

RICHARD FEDER
RichardFederJD.com
623 Westview Street
Philadelphia, Pennsylvania 19119
(267)-563-6842 richiefeder@gmail.com

Richard Feder, J.D. Principal, Law Practice. 2020 - present.
Public interest law. Municipal law. Appellate litigation.

Sampling of recent engagements:

Expert witness for a municipality on legal ethics and civil rights litigation. Advised public policy organization on local and state tax policy issues. Drafted legislation (ethics, financial oversight, taxes) for municipality. Drafted amicus brief in Pennsylvania school funding case. Advised environmental organization on state law authorizations. Represented property owner in dispute with city over retaining wall collapse. Drafted legislation for political organization.

University of Pennsylvania Carey Law School. Lecturer in Law. 2020 - present.
Professional Responsibility. Local Government Law. State Constitutional Litigation.

Temple University Beasley School of Law. Adjunct Professor. 2020 - present.
Professional Responsibility. Local Government Law.

City of Philadelphia Law Department. 1993 - 2019.

Chief Deputy City Solicitor (Legislation) and Counsel to the Solicitor. 2016 - 2019.
Chief Deputy City Solicitor (Appeals and Legislation). 1999 - 2016.

Supervisory responsibility for all significant appellate work of the City. 1999 - 2016.
State and federal courts. Civil rights, tax, municipal law, labor and employment.

Supervisory responsibility for all legislative work of the Department. 1999 - 2019.
Advised Mayor, City departments, and Council re: drafting, interpretation, and legality of State and local legislation. Supervised Department's ethics work; public records work.

Areas of Expertise: Municipal law. Preemption. Government ethics. Tax policy.
Administrative law. Zoning. Civil rights. Public records. Appellate practice.

Selected significant projects:

Ethics reforms: Implemented unprecedented pay-to-play restrictions. Implemented and defended in Supreme Court campaign contribution limits. Guided establishment of independent Board of Ethics. Assisted in development of political activity restrictions.

Tax policy: Developed and implemented sweetened beverage tax. Guided transition to "actual value" real estate assessments. Drafted business tax reforms. Responsible for litigation and legislative strategy to avoid massive personal property tax refunds.

Zoning: Facilitated complete rewrite and modernization of Zoning Code.

Resume for RICHARD FEDER, page 2

Selected significant projects (continued):

Public health: Developed anti-opioid abuse initiatives; indoor smoking ordinance.

Public education: Active member of City negotiating team regarding State “takeover” of City schools. Supervised legal work regarding return of District to local control.

Supervised City litigation regarding: Casinos. School funding. Regulation of firearms.

Managed on-line publication and real-time updates to The Philadelphia Code.

OTHER PROFESSIONAL EXPERIENCE

Fine, Kaplan & Black, Philadelphia. 1988-93. Complex litigation. Class actions.

Honorable Edward R. Becker, United States Court of Appeals for the Third Circuit, Philadelphia. 1987-88. Law Clerk.

Merrill Lynch & Co., New York, NY. 1981-84. Market Planning. Registered Representative.

PROFESSIONAL ACTIVITIES

American Law Institute. Elected Member. 2003 – present.

Adviser (appointed): Principles of Government Ethics.

Members Consultative Groups: Restatements - Property; Torts; Medical Malpractice; Constitutional Torts. Principles - High Volume Civil Adjudication.

Legal Intelligencer. Member, Editorial Board. 1998 - 2015.

Lawyers Advisory Committee, U.S. Court of Appeals (Third Circuit). Member. 2004-05.

PUBLICATIONS

R. Feder, L. Rosman, *State Preemption of Local Government: The Philadelphia Story*, 49 Environmental Law Reporter News & Analysis 10772 (2019)

COMMUNITY ACTIVITIES

Carpenter’s Woods Town Watch, Founding member. 2007 - 2018.

Board Member and Treasurer. 2007-14.

Mount Airy Baseball, Head Coach. 1997 - 2003.

EDUCATION

University of Pennsylvania Law School, J.D., 1987, *summa cum laude*. Order of the Coif.

Brown University, A.B., 1981, *magna cum laude*. Applied mathematics-economics.

RICHARD FEDER: Selected Cases

William Penn School Dist. v. Pennsylvania Dept. of Educ., No. 587 M.D. 2014, 2023 WL 1990723 (Pa. Commw. Ct. Feb. 7, 2023) (amicus representing constitutional law professors) (finding State school funding system unconstitutional) (citing amicus brief favorably).

Farina v. Bank of New York, No. 15-3679 (3d Cir., Sept. 28, 2021) (Court-appointed amicus). Adopting amicus's argument that federal courts should not abstain under *Colorado River* doctrine from challenges to mortgage foreclosures.

Williams v. City of Philadelphia, 188 A.3d 421 (Pa. 2018) (in-house counsel). Upholding City's sugar sweetened beverage tax against preemption challenge.

Rufo v. Board of License & Inspection Review, 192 A.3d 1113 (Pa. 2018). Upholding ordinance requiring real windows and doors on vacant buildings. Reversing both courts below.

Leach v. Commonwealth, 141 A.3d 426 (Pa. 2016) (co-counsel). Voiding statute that combined two unrelated subjects: theft of copper pipe; and standing to challenge firearms ordinances.

Board of Revision of Taxes v. City of Philadelphia, 4 A.3d 610 (Pa. 2010). Although City could not abolish Board of Revision of Taxes in its entirety, City could transfer the Board's property assessment function to a new Office of Property Assessment.

Nutter v. Dougherty, 938 A.2d 401 (Pa. 2007). City not preempted from adopting local campaign contribution limits.

Jackson v. Hendrick, 746 A.2d 574 (Pa. 2000). Reversing jurisdictional dismissal of City's challenge to contempt finding and \$2,000,000 fine.

City of Philadelphia v. Clement & Muller, 715 A.2d 397 (Pa. 1998). City not preempted from imposing business privilege tax on beer distributors.

Blackwell v. City of Philadelphia, 684 A.2d 1068 (Pa. 1996). Refusing to interfere with internal City Council personnel matter.

National Rifle Association v. City, 977 A.2d 78 (Pa. Commw. 2009). NRA lacks standing to challenge City ordinance that mandates reporting of lost or stolen weapons within 24 hours.

Cohen v. Allen, 744 A.2d 810 (Pa. Commw. 2000). Upholding amendment to School District Charter making terms of Board members coincident with that of Mayor.

City of Philadelphia v. FOP, Lodge No. 5, 723 A.2d 747 (Pa. Commw. 1999). Upholding, in part, City's right to make reduced payments to temporarily disabled uniformed personnel.

Licensed Beverage Ass'n v. Board of Education, 680 A.2d 1198 (Pa. Commw. 1996). City and School District not preempted from imposing liquor-by-the-drink tax.

RICHARD FEDER, Selected Cases, continued

Lodge No. 5 of the FOP v. City of Philadelphia (Bergman), 677 A.2d 887 (Pa. Commw. 1996). Upholding City's right to assign Deputy Managing Director as Deputy Police Commissioner.

1916 Delaware Tavern v. Zoning Board of Adjustment, 657 A.2d 63 (Pa. Commw. 1995). City not preempted from enforcing prohibitions on dancing activity in liquor licensed establishments.