

KEITH SWISHER

EDUCATION

HARVARD LAW SCHOOL

Cambridge, MA

Master of Laws (LL.M.), 2007

Thesis: The Judicial Ethics of Criminal Law Adjudication

Honors: “A” G.P.A.; Editor, Harvard Civil Rights-Civil Liberties Law Review

ARIZONA STATE UNIVERSITY COLLEGE OF LAW

Tempe, AZ

Juris Doctor, summa cum laude, 2004

Rank: 1/169

Honors: Comment, Note & Legislative Review Editor, Arizona State Law Journal;
Armstrong Award (Class Valedictorian); Chief Judge Mary Schroeder
Award (Federal Bar Association); Pedrick Scholar

Activities: Advocacy Program Against Domestic Violence, Homeless Legal
Assistance Project, The Justice Project, *pro bono*

ARIZONA STATE UNIVERSITY

Tempe, AZ

Ph.D., Philosophy, 2025

Areas: Moral Philosophy, Artificial Intelligence, and Law

Dissertation: The Rise of Legal Machines and the Transcendence of Human Ethics

ARIZONA STATE UNIVERSITY

Tempe, AZ

Bachelor of Science in Political Science, summa cum laude, 2001

Honors: Junior Fellow for Political Science Department

PUBLICATIONS

BOOKS, BOOK CHAPTERS, AND SUPPLEMENTS:

- JUDICIAL CONDUCT AND ETHICS (7TH ED., forthcoming 2027) (with Charles Geyh, James Alfini & Renee Knake Jefferson).
- PROBLEMS IN PROFESSIONAL RESPONSIBILITY FOR A CHANGING PROFESSION (Seventh ed., forthcoming 2026) (with Andrew Kaufman, David Wilkins & Eli Wald)
- JUDICIAL CONDUCT AND ETHICS (6TH ED. SUPPLEMENT, forthcoming 2025) (with Charles Geyh, James Alfini & Renee Knake Jefferson).
- JUDICIAL CONDUCT AND ETHICS (6TH ED. SUPPLEMENT 2023) (with Charles Geyh & James Alfini).
- PROBLEMS IN PROFESSIONAL RESPONSIBILITY FOR A CHANGING PROFESSION (Sixth

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FORMER BLOGS: JUDICIALETHICSFORUM.COM AND DQED.COM

ed. 2017) (with Andrew Kaufman, David Wilkins & Eli Wald).

- JUDICIAL ETHICS (Routledge Publishing, Keith Swisher ed. 2016).
- *Unauthorized Practice of Law and Multijurisdictional Practice of Law*, in ANNOTATED MODEL RULES OF PROFESSIONAL CONDUCT (10th ed. 2023) (in conjunction with the ABA Center for Professional Responsibility).
- *Unauthorized Practice of Law, Multijurisdictional Practice of Law, Disciplinary Authority, and Choice of Law (Chapters)*, in ANNOTATED MODEL RULES OF PROFESSIONAL CONDUCT (9th ed. 2019) (in conjunction with the ABA Center for Professional Responsibility).
- *Unauthorized Practice of Law, Multijurisdictional Practice of Law, Disciplinary Authority, and Choice of Law (Chapters)*, in ANNOTATED MODEL RULES OF PROFESSIONAL CONDUCT (8th ed. 2015) (in conjunction with the ABA Center for Professional Responsibility).
- *Organization as Client*, in ANNOTATED MODEL RULES OF PROFESSIONAL CONDUCT (7th ed. 2011) (in conjunction with the ABA Center for Professional Responsibility).

ARTICLES:

- *AI Adjudication* (with Marcello Di Bello), work in progress
- *The Moral Gaps in Legal Machines*, Winner: 2026 American Inns of Court Warren E. Burger Prize (forthcoming)
- *Classifying and Countering AI Proxy Discrimination*, 79 STAN. L. REV. ONLINE (forthcoming 2026).
- *Algorithmic Judicial Ethics*, 2024 WISC. L. REV. 1289.
- *The Right to (Human) Counsel: Real Responsibility for Artificial Intelligence*, 74 S.C. L. REV. 823 (2023).
- *Death and Ethics: Suffocating or Saving Nonlawyer Practitioners with Lawyer Ethics*, 70 UCLA L. REV. DISC. 52 (2022).
- *The (Over)Use of Age and Custom in Legal Ethics*, 52 VAL. U. L. REV. 165 (2018) (Tabor Lecture in Legal Ethics).
- *Surveying Justice*, 46 HOFSTRA L. REV. 275 (2017) (invited symposium essay).
- *Caperton and the Courts: Did the Floodgates Open?*, 18 N.Y.U. J. LEGIS. & PUB. POL'Y 481 (2015) (with Adam Liptak, James Sample & Bradley Smith).
- *The Practice and Theory of Lawyer Disqualification*, 27 GEORGETOWN J. LEGAL ETHICS

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71 (2014), *cited in United States v. Perry*, 30 F. Supp. 3d 514 (E.D. Va. 2014).

