

**AMERICAN COLLEGE OF CONSUMER
FINANCIAL SERVICES LAWYERS**

Senator William Proxmire Lifetime Achievement Award

**Presented to
Kathleen E. Keest
March 17, 2007**

The recipient of the Senator William Proxmire Lifetime Achievement Award for 2007 is Kathleen E. Keest.

Kathleen is a Senior Policy Counsel at the Center for Responsible Lending in Durham, North Carolina. Although Kathleen has worked for a number of organizations during her professional career, as she so well put it, “I have had only one job in my career, but have had many employers.” That one job has been to apply her formidable legal skills to represent the interests of the public on issues that arise out of consumer credit. That one job, which she has performed superlatively well for more than 30 years, has involved direct representation of individual consumers, policy formulation, litigation and litigation support, teaching, testimony before legislatures, and authoring books, treatises, manuals and articles on consumer credit.

Kathleen was born, raised and received her primary and secondary education in the heart of our country in the Land of Lincoln, in Middletown, Illinois. That tiny (fewer than 500 souls) agricultural community was in fact surveyed by young Abe Lincoln when Middletown was established in the 1830s. Members of her family settled in Middletown shortly thereafter. She did not stray far from her roots to receive her college and law school education, graduating with honors from Eastern Illinois University in Charleston, Illinois (1970) and receiving her JD, also with honors, from the University of Iowa in Iowa City (1974).

She began in 1975 her “one job” by providing three years of direct client representation for the poor under the auspices of the Black Hawk County Legal Aid Society in Waterloo, Iowa. That was followed by a six-year association with the Legal Services Corporation of Iowa in Des Moines, where she rose from Senior Staff Attorney to Managing Attorney of the office. Her work there began, again, as direct client representation, but also included, increasingly, managerial duties and statewide support and training roles on consumer issues. For well more than three decades then, Kathleen’s educational, professional and life’s experiences and growth were firmly centered in a relatively culturally homogenous area no more than 275 miles from her roots in Middletown.

Two horizon expanding experiences occurred during those years: she lived and worked in Washington as Assistant Counsel to a subcommittee of the United States

Senate for over a year (1979-80) and in 1980 accepted a three-month fellowship with the National Consumer Law Center in Boston.

The latter experience indirectly resulted in a major move in 1985: from the Midwest heartland to Boston, where she worked as a Staff Attorney with the National Consumer Law Center for more than a decade on consumer credit regulation and credit practices. Although still on her “one job,” the functions performed in that job changed markedly.

At the NCLC, the stage on which Kathleen performed was as no longer local and primarily rural, but now encompassed the entire country and ranged across problems, opportunities, issues and duties that impacted the inner-city poor, the elderly, and immigrants, as well as non-urban communities. Functionally, Kathleen shifted from direct representation and management of those who engaged in direct representation to policy analysis and formulation, influencing policymakers and providing support services for the far-flung, massive efforts throughout the United States through which legal assistance is provided with regard to consumer credit regulation and practices as they impacted low and moderate income consumers. The 11 years Kathleen served with the NCLC were hugely productive, not only for Kathleen personally at the time, but as measured by the legacy of policy insights, explanations of technically difficult legal principles and practical advice that Kathleen authored during this period. Her legacy has benefited directly hundreds of lawyers who provide direct advice to consumers and indirectly thousands of consumers who have been recipients of better, more knowledgeable advice from attorneys who could not be expected to possess personally the specialized expertise and experience that Kathleen brought to her work.

During this period, Kathleen was the primary author and editor of such cornerstone publications of the NCLC as *The Cost of Credit: Regulation and Legal Challenges*; *Truth in Lending*; and *Usury and Consumer Credit Regulation*. She was the Editor-in-chief of NCLC’s bimonthly newsletter, NCLC REPORTS, and the author of a Consumer Credit and Usury Newsletter. Her publication efforts that have benefited those less knowledgeable about the intricacies of consumer credit regulation have not been limited to official publications of the NCLC. Kathleen has also authored almost a score of articles on consumer credit topics, as well as three major research reports commissioned by private foundations, which reports focused on the special problems of second mortgage lending and home equity scams.

