

KEITH W. RIZZARDI

SUMMARY

Educator, experienced lawyer & manager, mediator, consensus builder & public servant.

EMPLOYMENT CHRONOLOGY

2023-present Nova Southeastern University, Shepard Broad College of Law, Professor
2019-present Gray Robinson, P.A., Special Counsel
2011-2023 St. Thomas University College of Law, Professor
2016-2019 Burri Law, P.A., Special Counsel
2011-2015 Jones Foster, P.A., Special Counsel
2009-2015 NOAA Fisheries, Marine Fisheries Advisory Committee, Member & Chair
2007-2011 South Florida Water Management District, Managing Attorney
2002-2007 U.S. Department of Justice, Trial Attorney
1995-2002 South Florida Water Management District, Attorney & Senior Attorney

EDUCATION

University of Virginia

Bachelor of Arts (1991)

University of Florida, College of Law

Juris Doctor with Honors (1994)

Florida Atlantic University

Master of Public Administration (1998)

University of Notre Dame, *Executive*

Certificate in Negotiation (2011)(online)

BAR ADMISSIONS & CERTIFICATIONS

The Florida Bar, *Member* (1994-)

District of Columbia Bar, *Member* (2015-)

U.S. Supreme Court Bar (2004-)

U.S. Court of Appeals (11th & Fed. Cir.)

U.S. District Courts (N.D. Fla., S.D. Fla.)

U.S. Court of Federal Claims

Board Certified by the Florida Bar in State &
Federal Government & Administrative Practice
(2007/2012/2017/2022)

LAW TEACHING EXPERIENCE

Nova Southeastern Shepard Broad College of Law • Davie, FL

Professor of Law (2023–present).

TEACHING courses in civil procedure, Florida constitutional law & environmental law.

SERVICE: Admissions Committee & Program Evaluation Committee, advisor to emerging LLM

SCHOLARSHIP on ethical lapses & regulatory failures in environmental law & legal education.

PARTNERSHIPS with Environmental Law Institute and National Science Foundation.

St. Thomas University School of Law • Miami Gardens, FL

Professor of Law (2018–2023); *Assoc. Prof.* (2016-18); *Asst. Prof.* (2012-16); *Visiting Asst. Prof.* (2011-12).

TEACHING civil procedure, professional responsibility & electives in Florida constitutional law, administrative law & negotiation & environmental law.

SERVICE: Admissions Committee (Chair), Accreditation Committee (Southern Association of Colleges & Schools), International Conference on Climate, Nature & Society (2017, 2019).

Assistant Director, Environmental Sustainability LLM Program (2011-14).

PARTNERSHIPS working with: *Florida League of Cities University* (2016-17)(public records);

UNESCO-IHE (May 2013, 2014, 2016)(water law); *Columbia University Sabin Center on Climate Change Law*, (2016); and *China University of Political Science & Law* in Beijing (Aug. 2015).

LAW PRACTICE EXPERIENCE

GrayRobinson, P.A. • Fort Lauderdale, FL, *Special Counsel* (2019–)

Burri Law, P.A. • Sunny Isles Beach, FL, *Special Counsel* (2016-2019)

Jones Foster, P.A. • West Palm Beach, FL, *Special Counsel* (2011-2015)

Advisor, consultant, litigator, expert witness & compliance professional.

- Assisted clients on litigation, including defamation & real estate issues.
- Developed best practices and compliance programs for Florida's public records laws.
- Advised clients on major acquisitions, leading due diligence team & advising of financial risks.
- Represented clients in matters of bar admission & professional responsibility.

South Florida Water Management District • West Palm Beach, FL

Managing Attorney (2007-2011); *Sr. Atty.* (2001-2002); *Atty.* (1998-2001); *Assoc. Atty.* (1995-1998)

Represented agency & advised Governing Board, officers & staff re: Everglades water resources.

- Managed 11 attorneys & outside counsel on environmental law & litigation matters including water quality & supply, flood control, permitting, eminent domain & U.S. Sugar acquisition.
- Advised board, officers & staff on law, policy & litigation in public & private meetings.
- Negotiated & implemented contracts & permits, litigated complex regulatory matters involving flood control, environmental impact statements, water quality, water supply & wildlife.