- *Disqualifying Defense Counsel: The Curse of the Sixth Amendment*, 4 ST. MARY'S J. LEGAL MALPRACTICE & ETHICS 374 (2014); original paper selected for inclusion in the Fifteenth Harvard/Stanford/Yale Junior Faculty Forum, Stanford Law School, June 27-28, 2014 (out of 400-plus submissions, 18 papers were selected through blind peer-review).
- *The Short History of Arizona Legal Ethics*, 45 ARIZ. ST. L.J. 813 (2013).
- *Recusal, Government Ethics, and Superannuated Constitutional Theory*, 72 MARYLAND L. REV. 219 (2012).
- *Prosecutorial Conflicts of Interest in Post-Conviction Practice*, 41 HOFSTRA L. REV. 181 (2012) (invited).
- *Legal Ethics and Campaign Contributions: The Professional Responsibility to Pay for Justice*, 24 GEORGETOWN J. LEGAL ETHICS 225 (2011).
- *Disciplinary Authority and Choice of Law in Online Advertising: Disclaimers or Double Deontology*, 21 PROF. LAW. 8 (ABA, 2011).
- *Pro-Prosecution Judges: "Tough on Crime," Soft on Strategy, Ripe for Disqualification*, 52 ARIZ. L. REV. 317 (2010), *cited in Wisconsin v. Allen*, 778 N.W.2d 863 (Wis. 2010).
- *The Judicial Ethics of Criminal Law Adjudication*, 41 ARIZ. ST. L.J. 755 (2009).
- *When Judges Should Be Seen, Not Heard: Extrajudicial Comments Concerning Pending Cases and the Controversial Self-Defense Exception in the New Code of Judicial Conduct*, 64 N.Y.U. ANN. SURV. AM. L. 559 (2009) (with Mark I. Harrison), *cited in White v. NFL*, 585 F.3d 1129 (8th Cir. 2009).
- *The Modern Movement of Vindicating Violations of Criminal Defendants' Rights Through Judicial Discipline*, 14 WASH. & LEE J. CIVIL RTS. & SOC. JUST. 255 (2009).
- *The Troubling Rise of the Legal Profession's "Good" Moral Character*, 82 ST. JOHN'S L. REV. 1037 (2008).
- *The Moral Judge*, 56 DRAKE L. REV. 637 (2008) (article for symposium issue cosponsored by the American Judicature Society).
- *The Unethical Judicial Ethics of Instrumentalism and Detachment in American Legal Thought*, 43 WILLAMETTE L. REV. 577 (2007), *reprinted in BENCH AND BAR ETHICS* (P.L. Jayanthi Reddy ed., Icfai Univ. Press, 2007).
- *On the Validity and Vitality of Arizona's Judicial Merit Selection System: Past, Present, and Future*, 34 FORDHAM URB. L.J. 239 (2007) (with Mark I. Harrison, Sara S. Greene & Meghan H. Gabel).

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- Note, *The Limits of Rule 408 After Hernandez*, 35 ARIZ. ST. L.J. 1437 (2003).

REPORTS, WHITE PAPERS, AND MINOR PUBLICATIONS:

- Building Transformative and Representative Pipelines: The JD-Next and BA in Law Programs at the University of Arizona, in *Building an Antiracist Law School*, Legal Academy, and Legal Profession (Antiracist Development Institute, Penn. St. U., University of California Press, forthcoming 2026) (with Jess Findley and Marc L. Miller).
- *A Four-Year Tour Through Arizona's Changing Ethical Landscape*, 45 MARICOPA LAWYER 16, June 2026.
- *Judicial Discipline in the States*, Judicial Discipline Pre-Convening Whitepaper (IAALS 2018).
- *Point-Counterpoint: A Speech Code for Lawyers?*, 101 JUDICATURE 70 (Duke Law Center for Judicial Studies 2017) (written debate with Professor Eugene Volokh).
- Principal Drafter of ABA's Amicus Brief in *Williams v. Pennsylvania*, No. 15-5040, cited in the majority opinion at 579 U.S. 1, 136 S. Ct. 1899 (2016).
- *Defendants Guilty of Being Innocent; Prosecutors Guilty of Being Human*, ARIZ. ATT'Y, May 2013 (written prosecutorial ethics debate with the Maricopa County Attorney William Montgomery, who is the head elected prosecutor for Phoenix).
- *Changing Ethics in Arizona*, ATTORNEY AT LAW, Dec. 2012.
- *Foreword: Arizona's Constitution at the Centennial*, 3 PHOENIX L. REV. 1 (2010) (with Managing Editor Anthony Tsontakis).
- *Common Traps in Making the Record for Appeal*, A.B.A. PP&D [PRETRIAL PRACTICE & DISCOVERY], Summer 2006 (with Thomas L. Hudson).
- *Criminal Justice Seminar: The Justice Project Spreads into the Law School Curriculum*, THE DEFENDER, Aug. 2004.

