practice

- Construction Law
- Government Contracts
- Arbitration
- Contracts
- Mediation
- Administrative Law

### Education

- Davidson College (B.A., 1966)
- Pacific Lutheran University (M.A., 1974)
- University of Georgia School of Law (J.D., cum laude, Order of the Coif, 1981)

### Bar and Court Admissions

- Georgia, 1981
- District of Columbia, 1991
- Florida, 1994
- Supreme Court of Georgia, 1981
- U.S. District Court Northern District of Georgia, 1981
- U.S. Court of Appeals 5th Circuit, 1981
- U.S. Court of Appeals 11th Circuit, 1981
- U.S. District Court Middle District of Georgia, 1983
- U.S. Court of Federal Claims, 1983
- U.S. District Court Eastern District of Wisconsin, 1985
- U.S. District Court of the District of Columbia, 1991
- U.S. Court of Appeals District of Columbia Circuit, 1991
- U.S. Supreme Court, 1993
- U.S. District Court Middle District of



as a mediator in 1997 and completed additional mediation training at the Straus Institute of Pepperdine University Law School in 2004. He is an active arbitrator and mediator of commercial, government contract, and construction disputes. He is a neutral registered by the Georgia Supreme Court in general mediation and arbitration and a founding member of the Georgia Academy of Mediators and Arbitrators.

Hugh is a member of the Druid Hills Golf Club and the Druid Hills Civic Association. He was President of the Lawyers Club of Atlanta, a 1700-member voluntary bar organization founded in 1922, for 1998-1999 and served on its Executive Committee for eight years.

## Articles & Publications

- "Inadvertent Disclosure of Privileged Material", Georgia State Bar Journal, Vol. 18, No. 04, May, 1982.
- "Economic Loss Rule: A Fair Balancing of Interests" (co-author), Construction Lawyer, Vol. 11, No. 2, April, 1991.
- Chapter, "Liability for Economic Losses", Construction Law Update, Wiley Law Publications, 1992.
- "Alternative Clauses to Standard Construction Contracts, Second Edition" (contributing author), John Wiley & Sons, Inc., 1998.
- "Alternative Clauses to Standard Construction Contracts, Second Edition, 1999 Supplement" (contributing author), John Wiley & Sons, Inc., 1999.
- *Common Sense Construction Law*, Sweeney, Kelleher, Beck & Hafer, Editors, editor, Chapter 6 "Contract Changes", John Wiley & Sons, Inc., 1997.
- "Eroding Foundations: Increased Liability of Construction Design Professionals," The Procurement Lawyer, Vol. 32., No. 2, Winter, 1997.
- *1992 Wiley Construction Law Update*; Currie and Sweeney, authors; Chapter 9: *Current Status of Economic Loss Rule* (co-author with Luther House), John Wiley & Sons, Inc.
- *Excessive Rain is Not a Differing Site Condition*, Vol. 11, No. 3, Summer 1997; *Bidder's Knowledge of Subsurface Site Conditions*, Vol. 9, No. 3, Summer 1995; *Replacement of Striking Workers - Government Contracts*, Vol. 9 No. 2, Spring 1995; Newsletter, *Smith Currie & Hancock's Common Sense Contracting*.
- *Union-Only Contracts Banned*, February/March 1993; *Letters of Credit in Lieu of Miller Act Bond*, October/November 1992; *Davis-Bacon Rules Changed*, February/March 1992; *No Warranty - No Payment*, Winter 1991, *Construction Contracting Alert* (Newsletter), John Wiley & Sons.
- *Federal Government Construction Contracts*, John Wiley & Sons, co-editor 2008; co-editor 2d ed. 2010.
- *Common Sense Construction Law, 4th ed.* (contributing editor), John Wiley & Sons, 2009.

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Florida, 1996

- U.S. District Court Northern District of Florida, 2001
- U.S. District Court Southern District of Florida, 2001

## Memberships

- American Arbitration Association, National Panel of Neutrals, Member, 1983-Present
- American Bar Association, Sections of Litigation, Public Contract Law and Alternative Dispute Resolution; Forum Committee on the Construction Industry, Member
- National Contract Management Association, Director, 1984 - 1985, President, Atlanta Chapter 1988 - 1989
- State Bar of Georgia, Member
- The Florida Bar, Member
- District of Columbia Bar, Member
- Lawyers Club of Atlanta, Executive Committee, 1993 - 2000, Member; President 1998-1999
- American Bar Association, Section of Public Contract Law, 1997 - 2006, Section Council Member and Officer; Chair 2003-2004
- American Bar Foundation, Fellow
- Lawyers Foundation of Georgia, Fellow

## Other Experience

- United States Army (Active Duty, 1966-1978); United States Army Reserve (1978-2002), Lieutenant Colonel (Retired)
- Inspector General, U.S. Army Forces Command HQ (Government Contracting); Department of the



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## Representative Matters

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- Mr. Lantz Balthazar, President, ISPA, Inc.
- Mr. John Tirrill, Senior Vice-President, Branch Properties
- Mr. Robert D. Najor, Advance Construction Services, Inc.

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Army General Staff (Aviation  
Systems Procurement Officer)  
(Competition Advocate General -  
Mobilization)