

# 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 (11<sup>th</sup> & 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).

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## 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)

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## BOOKS AND BOOK CHAPTERS

Co-author: David Crump, Kevin Leske, Keith Rizzardi et. al., *Cases and Materials in Civil Procedure* (7<sup>th</sup> 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)

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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)