



### **Professor Keith R. Fisher**

An honors graduate of Princeton University and Georgetown University Law Center, and with many years of experience in large law firm private practice and as a full-time law professor, Keith Fisher is the first Distinguished Fellow at the National Judicial College (NJC). Professor Fisher is a nationally known expert in several areas, ranging from legal and judicial ethics to domestic and international financial services regulation. He has served as a member of the A.B.A. Standing Committee on Ethics and Professional Responsibility and as Chair of the Professional Responsibility Committee of the A.B.A. Business Law Section. He is currently the Executive Editor for Legal Opinions and Professional Responsibility for *Business Law Today* and author of the Lexis-Nexis/Matthew Bender *Banking Law Manual*, updated semiannually. His published scholarship has appeared in a wide variety of law reviews and anthologies, and some of his articles have won prizes or honoraria or been cited in judicial opinions.

Keith was the principal drafter of the A.B.A.'s *amicus curiae* briefs (at both the certiorari and merits stages) to the U.S. Supreme Court in *Caperton v. Massey Coal Co.* (dealing with the due process ramifications of a judge's refusal to recuse). He has assisted the Conference of Chief Justices Professionalism Committee, which focuses on all aspects of bar admissions and regulation of the legal profession, including the regulation of foreign lawyers.

Keith has considerable experience in large law firm practice where, among other things, he worked on Supreme Court and other appellate matters with E. Barrett Prettyman, Jr. and (now Chief Justice) John Roberts. Prior to joining NJC, he served as Principal Consultant and Senior Counsel for Domestic and International Court Initiatives at the National Center for State Courts (NCSC), where he served as counsel to the amicus committee of the Conference of Chief Justices, which submitted briefs *amicus curiae* to

the U.S. Supreme Court in support of Delaware's judicial selection system in *Carney v. Adams* and to the U.S. Courts of Appeals for the Fifth Circuit (en banc) in a challenge to Dallas County's cash bail system and the Ninth Circuit on a First Amendment challenges to the Code of Judicial Conduct and State court policies on making newly filed civil complaints available to the media. He also served advisor to the CCJ Professionalism Committee on bar licensing and admission of foreign lawyers and as counsel to the National Task Force on Fines, Fees, and Bail Practices.

Keith's work in Judicial Ethics includes innovative and tailored in-person and virtual ethics trainings for judges at all levels, both across the United States around the world. Speaking engagements in recent years include the International Conference on Court Excellence in Singapore, the Department of Justice's Professional Responsibility Training Session for U.S. Immigration Judges, a American-Hellenic Chamber of Commerce Symposium on Improving the Greek Court System, the Magistrature de Quebec's *Colloque soulignant les 40 ans du Conseil de la magistrature*, the U.N.'s Global Judicial Integrity Network, the Konrad Adenauer Stiftung's conference on judicial ethics and social media, and the Judicial Education Institute of Trinidad and Tobago. He has also done anti-corruption training for judges and prosecutors in Suriname and has served on the Board of Editors for UNESCO publications on judicial bioethics.

Keith also has a degree in music theory and composition and studied as a child at the Juilliard School of Music in New York. He had a leading role in the Franco-Swiss docudrama *Cleveland vs. Wall Street*, which was selected for the Cannes Film Festival in 2010. He enjoys racquet sports, is an avid chess and bridge player, and has a love of learning about foreign languages and cultures. He speaks French, Italian, German, Spanish, Greek, and a smattering of Japanese.

### **Some Representative Publications:**

*Judicial Ethics in a World of Social Media*, reprinted in KONRAD ADENAUER STIFTUNG, IMPARTIALITY OF JUDGES AND SOCIAL MEDIA: APPROACHES, REGULATIONS AND RESULTS 7 (ANJA-KATRIN FINKE, ED. 2020).

TRENDS CLOSE-UP: THE ETHICS OF SEARCH ENGINES & JUDGING (2018)

BANKING LAW MANUAL (Lexis-Nexis/Matthew Bender (2015 - )).

*Legal Process Outsourcing and the Model Rules of Professional Conduct*, 34 COMP. L. YEARBOOK INT'L BUS. 507 (2013).

*CFPB Rulemaking Portends Unilateral Federal Agency Modification of Attorney-Client and Work Product Protection*, 16 CONSUMER FIN. SVCS. L. REP., Issue No. 2, at 11 (June 19, 2012).

*Selva oscura: Campaign Support, Judicial Disqualification, and Due Process*, 48 DUQ. L. REV. 767 (2010) – commissioned by the Duquesne Law Review for a symposium on judicial independence.

*Education for Judicial Aspirants*, 43 AKRON L. REV. 163 (2009).

*Repudiating the Holmesian "Bad Man" Through Contextual Ethical Reasoning*, 2008 J. PROF. LAW. 13 (2008), available at <http://www.abanet.org/cpr/centennial.html>

*Transparency in Global Merger Review: A Limited Role for the WTO?*, 11 STANFORD J. LAW, BUS. & FIN. 327 (2006).

*Toward a Basal Tenth Amendment: A Riposte to National Bank Preemption of State Consumer Protection Laws*, 29 HARV. J. L. & PUB. POL'Y 981 (2006)

*Transnational Competition Law and the WTO*, in 2 BUSINESS LAW & TECHNOLOGY: PRESENT AND EMERGING TRENDS 273 (Sylvia Mercado Kierkegaard ed., 2006).

*The Higher Calling: Regulation of Lawyers Post-Enron*, 37 UNIV. OF MICH. J. L. REFORM 1017 (2004).