AMICUS BRIEFS:

- Principal Drafter: *Williams v. Pennsylvania*, Brief of Amicus Curiae American Bar Association, No. 15-5040, *cited in Williams v. Pennsylvania*, 579 U.S. 1 (2016).
- Signing Amicus: *Bahlul v. United States*, Brief of Amici Curiae Law Professors, No. 23-1072, S. Ct. (May 2, 2024).
- Signing Amicus: *Maples v. Thomas*, No. 10-63, Brief of Legal Ethics Professors and Practitioners and the Ethics Bureau at Yale as Amici Curiae in Support of Petitioners (May 25, 2011), *cited in Maples v. Thomas*, 565 U.S. ___, 132 S. Ct. 912 (2012).
- Signing Amicus: *Hood v. Texas*, No. 09-8610, Brief of 30 Leading Ethicists as Amicus Curiae in Support of the Petitioner (Feb. 18, 2010).

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- Signing Amicus: *Holland v. Florida*, No. 09-5327, Brief of Legal Ethics Professors and Practitioners and the Stein Center for Law and Ethics as Amicus Curiae in Support of Petitioner (Dec. 30, 2009), *cited in Holland v. Florida*, 560 U.S. ___, 130 S. Ct. 2549 (2010); the Court's seven-member majority opinion (Breyer, J.) relied on the Brief in concluding that a capital defendant's habeas corpus petition should not be time-barred in light of his attorney's unethical conduct, and the two-member dissent (Scalia, J.) criticized the Court's reliance on the Brief.
- Signor: Ethics Experts' Declaration, *In re Inquiry Concerning a Judge* (Justice Sharon Keller) No. 96, Texas State Comm'n on Judicial Conduct (April 20, 2009).

TEACHING & RESEARCH INTERESTS

- Legal & Judicial Ethics
- Criminal Law, Criminal Procedure & Sentencing
- Data/Information Privacy
- Artificial Intelligence
- Jurisprudence & Moral Philosophy
- Torts

EXPERIENCE

UNIVERSITY OF ARIZONA JAMES E. ROGERS COLLEGE OF LAW Tucson, AZ
Faculty Director, Bachelor's in Law and Master of Legal Studies Programs, 2017-Present
Scholar, Law

- Direct three innovative, popular, diverse, and interdisciplinary degree programs, available in-person and online
- Oversee Bachelor's in Law, with program growth from 400 to over 1250 students, and co-created a Minor in Law, Legal Paraprofessional curriculum, and a new interdisciplinary bachelor's degree in science and law
- Oversee Master of Legal Studies, with program growth from 40 to 400 students, and co-created curricular innovations, such as ADR, Compliance, Cannabis Regulation, Legal Paraprofessional, and Law & Economics Emphases and Certificates
- Teach Professional Responsibility (Legal Ethics) and Procedure courses
- Chair, Undergrad/MLS Committee, 2017-Present
- Member, U-CAAC (formerly CAAC), 2017-Present
- Member, G-CAAC, 2025-Present
- Member, Online Priorities Committee, 2024-2026
- Chair, Online Programs Committee, 2021-2024

SWISHER P.C. Scottsdale, AZ
Ethics Counsel and Expert, 2012-Present

- Advise lawyers, firms, judges, and orgs on legal and judicial ethics and related issues.

- Serve as a consulting and testifying expert witness in disqualification, malpractice, ineffective assistance of counsel, and disciplinary matters.

CRIMINAL JUSTICE ACT APPELLATE PANEL

Phoenix, AZ

Panel Attorney, 2009-2020

- Represent indigent criminal defendants before the United States Court of Appeals for the Ninth Circuit.
- Argued and won en banc reversal of a young and intellectually disabled client's conviction in *United States v. Preston*, 751 F.3d 1008 (9th Cir. 2014) (en banc).