U.S. Department of Justice, Environment & Natural Resources Division • Washington, D.C.

Trial Attorney, Wildlife & Marine Resources Section (2002-2007)

Defended federal agencies in multi-stakeholder controversies involving Endangered Species Act, fisheries laws, NEPA & other natural resources laws, in courts nationwide, from D.C. to Hawaii.

- Served as lead counsel in cases that shaped Habitat Conservation Planning efforts nationwide.
- Recognized by NOAA for defense of cases involving fisheries & marine mammals.

VOLUNTEER LEADERSHIP

U.S. Department of Defense, Employer Support of the Guard & Reserve • MD & FL

Ombudsman (2003-present); *Ombudsman Coordinator* (2005-07); *National Advisory Committee* (2005-07)

Mediated nearly 200 human resources disputes between service members & employers; managed volunteer team. Seven Seals Award (MD 2007). Ombudsman of the Year (FL 2010).

Youth Sports • West Boynton Beach, FL. *Volunteer Coach, Manager & Referee* (2010-present).

Coached or managed 22 teams. Certified as AYSO and U.S. Soccer Referee.

NOAA Fisheries, Marine Fisheries Advisory Committee • Silver Spring, Maryland

Member (2009-2015); *Elected Chair* (2011-2013); *Reappointed Chair* (2013-2015)

Collaborated with NOAA staff to shape discussion agendas, led meetings & offered advice on aquaculture, climate, sustainability, seafood certification, & other living marine resources issues.

Association of American Law Schools • *Natural Resources & Energy Law Section* (2017-2020)

Served as scholarship advisor, panelist, officer, and eventually chair for legal education nonprofit.

The Florida Bar • Tallahassee, FL

Professional Ethics Committee, Member (2014-2017); *Committee on Professionalism, Member* (2002-2006)

Government Lawyer Section, Chair (2003-2004, 2009-2010); *Executive Council Member* (1996-)

State & Federal Government & Administrative Practice Committee (2006-2010)

BOOKS AND BOOK CHAPTERS

- Co-author: David Crump, Kevin Leske, Keith Rizzardi et. al., *Cases and Materials in Civil Procedure* (7th Edition, Carolina Academic Press)
- “Management On the Fly: Water and the Migratory Bird Treaty Act” in Robert Abrams, *Water Rights and Environmental Regulation* (ABA Press, 2018)
- “Flee the Rising Sea? South Florida’s Choice of Leadership or Litigation” in Randall Abate, *Climate Justice: Case Studies in Global and Regional Governance Challenges* (ELI Press 2016)
- “Who Says that Fish Filet Is Sustainable?” in Randy Abate, *What Can Animal Law Learn from Environmental Law?* ELI Press (2015, 2020)
- “Marine Mammal Protection Act in an Era of Climate Change” in Randy Abate, *Ocean & Coastal Law in the Climate Change Context: Domestic and International Regulatory Challenges*, Oxford Press (2014)
- “Attorney’s fees” in *ABA Administrative Law Section Annual Update* (2005-06, 2004-05, 2003-04)
- §7 Consultation, *The Florida Bar Environmental & Land Use Law Treatise* (updated 2000, 2004)

