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Lifetime Achievement: Spencer Fisher

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Spencer Fisher, attorney for The New York City Law Department Division of Legal Counsel. Photo: Ryland West/ALM

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Spencer Fisher is a remarkable attorney and dedicated public servant who has distinguished himself throughout his career as an innovative problem solver of complex legal issues for the City of New York. Spencer began his legal career as an

attorney in the Law Department's Legal Counsel Division in 1986 after graduating from Harvard Law School. Spencer currently serves as a Deputy Chief of the Legal Counsel Division of the NYC Law Department, a division which advises the Mayor, other elected officials and city agencies on virtually every aspect of municipal law.

Spencer is well known by many throughout city government for his encyclopedic legal knowledge, analytic ability, common sense and creativity. A recognized expert in many areas of municipal law, he is often called upon to deal with several complex issues simultaneously. Whenever a particularly difficult and seemingly unsolvable legal issue arises, the first inclination of many is to get Spencer involved. He continually demonstrates his uncanny ability to speak extemporaneously on virtually any legal topic with knowledge and authority. As a member of the Executive Committee of the State Bar Association Local and State Government Law Section, Spencer brings his talents to a broad audience with state-wide influence, and returns with even more knowledge to share for the benefit of the city.

Spencer also is a highly respected and well-liked manager, admired for his detailed knowledge, serious work ethic and good humor. He is a mentor to many new and experienced lawyers throughout city government. He is unfailingly generous with his time and ideas, always willing to brainstorm with colleagues, help with issue spotting and problem solving, and often suggesting ways to make a good argument stronger. Spencer takes a keen interest in knowledge-sharing within the Division and the Law Department as a whole. For example, years ago he developed detailed and extremely useful materials for a CLE course about the intricacies of the legal framework for the city's Charter and Administrative Code. He now involves newer members of the Division in updating and presenting these materials so that this expertise continues in the division.

As a new attorney in the Law Department, Spencer quickly became involved in a variety of environmental initiatives. He worked extensively on the city's first recycling law, which was enacted in 1989, as well as on legislation to regulate solid waste transfer stations and the first City Planning Commission rules governing city environmental review. He was a senior attorney for the City of Yonkers from 1992

to 1994, where he focused on complex matters involving powers of elected officials, and then returned to the Law Department.



Spencer Fisher. Photo: Ryland West/ALM

Upon his return in 1994, his focus broadened to a number of high-profile initiatives, including most notably the long-sought merger of the Transit Police and Housing Police into the New York City Police Department. He participated extensively in the negotiation and drafting of the agreements with public authorities, and the crafting of litigation arguments, that brought this initiative to fruition. He also made significant contributions to the mergers of EMS into the Fire Department, and of school safety functions into the Police Department, and drafted the local law consolidating capital functions of the city into the Department of Design and Construction. He was deeply involved in developing the arguments in a series of litigations between the mayor and City Council that helped to define to this day the scope of structural powers of elected officials in the city.

During these years, he also worked with outside counsel to guide the city's positions in federal False Claims Act investigations related to ambulance and special education claims that ultimately resulted in carefully negotiated settlements—including a \$100 million city payment in the case of the education settlement—and related compliance agreements with federal officials. He also remained a point person for key areas of municipal government, including for example rent regulation, budgetary powers, civil service matters and off-track betting.

Over the years, Spencer has been the Law Department's point person in providing assistance to numerous Charter Revision Commissions, including the recent Racial Justice Commission, and has worked on a variety of election-related reforms. He is an expert on the history of the Charter and Administrative Code, the powers of and relationships among city elected officials, and the state and city budget processes. He has drafted complex budget legislation, assisted in the development of the 311 Center and helped guide city policies on a number of civil service, labor and personnel issues. He has worked at ensuring that the city complies with federal grant requirements, and that not-for-profit corporations affiliated with the City comply with changes in State laws. This is just a sampling of the many areas of law that Spencer has mastered.

In recent years, Spencer has been a major advisor on issues relating to transitions of new Mayoral administrations. He has also been a major contributor to briefs in high profile litigation. Examples of his work on such matters include cases challenging the authority of the Board of Health and a recent high-profile city amicus brief on police discipline. He is presently heavily engaged in the city's legal response to changes in cannabis laws and gun regulations, and the increased needs of asylum seekers.

Spencer has been recognized over the years for his work, having been awarded the Municipal Affairs Committee award in 1990, the Corporation Counsel's Award for Distinguished Legal Service marking an outstanding career in 2005, and the New York County Lawyers' Association Public Service Award in 2016.

As demonstrated by his long, distinguished and inspired public service as well as the reasons listed above, Spencer Fisher's accomplishments and impact on the municipal legal community embody the purpose of the Lifetime Achievement Award, for which he is well-deserving. We and the City of New York are fortunate that Spencer has spent almost the entirety of his legal career at the Law Department protecting the city's interests.

Submitted by the New York City Law Department.