PHOENIX SCHOOL OF LAW

Phoenix, AZ

Associate Dean of Academic Affairs, 2014

Associate Dean of Faculty Scholarship, 2013-2014

Associate Dean of Faculty Development, 2011-2013

Associate Professor of Law, 2011-2015

Assistant Professor of Law (tenure-track), 2009-2011

- Taught Legal Ethics/Professional Responsibility, Jurisprudence, and Torts
- Served on Honor Appeals Court
- Served on Admissions Committee; Chaired, Subcommittee on Character and Fitness
- Served on Academic Standards and Policy Committee, Appointments Committee, Creative Works Committee, Innovation Committee, and Faculty Development Committee
- Served on InfiLaw Consortium Faculty Evaluation Committee and InfiLaw Consortium Records Management Committee
- Served as Faculty Co-Advisor of the *Phoenix Law Review*
- Received highest "collegiality"/360 rating in faculty peer assessment (2012-2013)
- 2011-2012 Recipient of the InfiLaw National Policy Board Award
- Received 2011 Teacher of the Year Award, Second Place (with Brigham Fordam)
- Received Faculty Scholarship Recognition for 2010 article (*Pro-Prosecution Judges*)
- Completed Faculty Leadership Training (Naples, Fla.)
- Co-created and built simulation law practice videogame, SimuLawyer, introducing students to contracts and professional ethics

ARIZONA STATE UNIVERSITY COLLEGE OF LAW

Tempe, AZ

Adjunct Professor of Law, 2008-2009

- Taught *Legal Ethics* (Spring 2008; Spring 2009) (with Mark I. Harrison).
- Guest-lectured in *Civil Procedure* (Fall 2008).

OSBORN MALEDON, PA

Phoenix, AZ

Associate, 2005-2006, 2007-2009

Summer Associate, 2003

- Practiced criminal and commercial litigation, appeals, and legal ethics/professional liability.
- Served as advisor to the minority writing internship program.

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HARVARD LAW SCHOOL, PROFESSOR ANDREW KAUFMAN
Research Assistant, 2006-2007

Cambridge, MA

HONORABLE WILLIAM C. CANBY, JR., UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Judicial Clerkship, 2004-2005

- Assisted drafting ten published opinions, the majority of which concerned criminal law or procedure, among other duties.

FEDERAL PUBLIC DEFENDER'S OFFICE, CAPITAL HABEAS UNIT District of Arizona
Law Clerk, 2004

- Researched for and assisted drafting briefs in *Schriro v. Summerlin*, 542 U.S. 348 (2004), and pleadings for several other capital defendants.

UNITED STATES ATTORNEY'S OFFICE, CRIMINAL DIVISION District of Arizona
Law Clerk (Externship), 2003

PERKINS COIE BROWN & BAIN
[Formerly Brown & Bain]

Phoenix, AZ

Summer Associate, 2003

- Offered partnership-track associate attorney position.

LECTURES, PRESENTATIONS & PRESS INTERVIEWS

LECTURES:

- 2017 Tabor Lecturer, Tabor Institute on Legal Ethics, Valparaiso University Law School.

PRESENTATIONS:

- Reporting Defenders and Prosecutors, Criminal Justice Ethics Schmooze, Fordham University School of Law, May 1, 2026.
- "Through a Glass, Darkly:" Navigating Conflicts of Interest in Criminal Cases, Federal Bar Association, April 28, 2026 (co-panelist).
- The Moral Gaps in Legal Machines, Pre-Submission Workshop, University of Arizona James E. Rogers College of Law, Jan. 30, 2026.
- Ethics Café: Special AI Edition, State Bar of Arizona, Nov. 4, 2025 (co-panelist).
- AI in Law: What Are We Afraid of?, Joint UA-ASU Law Summer Workshop, Arizona State University, July 31, 2025 (with Marcello Di Bello).
- AI in Law: What Are We Afraid of?, Work-in-Progress Colloquium, Arizona State

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University, April 11, 2025 (with Marcello Di Bello).

