Fifth Circuit En Banc Simplifies Rule for Identifying Maritime Contracts in the Oilfield

The Fifth Circuit *en banc* has handed down an historic re-working of the test for determining whether oilfield contracts are maritime or non-maritime in nature, according to a **Baker Donelson post**.

Christopher Hannan writes that the *en banc* decision in *In Re Larry Doiron, Inc*. simplifies decades' worth of confusing and often inconsistent jurisprudence to give a more streamlined and hopefully predictable rule for determining whether oilfield contracts are maritime or not.

He quotes the *en banc* ruling:

> First, is the contract one to provide services to facilitate the drilling or production of oil and gas on navigable waters? . . . Second, if the answer to the above question is "yes," does the contract provide or do the parties expect that a vessel will play a substantial role in the completion of the contract? If so, the contract is maritime in nature.

Read the article.