

JUDGE LISA FOSTER (Ret.)

PROFESSIONAL EXPERIENCE

Co-Founder and Co-Director, Fines & Fees Justice Center April 2018 – present

Fines & Fees Justice Center (FFJC) is a national hub for advocacy, information and collaboration committed to eliminating fees in the criminal legal system and making fines proportionate to the offense and the individual. FFJC engages in intensive advocacy in 4 states, and provides strategic and technical assistance nationwide. FFJC also works with and builds the capacity of community organizations to advance fines and fees reform. FFJC's online Clearinghouse has provided easily accessible information relevant to fines and fees reform to over 80,000 discrete users. In two years, FFJC has grown from a staff of 2 to a team of 16 with an annual budget of over \$3 million. Significant campaigns include:

- *Free to Drive* - a national campaign to end debt-based driver's license suspensions that has successfully passed reform legislation in 13 states, including New York, Virginia, West Virginia, Texas, Montana, Mississippi and California.
- *Cities and Counties for Fine and Fee Justice* – in collaboration with PolicyLink and the San Francisco Financial Justice Project, a 10 state cohort of cities and counties throughout the U.S. engaged in fines and fees reform. Members include Chicago, St. Paul, Providence, Allegheny County, and Shelby County.
- *No Price on Justice* – a campaign to abolish fees and mandatory minimum fines in New York state.
- *The Covid-19 Project* – a website that provides policy recommendations, tools and resources related to fines and fees enforcement during the pandemic and a rapid response initiative to ensure that fines and fees are not used by state and local jurisdictions to raise revenue lost because of the pandemic.

Consultant

February 2017 – March 2018

Worked with state and local courts, litigators, law schools and policy advocates on increasing access to justice and criminal justice reform.

Director, Office for Access to Justice U.S. Department of Justice

October 2014 – January 2017

Directed component responsible for developing and advancing Justice Department policies and programs to ensure federal, state, local and tribal justice systems efficiently deliver outcomes that are fair and accessible to all, regardless of wealth or status.

Major initiatives included:

- Multi-component effort to reform fines, fees, and bail practices in state and local courts.
- White House Legal Aid Interagency Roundtable – coordinating 22 agencies to incorporate legal aid into federal programs and enforcement efforts.
- Expanded statement of interest and *amicus* brief practice.
- DOJ Reentry Week.
- Implementation of Goal 16 of the 2030 U.N. Agenda for Sustainable Development for the United States.

**Judicial Fellow
Officer of Senator Edward J. Markey
2014**

October 2013 – September

Advised Senator Markey on a variety of issues including judicial nominees, patent legislation, regulatory reform, and international law and policy.

Judge, Superior Court of California

January 2003 – February 2013

Presided over criminal, family, and civil departments.
Leadership positions included:

- Presiding Judge, Superior Court Appellate Panel. Heard appeals from misdemeanors, citations, and limited civil jurisdiction cases.
- Assistant Presiding Judge, Family Court Division. Assisted in the supervision of twenty judicial officers, served on statewide committees, taught family law to judges and attorneys statewide.
- Chair, Misdemeanor Sentencing Guideline Committee. Wrote court's first standard sentencing guidelines, now in its eighth edition.

Of Counsel, Phillips & Cohen, LLP

February 1995 – January 2003

Represented whistleblowers in complex, multi-million dollar cases under federal and state False Claims Acts. Cases included United States ex rel. Bagley v. TRW, Inc., alleging that TRW fraudulently overcharged to multiple defense contracts (\$110 million settlement) and Los Angeles Department of Water and Power, et al. ex rel. Armenta v. James Jones Co., alleging that Tyco International subsidiary fraudulently sold substandard waterworks parts to 130 California jurisdictions (\$60 million recovered).

**Adjunct Professor,
University of San Diego School of Law**

August 1993 – May 1996

Taught Federal Courts and a survey course on sex discrimination covering equal protection doctrine, Titles VII and IX, and reproductive rights. Created and taught a course entitled The Law of Politics, focusing on federal election law issues, including the Voting Rights Act, campaign finance reform, and redistricting.

Executive Director, California Common Cause

September 1990 – January 1993

Responsible for overseeing all aspects of the organization's agenda including lobbying, litigation, communication, and fundraising. Led Common Cause's successful campaign to pass three initiatives: Proposition 112, the state Ethics in Government Act; Measure H, which created the City of Los Angeles Ethics Commission and established public financing for candidates for city office; and, Proposition C, which created a nonpartisan Redistricting Commission for the City of San Diego. Testified frequently before the Assembly and Senate Elections Committees, the Fair Political Practices Commission, City Councils and County Boards of Supervisors.

**Attorney, Legal Aid Foundation of Los Angeles
1990**

September 1988 – September

Created an urban environmental law practice representing grassroots organizations in litigation such as challenging the permitting of a hazardous waste incinerator. Represented as a class the homeless residents of Los Angeles County in litigation contending that the

County of Los Angeles failed to provide essential food, shelter, and clothing (\$38 million settlement).

Attorney, Center for Law in the Public Interest

September 1985 – August 1988

Represented low-income individuals and organizations in impact litigation. Principal cases included: *United States v. J.B. Stringfellow* (representing as intervenors in Superfund litigation residents living adjacent to the largest Superfund site in California). *Kirsh v. State Farm Mutual Automobile Insurance Co.* (challenging as unlawful sex discrimination State Farm's practice of charging women higher premium rates than men for health insurance policies that excluded the cost of normal pregnancy and childbirth); and *Stern v. Sprint, Inc.* (representing as a class customers of Sprint who were overcharged for long distance telephone services).

Law Clerk, Honorable Marianna Pfaelzer

September 1984 - August 1985

EDUCATION

Harvard Law School

J.D., *magna cum laude*
Member, Harvard Law Review

Stanford University

B.A. with honors
American Studies

PUBLICATIONS

The Price of Justice: Fines, Fees and the Criminalization of Poverty in the United States, Univ. of Miami Race and Social Justice L. Rev (2020) *Forthcoming*
Judicial Responsibility for Justice in Criminal Courts, 46 Hofstra L. Rev. 21 (2017)
Injustice Under Law: Perpetuating and Criminalizing Poverty Through the Courts, 33 Georgia State Univ. L. Rev. 3 (2017) [
Bucking the Trend: Why California Should Reject the Conventional Wisdom on Civil Litigation Reform, 36 Thomas Jefferson L. Rev. 105 (2014)
Case Comment, *Connick v. Meyers*, 97 Harvard L. Rev. 165 (1983)

SELECTED PUBLIC SPEAKING

Miller Lecture, *Georgia State University College of Law*, March 2017
Keynote, *U.S. Tax Court, Low-Income Tax Clinic Annual Conference*, December 2016
Keynote, *Mississippi Access to Justice Commission: 10th Anniversary Summit*, August 2016
Moderator, *High-Level Political Forum on Sustainable Development*, July 2016
Keynote, *Access to Justice Commission Chairs Meeting*, May 2016
Keynote, *Texas Symposium on Indigent Defense*, May 2016
Keynote, *ABA Summit on Indigent Defense*, March 2016
Lecture, *Public Interest Law & Policy Speakers Series*, Washington University School of Law, October 2015
Keynote, *Equal Justice Conference*, May 2015
Keynote, *California Court and Legal Services Summit*, April 2015