- Revised Ethics Rules for Government Lawyers, State Bar of Arizona, Feb. 4, 2025 (co-panelist).
- Ethical Use of AI in Your Law Practice, 2024 MCBA Paralegal Conference, Phoenix, AZ, Oct. 25, 2024 (with Kent Berk and Hon. David Gass).
- Ethics and Professionalism in Federal Habeas Advocacy, Federal Public Defender's Office, District of Arizona, July 30, 2024.
- Legal Paraprofessional Ethical Challenges, Annual LP Summit, University of Arizona James E. Rogers College of Law, Feb. 9, 2024.
- Algorithmic Judicial Ethics, Arizona Law Faculty Workshop, University of Arizona James E. Rogers College of Law, Jan. 26, 2024.
- Algorithms, Big Data, and Artificial Intelligence in Law: What Are We Afraid of?, Skepticism in the Real World Conference, Arizona State University, Jan. 12-14, 2024 (with Marcello Di Bello).
- Ethics & Media, Federal Public Defender's Office, District of Arizona, June 27, 2023 (co-panelist).
- Ethics Café: Pretrial and Trial Publicity, State Bar of Arizona, May 2, 2023 (co-panelist).
- Legal Paraprofessionals Nationwide: Education Requirements and Scope of Service, Annual LP Summit, University of Arizona, Jan. 20-21, 2023.
- Using Technology for Communicating and Gathering Information, ABA Center for Professional Responsibility, Jan. 18, 2023 (co-panelist).
- Cutting-Edge Ethics: Working Remotely, Working with ABS Entities and Legal Paraprofessionals, and More, MCBA Annual Paralegal Conference, Oct. 21, 2022.
- Legal Paraprofessionals in Arizona's Courts, Arizona Judicial Conference, June 23, 2022 (panelist).
- Navigating Today's Ethical Issues, Pima County Bar Association, Tucson, AZ, June 1, 2022 (panelist).
- Ethical Issues for the 21st Century Lawyer, State Bar of Arizona, Phoenix, AZ, June 10, 2022 (chair and panelist).
- The New Practitioners: Legal Paraprofessionals (LPs), 4th Annual Legal Master's Conference, Arizona State University, March 5, 2021.
- Ethics Café: Conflicts of Interest and Imputation, State Bar of Arizona, Phoenix, AZ, Jan. 5, 2021 (with co-panelists).
- Ethical Issues for the 21st Century Lawyer, State Bar of Arizona, Phoenix, AZ, Nov. 13, 2020 (chair and panelist).

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- Ethics Café: Scope of Representation, State Bar of Arizona, Phoenix, AZ, Feb. 2020 (with co-panelists).
- Legal Ethics of Nonlawyer Practitioners, Faculty Works-in-Progress Session, University of Arizona James E. Rogers College of Law, Aug. 23, 2019.
- Legal Ethics Futures, Federal Bar Ass'n, Phoenix Chapter, Phoenix, AZ, May 16, 2019 (with Mark I. Harrison).
- State Bar of Arizona Mandatory Professionalism Course, Phoenix, AZ, Nov. 13, 2018.
- Lawyer Speech Codes: Something Old, Something New, University of Arizona, June 21, 2018.
- Ethical Issues for the 21st Century Lawyer, State Bar of Arizona, Phoenix, AZ, June 15, 2018 (chair and panelist).
- A Buffet of Ethics Tidbits: Version 2018, Yuma County Bar Association, Yuma, AZ, April 30, 2018 (with Judge Mark Reeves).
- Impartiality in Judicial Conduct Proceedings, IAALS Judicial Discipline Convening, Colorado Springs, CO, March 1, 2018.
- State Bar of Arizona Mandatory Professionalism Course, Phoenix, AZ, Nov. 14, 2017.
- Lawyerly Transitions, D. French Advisors, Phoenix, AZ, Sept. 22, 2017.
- Ethical Issues for the 21st Century Lawyer, State Bar of Arizona, Phoenix, AZ, May 19, 2017 (chair and panelist).
- Firm Feud: The Great Ethics Debate, Arizona State University Sandra Day O'Connor College of Law, Feb. 24, 2017 (with co-panelists).
- A New Ethical Morning at the Movies, State Bar of Arizona, Dec. 2, 2016 (with co-panelists).
- Recusal Implications of *Williams v. Pennsylvania*, IAALS, University of Denver, Nov. 3, 2016 (with Matthew Menendez).
- Guerilla Law: Ethical Issues for the Future Practice of Law, State Bar of Arizona, Sept. 21, 2016 (with James J. Belanger).
- Fee Arbitration, Annual State Bar Convention, State Bar of Arizona, June 17, 2016 (co-panelist).
- When Media Calls: Publicizing Cases Ethically and Effectively, Annual State Bar Convention, State Bar of Arizona, June 16, 2016 (co-chair and co-panelist).
- Real-World Ethics, Maricopa County Bar Association, June 3, 2016 (with Anna Unterberger).
- Mandatory Professionalism Course for Newly Admitted Lawyers, Responsibilities to

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the Client, State Bar of Arizona, May 12, 2016 (with Thomas Griggs).