SCHOLARLY ARTICLES

- Micro-Deregulation: Polluting Florida’s Water, One Drop At A Time, 25 *Vermont Journal of Environmental Law* 330 (2024)
- Take Precautions? Monitoring Florida’s Hazardous Algal Blooms Is A Start, Not An Ending, 1 *Jacksonville Law Review* 1 (2024)
- See, Hear and Speak No Sea Level? The Elusive Ethics of the Coastal Property Professional? 16 *George Washington Journal of Energy & Environmental Law* 1 (2024)
- “From Four Horsemen to the Rule of Six: The Deconstruction of Judicial Deference,” forthcoming in the *Michigan Journal of Administrative & Environmental Law* (Spring 2023)
- "Honor the Oath, Constitution and Profession: Reform the Florida Board of Bar Examiners" 52 *Stetson Law Review* 1 (2022)
- “Excess Confidentiality: How Bar Examiners Defy Principles of Administrative & Judicial Transparency” 34 *Georgetown Journal of Legal Ethics* 423 (Spring 2021)
- Money, Mandates and Water Management: Foreshadowing a Florida Disaster, 21 *Vermont Journal of Environmental Law* 1 (2019)
- Expectations in the Mirror: Lawyer Professionalism and the Errors of Mandatory Aspirations, 44 *Florida State Law Review* 691 (2017)
- Rising Seas, Receding Ethics? Why Real Estate Professionals Should Seek the Moral High Ground, 6 *Washington & Lee Journal of Energy, Climate and Environment* 2:402 (2015)
- Sunburned: How Misuse of the Public Records Laws Creates an Overburdened, More Expensive and Less Transparent Government, 44 *Stetson Law Review* 425 (2015)
- Victims of Disorganized Thinking: When Law Students with Mental Health Issues Confront Florida’s Unconstitutional Inquisition, 4 *Mental Health Law & Policy Journal* 87 (2015)
- Why FACA Doesn’t Like facebook: Social Media, Public Input, & the Federal Advisory Committee Act, 9 *Charleston Law Review* 75 (Fall 2014)
- Lance H. Gunderson, Ahjond Garmestani, Keith W. Rizzardi & J.B. Ruhl, Escaping a Rigidity Trap; Governance and Adaptive Capacity to Climate Change in the Everglades Social Ecological System, 51 *Idaho Law Review* 127 (2014)
- Sea Level Lies: The Duty to Confront the Denier, 44 *Stetson Law Review* 75 (Fall 2014)
- The Duty to Advise the Lorax: Environmental Advocacy and the Risk of Reform, 37 *William & Mary Environmental Law & Policy Review* 25 (2012)
- Regulating Restoration: Why the Perfect Permit is the Enemy of the Good Project. 27 *Nova Law Review* 51 (2002)
- Translating Science Into Law: Phosphorus Standards in the Everglades. 17 *Journal of Land Use & Environmental Law* 149 (2001)

The Everglades Ecosystem: From Engineering to Litigation to Consensus-Based Restoration. Co-authored with John J. Fumero, 13 *St. Thomas University Law Review* 667 (2001)
The Everglades in Jeopardy: A Drama Starring the Endangered Cape Sable Seaside Sparrow. 27 *Florida State University Law Review* 349 (2000)
Toothless? The Endangered Manatee and Florida Manatee Sanctuary Act. 24 *Florida State University Law Review* 377 (1997) cited in *GDF Realty Investments, Ltd. v. Norton*, 326 F.3d 622, (5th Cir. 2003)

OTHER PUBLICATIONS

Debriefing Hurricane Matthew: Fear, Courage and an Insight into Rising Seas, CIGI Guest Opinion (Oct. 2016) <https://www.cigionline.org/articles/debriefing-hurricane-matthew-fear-courage-and-insight-rising-seas>
Appealing Administrative Action: Threshold Considerations, *Florida Bar Journal* 88(5): 39 (May 2014)
Redefining Professionalism: Florida's Code Mandating the Aspirational Raises Challenging Questions, *Florida Bar Journal* 87(9):39 (Nov. 2013)
Contributor and Editor, Hawkins Commission on Review of the Discipline System (2012).
"Controlling Jurisdiction" and the Duty to Disclose Adverse Authority: Florida's District Courts of Appeal Reign Supreme on Matters of First Impression, *Florida Bar Journal* 85(10):46 (Dec. 2011)
ESAblawg.com, the Endangered Species Act blog (2008-2012)(earned Top 50 Blogs of 2011 from LexisNexis Environmental Law & Climate Change Community)
Professionalism: I Know It When I See It? *Florida Bar Journal* 79(7):38 (July 2005)
Implementing Legally Mandated Science and Peer Review in Support of the Everglades Restoration Program; Co-authored with T. Fontaine, G. Redfield. 123 *Water Resources Update* 21 (2003)
Alligators and Litigators: A History of Everglades Litigation. *Florida Bar Journal* 75(3):18 (March 2001)