

**BRIAN HUTCHINS, ESQ.**

Consultant and Counselor at Law

P.O. Box 2366

Carson City, Nevada 89702

(775) 883-8555 bhconsultingllc@sbcglobal.net

**SUMMARY RESUME****PROFESSIONAL EXPERIENCE:****BH Consulting LLC** (Apr. 2005 to present)

Brian Hutchins formed his legal consulting company in April of 2005. He provides legal services in many areas, including transportation issues, land acquisition, zoning and land use, public safety wireless radio system project management, construction contracting, environmental law, risk management, mining, and business planning and start up. He has also provided long-term counsel to the Nevada Commission on Judicial Discipline. His clients have included city, county and state governments, private individuals and businesses, and non-profit organizations. Mr. Hutchins was a member of and frequent speaker for, the Eminent Domain and Land Use Committee of the Transportation Research Board (TRB), a part of the National Academies until 2011. He has written numerous articles for *The Natural Lawyer* by the TRB Environmental Law Committee. He is a member of the Nevada Bar Construction Section and the Real Property Section. He has also spoken to the Institute of Transportation Engineers, the Nevada Street and Highway Conference, and the Nevada Civil Government Attorneys Conference.

**Office of the Attorney General of Nevada**

**Chief Deputy, Transportation and Public Safety Division** (Dec. 1989 to Feb. 2005). Mr. Hutchins was chief counsel to the Nevada Department of Transportation (NDOT) and supervised deputies advising NDOT as well as deputies advising the Departments of Motor Vehicles and Public Safety. He was responsible for advice on and litigation of right of way acquisition and issues; hydrology and environmental legal issues; tort defense; and risk management. He oversaw legal review of construction contract awards, claims (including delay, differing site conditions, scheduling and change order issues), and litigation. He wrote numerous legal opinions covering a wide range of transportation and governmental issues. He also oversaw a division budget and state-wide staff while providing daily advice to his clients.

**Chief Deputy, Criminal Justice Division** (Jan. 1987 to Dec. 1989). Mr. Hutchins was employed as the chief prosecutor for the state. He was responsible for a large state-wide attorney staff prosecuting state employee crimes, insurance fraud, inmate crimes and county assistance actions. He also advised the Department of Prisons, Department of Parole and Probation, Parole Board and state investigation division. He defended federal civil rights and state tort actions against state agencies and employees. Mr. Hutchins coordinated the state-wide law enforcement legislation effort, lectured for peace officer academies and prosecutor training, participated on state-wide committees, and developed the first division administrative manual.

**Deputy Attorney General, Criminal Division** (Jan. 1983 to Jan. 1987). Initially working as counsel to the Department of Parole and Probation, Mr. Hutchins handled a diverse caseload, including civil rights defense and habeas corpus litigation. He became the first state capital case coordinator.

**Deputy Attorney General** (Aug. 1982 to Jan. 1983; Oct. 1980 to May 1982). Initial employment period was in the criminal division as counsel to the Nevada Investigation Division providing prosecution assistance to district attorneys, pursuing vehicle forfeitures, making grand jury presentations of prison drug and gang activities, and drafting and presenting criminal law legislation. Later, he was counsel to the Department of Motor Vehicles with duties including contract review and drafting, prosecution of license suspensions and revocations, defense of false arrest and personal injury actions, personnel advice, and attorney general opinions.

**Supreme Court of Nevada**

Law clerk to supreme court justice preparing bench memoranda and draft opinions (Aug. 1979 – Aug. 1980)

**BAR ADMISSIONS:** Nevada; California; U.S. District Court, Nevada; 9<sup>th</sup> Circuit Court of Appeals; U.S. Supreme Court

**EDUCATION:** Juris Doctor, California Western School of Law, San Diego (*cum laude*)

Executive Editor, Law Review; published author; Advocacy Honors Board

B.A., California State University, Fullerton (political science major; music and Spanish minors)

**CERTIFICATION:** Prequalified by NDOT as a potential contractor in the discipline of construction claims from 2010 to 2012.

**COURSES AND SEMINARS ATTENDED** (After 1989)(partial list):

Fed. Publications, Construction Contract Litig./Arbitration (Mar. 1993)

AASHTO, State Management Institute (May 1994)(5 days)

Nev. Att'y Gen., Attorney Management Seminar (Nov. 2001)(2 days)

National Judicial College, Mediation (Reno, NV, 2002)(5 days)

TRB, Dispute Resolution – A State Perspective (Jan. 2006)

TRB, Alternative Dispute Resolution for Construction Claims (Jan. 2006)

TRB, Ohio DOT – Consultant Accountability Initiative (Jan. 2007)

Nev. Dep't of Transp., Nevada Traffic Safety Summit (Las Vegas, NV, Mar. 2008)

TRB, A New Strategy for Preventing, Detecting & Remediating Construction Fraud (July 2010)

TRB, False Claims in Construction . . . (July 2010)

Nev. Bar, Construction Defect Litigation and Related Insurance Coverage Issues (Reno, Oct. 2010)

Dispute Resolution Board Foundation, Dispute Review Team Training Workshop (Apr. 2016)

**COMMITTEES and PRESENTATIONS** (select list after 1989):

TRB, Annual Meeting Panel Presentation, Washington, D.C., and Legal Workshop Panel Presentation in Savannah, GA, *Intergovernmental Use of Police Power, Balancing Land Use and Transportation; Billboards and Billboard Programs* (Jan. and July 2004)

TRB, Legal Workshop Panel Presentation in Portland, OR, *Partnering with Developers to Capture the Value of Highway Improvements: Experience from Nevada* (July 2005)

Nevada Street and Highway Conference in Reno, NV, *Disadvantaged Business Enterprise Case in the Ninth Circuit* (Apr. 2006)

TRB, Legal Workshop Panel Presentation in Chicago, IL and Panel Presentation at 86<sup>th</sup> Annual Meeting in Washington D.C., *The Implications of Kelo v. City of New London, et.al on Transportation Facilities and Partnerships* (July 2006 and Jan. 2007)

Institute of Transportation Engineers, Intermountain Section at Jackson, WY, *Legal Aspects of Implementing Access Management Policies* (May 2007)

Nev. Gov't Civil Attorneys Conference, *Current Issues in Eminent Domain and Regulatory Takings in Nevada* (South Lake Tahoe, NV, May 2008)

TRB, Legal Workshop Presentation in Denver, CO, *The American Recovery and Reinvestment Act of 2009: Right of Way and Eminent Domain Issues* (July 2009)

TRB, Legal Workshop Presentation in Newport, RI, *The Care and Proper Feeding of Expert Witnesses* (moderator/panelist, July 2010)

Member, Nevada Bar Construction Section (2007 to present); Nevada Bar Real Property Section (2008 to present)

TRB: Member of Eminent Domain & Land Use Committee (2002 – 2011); Friend of Contract Law Committee (2002 – 2011); Friend of Environmental Law Committee (2002 – 2013)