- Justice Scalia's Approach to Legal Ethics: Hostile or Pragmatic (or Both)?, Arizona State University Sandra Day O'Connor College of Law, April 12, 2016.
- Searches, Confrontations, and Sentencings: Justice Scalia's Legacy in Criminal Law and Procedure, Federal Public Defender's Office, Phoenix, Arizona, March 2, 2016 (with Keith Hilzendeger, Daniel Kaplan, and Nancy Millar).
- Changes to the Ethics Rules: What Arizona Lawyers Need to Know, State Bar of Arizona, Dec. 11, 2015.
- Mandatory Professionalism Course for Newly Admitted Lawyers, Responsibilities to the Client, State Bar of Arizona, Nov. 3, 2015.
- Mandatory Professionalism Course for Newly Admitted Lawyers, Responsibilities to the Client, State Bar of Arizona, Aug. 21, 2015.
- The Law and Ethics of Lawyer Disqualification, State Bar of Arizona, Ethics Snippets, Aug. 20, 2015.
- 10 Ways to Get Your Law Firm Disqualified – and 10 Ways to Avoid it, Maricopa County Bar Ass'n, June 30, 2015.
- Fee Disputes Following the Sale of a Law Practice, State Bar of Arizona Fee Arbitration Committee, Annual Bar Convention, June 26, 2015.
- Social Media and Confidentiality, State Bar of Arizona Committee on the Rules of Professional Conduct, Annual Bar Convention, June 24, 2015.
- Forming and Ending the Attorney-Client Relationship and Its Attendant Duties, A Roadmap Through the Elements of Legal Malpractice Claims, State Bar of Arizona, May 29, 2015.
- Real World Ethics for Paralegals, Ariz. Paralegal Ass'n, May 15, 2015.
- Real World Ethics for Attorneys, Yuma County Bar Ass'n, April 24, 2015 (with Anna Unterberger and Hon. Mark Reeves).
- Judicial Ethics and Solicitation, American Constitution Society, Arizona Advocacy Network, and Justice at Stake, Fair Courts: Arizona's Merit Selection System, Pinal County, April 18, 2015.
- Conflicts of Interest: The Bar's Second-Class Ethical Rules?, ASU Legal Scholars Workshop, March 14, 2015.
- State Bar of Arizona, Mandatory Professionalism Course for Newly Admitted Lawyers, Responsibilities to the Profession and Legal System, Feb. 10, 2015 (with Comm. Myra Harris).
- The Ethics Between Predecessor and Successor Counsel in Capital Cases, The Fight for Life: Annual Death Penalty Seminar, Offices of the Maricopa County Public Defender, Legal Advocate, Legal Defender, and Federal Public Defender, Dec. 12,

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2014.

- Courts, Campaigns, and Corruption: Judicial Recusal Five Years After *Caperton*, N.Y.U., A.B.A., and Brennan Center for Justice, Nov. 14, 2014 (moderator: Adam Liptak, NEW YORK TIMES).
- The Ethics of Waiving Ineffective Assistance of Counsel and Prosecutorial Misconduct in Plea Agreements, Criminal Justice Act Panel Annual Training, Federal Public Defender's Office, ASU Downtown, Oct. 18, 2014.
- Ethical Rules Update: Ethics 20/20 Amendments, State Bar of Arizona, Sept. 18, 2014.
- Adult Learning Theory, CLE Institute, State Bar of Arizona, Sept. 15, 2014.
- Real World Ethics for Paralegals, Maricopa County Association of Paralegals, Sept. 13, 2014.
- Presentation and Paper Selected: Lawyer Disqualification and the Sixth Amendment, Fifteenth Harvard/Stanford/Yale Junior Faculty Forum, Stanford Law School, June 27-28, 2014 (out of 400-plus submissions, 18 papers were selected through blind peer review).
- History of Attorney-Client Fee Agreements, State Bar of Arizona, Annual Convention, June 13, 2014.
- Lateral Screening, State Bar of Arizona, Annual Convention, June 12, 2014.
- The Ethics Challenge, State Bar of Arizona, May 9, 2014 (co-panelist).
- State Bar of Arizona, Mandatory Professionalism Course for Newly Admitted Lawyers, Responsibilities to Clients and Others, May 6, 2014 (with Mark I. Harrison).
- Ethics in the Courtroom in Criminal Cases, State Bar of Arizona, April 17, 2014 (co-panelist).
- Ethical Snippets OnDemand: Confidentiality and Conflicts, State Bar of Arizona, April 4, 2014.
- The Sixth Amendment and Lawyer Disqualification, St. Mary's University School of Law, Feb. 28, 2014.
- Arizona's New Post-Conviction Disclosure Obligations: Seeking Ministers of Justice and Defenders Against Tyranny, Office of the Federal Public Defender, Jan. 10, 2014.
- Post-Conviction Disclosure: Changes to ER 3.8 and New ER 3.10, State Bar of Arizona, December 18, 2013.
- Hybrid Fee Agreements, Fees and Fee Arbitration, State Bar of Arizona, Annual Convention, June 21, 2013.
- Mandatory Professionalism Course for New Lawyers, Maricopa County Bar

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Association, Phoenix School of Law, June 14, 2013.