She also has provided both written and oral advocacy before federal and state legislative and administrative bodies on consumer credit-related matters, including the preparation of testimony on home equity lending and personal appearances before both House and Senate committees on that subject.

She has influenced a generation of lawyers in this field through dozens of lectures and presentations on far-ranging topics such as predatory lending, federal preemption, pay-day lenders, fair credit reporting, truth in lending, credit discrimination and foreclosure defense. Her audiences have been as diverse as the subject matters she covered. Kathleen, of course, made numerous appearances during training sessions and

conferences of legal service programs. In addition, she provided training to the FDIC national legal staff, and has been a frequent speaker at American Bar Association, state and local bar associations throughout the country and the Practising Law Institute, and served as a guest lecturer at several law schools. Her contribution as an educator and one who influences the views of others is indeed impressive.

Kathleen returned from Boston to the Midwest in 1996 to work for a new employer, in a new role, in her “one job” of consumer credit protection. For this job, Kathleen donned the two hats, that of an Assistant Attorney General in the Department of Justice for the State of Iowa and as Deputy Administrator of the Iowa Consumer Credit Code. For eight years, Kathleen, as a regulator, interpreted and enforced the state’s UCCC and other consumer protection statutes. She worked with the credit regulatory agencies and attorney general offices of other states on consumer credit issues and prepared testimony for presentation by Iowa’s Attorney General, Tom Miller, before Congress. It was in this period that Kathleen reports that she developed a better appreciation for the challenges faced by in-house compliance counsel.

While a highly productive member of the organizations by which she was employed, Kathleen also has been an active contributor to influential organizations in the field. She has served as a member of the Consumer Advisory Council of the Federal Reserve Board, as a Fellow, American Bar Association Section on Business Law, Consumer Financial Services Committee for more than 16 years, as Co-Chair of the National Association of Consumer Advocates, and, of course, as a charter member, and member of the Board of Regents, of the American College of Consumer Financial Services Lawyers.

Her role with the now 900 member Consumer Financial Services Committee deserves special attention. While that Committee is, in fact, quite diverse, being populated by academics, regulators, consumer advocates and representatives of companies that provide financial services to the public, the facts of life are that Kathleen, as a life-long consumer protection advocate, was part of a tiny numerical minority. Kathleen listened, she learned. She never failed to articulate her position on topics being debated, did so in an articulate, concise and persuasive manner and did so with consummate good humor and grace. It would stretch the bounds of credulity to state that Kathleen was able to sweep into meetings dominated numerically by industry Philistines and convert them with an oratorical flourish, but the more intelligent of the Philistines listened carefully. They learned. And they may have taken back to their clients a different perception, perhaps some new insight on the extent and seriousness of the problems the consumer movement was trying to address. It is also more than likely that Kathleen’s work, manner of presentation and persistence may very well have brought the reconciliation point on issues where there was a marked divergence between that demanded by the consumer movement and the initial industry position to a place that was of benefit to both the consumer movement and the industry.

Kathleen has been recognized before for her extraordinary contributions. She received in 1999 from the National Consumer Law Center the annual Vern Countryman Award, given in recognition of service on behalf of low-income consumers. Then in

2002, she received from the National Association of Consumer Agency Administrators its Advocate of the Year award.

The American College of Consumer Financial Services Lawyers is pleased to present the Senator William Proxmire Lifetime Achievement Award to Kathleen E. Keest to recognize her extraordinary efforts that have enriched the field of consumer credit as an advocate for low and moderate income consumers and as a regulator, and her contributions as an author, lecturer, and policy maven.

Kathleen has directed that the cash award accompanying this recognition be split equally between the National Consumer Law Center, Boston, Massachusetts and Land of Lincoln Legal Assistance, East St. Louis, Illinois.