- The Practice and Theory of Lawyer Disqualification, Scholarship Roundtable, ABA Annual Conference on Professional Responsibility, San Antonio, Texas, May 31, 2013.
- The Practice and Theory of Lawyer Disqualification, Phoenix School of Law, Nov. 13, 2012.
- The History of Arizona Legal Ethics, State Bar of Arizona, Annual Convention, June 21, 2012.
- The Ethics Gameshow, State Bar of Arizona, Annual Convention, June 21, 2012.
- Attendee: Conducting Empirical Legal Scholarship Workshop, University of Southern California, May 23-25, 2012.
- Avoiding the Unavoidable Bar Complaint, State Bar of Arizona, Solo and Small Firm Section (May 4, 2012).
- An Ethics Discussion of the Krone Exoneration, Exonerated Not Executed Conference, Phoenix School of Law (April 27, 2012) (with co-panelists).
- Proposed Amendments to Prosecutors' Ethical Rules, Prosecutorial Oversight Tour, Phoenix School of Law (April 26, 2012) (with co-panelists).
- Prosecutors as Problems or Solutions in Post-Conviction Cases, Lawyers as Peacemakers and Healers Conference: New Directions in the Practice of Law, Phoenix School of Law (April 14, 2012).
- Opening Remarks, Lawyers as Peacemakers and Healers Conference: New Directions in the Practice of Law, Phoenix School of Law (April 13, 2012).
- The Scholarly Publishing Process, Phoenix School of Law (Nov. 22, 2011).
- Professionalism Course, Attorney-Client Relationships in Litigation, State Bar of Arizona (Nov. 8, 2011).
- Government Ethics, Recusal Law, and Geriatric Constitutional Theory, St. Mary's University School of Law (Oct. 3, 2011).
- Criminal Justice Act Panel Annual Training, Trouble I've Seen (Oct. 1, 2011) (with Heather Williams).
- ABA Center for Professional Responsibility and Council for the Section on State and Local Government Law, Ethical Considerations for Municipal Attorneys: Reconciling the Rules of Professional Conduct with Government Ethics Laws (Jan. 18, 2012) (update, with co-presenters).
- ABA Council for the Section on State and Local Government Law, Ethical Considerations for Municipal Attorneys: Reconciling the Rules of Professional Conduct with Government Ethics Laws (Sept. 22, 2011) (with co-presenters).
- One Toke Over the Ethical Line: Prop 203, Medical Marijuana, Federal Law and the

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Ethical Responsibility of Lawyers, Criminal Justice Act Panel and Federal Public Defender's Office for the District of Arizona (May 6, 2011) (with Scott Campbell).

- Phoenix School of Law, Annual Alumni Day, How to Avoid a Bar Complaint (April 1, 2011).
- State Bar of Arizona, Professionalism Course, Attorney-Client Relationships in Litigation (Jan. 13, 2011).
- "Reelection of Judges and the Denial of Due Process" (with Monroe H. Freedman), International Legal Ethics Conference IV, Stanford Law School (July 17, 2010); and Panel Chair: "Judicial Ethics—Contemporary Challenges."
- ABA Law Student Division, Professional Responsibility (15th Cir., Feb. 27, 2010) (with co-presenters).
- Phoenix School of Law, Pro-Prosecution Judges (works-in-progress session, Feb. 10, 2010).
- Judicial Ethics and Disqualification After *Caperton*, National Webcast/CLE for West: Thomson Reuters (Sept. 17, 2009; and Dec. 30, 2009) (with Mark Harrison).
- Criminal Justice Act Panel and Federal Public Defender's Office for the District of Arizona, The Judicial Ethics of Criminal Law Adjudication: Disciplining Judges for Getting It Wrong (Nov. 13, 2008).
- Harvard Law School Graduate Program, Legal Ethics in the United States and Taiwan: Controversial Topics (May 15, 2007) (with H. Sally Yen).
- Short Presentation: Harvard Law School Course, Topics in the History of American Legal Education: The Rise of the Legal Profession's Good Moral Character (April 24, 2007).

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- Karen Zraick, *Greenpeace's Fight with Pipeline Giant Exposes a Legal Loophole*, N.Y. TIMES, Dec. 17, 2025, <https://www.nytimes.com/2025/12/17/climate/greenpeaces-fight-with-pipeline-giant-exposes-a-legal-loophole.html>.
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- Sarah Lapidus, *Why AZ's Judicial Conduct Panel Dismissed Complaint Against Troubled Cochise County Judge*, ARIZ. REPUBLIC, May 27, 2024.
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- Jan Wolfe, *Can Trump's Lawyers Be Disciplined for Making False Claims?*, Reuters, Nov. 22, 2020.
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- Jason Stein et al., *Justice Bradley Extramarital Affair, Role in Child Placement Surface*, MILWAUKEE J. SENTINEL, March 10, 2016.
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- David L. Hudson Jr., *What's Old Is New: ABA Committee Cites a 1977 Opinion in Interpreting Which Materials Lawyers Must Turn Over to Ex-Clients*, ABA JOURNAL, Sept.

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- Gina Passarella & P.J. D'Annunzio, *A Push by Some for Looser State Rules Over Referral Fees*, THE LEGAL INTELLIGENCER, March 24, 2015.
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- Carrie Johnson, *By Putting Interrogations on Tape, FBI Opens Window into Questioning*, ALL THINGS CONSIDERED (NPR July 21, 2014).
- Tim Hull, *Abuse Conviction Against Low-IQ Teen Thrown Out*, COURTHOUSE NEWS, May 12, 2014.
- Jonathan Handel, *Aereo: One Supreme Court Case, Three Recusals, One "Unrecusal," Much Uncertainty*, THE HOLLYWOOD REPORTER, April 22, 2014.
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- Michael Kiefer, *Brewer Fills Arizona Courts with Republican Judges*, ARIZ. REPUBLIC, Sept. 28, 2012.
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- Patrick Marley, *Prosser Seeks Recusal that Would End Case*, MILWAUKEE J. SENTINEL,

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- Yvonne Wingett Sanchez & Michael Kiefer, *Many Watching High-Profile Andrew Thomas Case*, ARIZ. REPUBLIC, Oct. 16, 2011.
- Patrick Marley, *Prosser's Campaign Got Ample Funding: Lawyer Who Worked on Justice's Behalf Has Case Pending Before Court*, MILWAUKEE J. SENTINEL, Aug. 13, 2011; and *A Recusal Required*, JS ONLINE, Aug. 17, 2011 (consulting expert).
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- Michael Kiefer, *Arizona Inmate Attempts to Halt His Wednesday Execution*, ARIZ. REPUBLIC, May 22, 2011.
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- *12 News Today: Big Story: Andrew Thomas Case* (NBC-KPNX television broadcast Dec. 7, 2010).
- *CBS 5 News: Tower Case Raises Questions for Law Expert* (CBS-KPHO television broadcast Aug. 12, 2010); Interview: *12 News: Big Story: County Conflict* (NBC-KPNX television broadcast Aug. 12, 2010).

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- Member, Arizona Supreme Court Steering Committee on Artificial Intelligence and the Courts, 2024-Present
- Member, Arizona Supreme Court Alternative Business Structures Task Force, 2024-2026
- Member, ABA Standing Committee on Ethics and Professional Responsibility, 2020-2023
- Elected Member, American Law Institute (ALI), 2018-Present
- Fellow, American Bar Foundation, 2016-Present
- Board Member, Judicial College of Arizona, 2017-2023
- 2011 Recipient of the ABA Rosner & Rosner Young Lawyer Professionalism Award
- 2011-2012 Recipient of the InfiLaw National Policy Board Award
- 2016 Recipient of the AJC Judge Learned Hand Award for Emerging Leadership
- 2017 Tabor Lecturer, Tabor Institute on Legal Ethics, Valparaiso University Law School
- Member, O'Connor Advisory Committee (Honorary Chair: Retired Justice Sandra Day O'Connor; and Chair: Retired Chief Justice Ruth McGregor) of the Quality Judges Initiative, IAALS at the University of Denver, 2013-2020
- Criminal Justice Act Panel Member, 2009-Present (represent indigent criminal defendants before the United States Court of Appeals for the Ninth Circuit)
- Vice Chair, State Bar of Arizona Ethics Advisory Group, 2018-Present; formerly Arizona Committee on the Rules of Professional Conduct ("Ethics Committee"), 2010-2018 (on which I assisted drafting statewide ethics opinions and chapters of the ARIZONA LEGAL ETHICS HANDBOOK and answered telephonic inquiries from individual attorneys involved in ethical dilemmas)
- State Bar of Arizona, CLE Volunteer of the Month, Nov. 2025.
- Association of Professional Responsibility Lawyers, 2007-2023
- *ABA/BNA Lawyers' Manual on Professional Conduct*, Editorial Board Member, 2008-2011 ("Since its inception in the early 1980's, the multi-volume *ABA/BNA Lawyers' Manual on Professional Conduct* has established itself as the pre-eminent reference work in the field of legal ethics and serves as the ABA's flagship publication in this important area.")
- State Bar Fee Arbitration Committee Member and Arbitrator, 2014-2017
- *Arizona Attorney* [Official State Bar Journal], Editorial Board Member, 2005-2014
- State Bar Professionalism Committee, 2007-2013
- National Institute for Teaching Ethics and Professionalism, 2009 Fellow, Atlanta, Georgia (Spring 2009)

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