

# RICHARD H. FAIR

## **EDUCATION**

**Texas A&M University School of Law**, JD, 2016  
Dean's List

**Texas A&M University**, Bush School of Government and Public Service, MA Cert., 2010  
Homeland Security and Emergency Management

**Baylor University**, MA, 2009  
American History (specialized in American Civil War and Legal History)  
GPA: 3.96  
Mayo-McBride Scholarship

**Baylor University**, BA, 2008  
History and Political Science

## **ACADEMIC EXPERIENCE**

**University of St. Thomas School of Law**

*Assistant Professor* (2026 – present)

Courses: Lawyering Skills (Legal Writing) I and II

**Indiana University - Bloomington, Kelley School of Business**

*Lecturer* (2025-2026)

Courses: Legal Environment of Business; Introduction to Business Ethics

Service: Business Law and Ethics Awards Committee; Developed a comprehensive Business Ethics exercise involving potential uses for AI regulation of the logistics industry; Mentored pre-law students

**University of North Texas, G. Brint Ryan College of Business**

*Lecturer* (2023-2025)

Courses: Legal and Ethical Environment of Business; Corporate Law; Estate Planning

Courses Developed: Internet and Privacy Law; Special Topics in Real Property Law - Utilizing the Series LLC Model for Real Estate Investment

Service: Undergraduate Curriculum Development Committee; Curriculum Development Committee; Faculty Senate Awards Nomination Committee; Teaching effectiveness mentor for PhD candidates; Mock campus callback interviewer for graduating PhD candidates; Judge for Moot Court competitions in partnership with the Pre-Law and Political Science department

### **TEACHING INTERESTS**

Legal Writing, Business Associations, Constitutional Law, Federal Taxation, Taxation of Business Entities, Contracts, Property, Internet Law, Privacy Law, Blockchain Regulation, Professional Responsibility and Ethics

### **RESEARCH INTERESTS**

Digital Assets and Decentralized Finance; Constitutional Law, Administrative Law; Financial Regulation; Federalism; Business Organizations and Entity Design (specifically, the Series LLC); Property, Privacy, and Enforcement in Emerging Technologies; Legal and Financial History

### **LAW REVIEW ARTICLES**

*Decentralization & Supremacy: Constitutional Limits on State DAO LLC Statutes*, 23 BERKELEY BUS. L. J. 157 (2026) [[SSRN](#)]

- Top 10 Most Downloaded Paper in SSRN's Corporate & Organizational Law eJournal (last 60 days, as of June 20, 2025)

*The Future of Monetary Federalism: Rethinking Supremacy in the Stablecoin Era*, 15 AM. U. BUS. L. REV., no. 2, at 1 (2026) [[SSRN](#)]

- Top 10 Most Downloaded Paper in SSRN's History of Finance eJournal (last 60 days, as of August 22, 2025)
- Top 10 Most Downloaded Paper in SSRN's Smart Contracts & Legal Aspects of Blockchain eJournal (last 60 days, as of August 23, 2025)
- Top 10 Most Downloaded Paper in SSRN's Corporate Governance and Finance eJournal (last 60 days, October 19, 2025)

*Taxing Code, Not People: Behavioral Compliance for the Decentralized Future*, 32 MICHIGAN TECHNOLOGY LAW REVIEW (forthcoming 2026) [[SSRN](#)]

- Top 10 Most Downloaded Paper in SSRN's Innovation & Securities Law & Policy eJournal (last 60 days, as of July 29, 2025)

*Retrospective Digital Searches and the Fourth Amendment: ALPR Databases, Plain View, and Stored Location Data* (in progress)

Argues for a Fourth Amendment analysis of automated license plate reader systems that focuses on the retrospective query of stored data. Drawing on *Carpenter*, *Riley*, *Jones*, *Leaders of a Beautiful Struggle*, recent ALPR litigation, and state statutory regimes, the Article proposes a query-centered rule for determining when access to stored ALPR data reconstructs historical movement patterns from archived public road observations, becoming a Fourth Amendment search.

## **ESSAYS, RESPONSES, & SHORTER WORKS**

*AML in the Void: Cross-Chain Bridges as a National Security Threat* (essay under review, 2026) [[SSRN](#)]

*Static Control, Dynamic Collateral: BIP-361, Quantum Risk, and Article 9 Reasonableness* (in progress)

Examines how Bitcoin’s proposed post-quantum migration framework, BIP-361, acts as a stress test for digital asset secured lending. It argues that Article 12 control only answers a threshold question of who controls a controllable electronic record, but does not contemplate whether a lender can preserve, migrate, or liquidate digital asset collateral when later protocol rules make spendability migration-dependent. It proposes a “protocol migration-readiness” test as an Article 9 reasonableness inquiry focused on authority, operational capacity, records, continuity of control and perfection, and disposition timing.

## **PRACTITIONER & POLICY COMMENTARY**

*Uniswap’s Reprieve Reveals the Uncertainty of DeFi Regulation*, CLS Blue Sky Blog (Columbia Law School, Apr. 28, 2025) [[Blog](#)]

*Why Congress Must Act Now to Address the Cross-Chain Gap in the GENIUS Act* (in progress)

*Certify at Your Peril: Compliance Pitfalls in Meeting the GENIUS Act’s Substantially Similar Hurdle* (in progress)

## **HISTORICAL PUBLICATIONS**

“William C. Brann and the *Iconoclast* in Waco” in *Lust, Violence, and Religion: Life in Historic Waco*, ed. by Bradley T. Turner. Waco: Texas State Technical College Publishing, 2010.

“The Sins of Our Fathers: Extralegal Lynching in McLennan County Before 1920” in *Lust, Violence, and Religion: Life in Historic Waco*, ed. by Bradley T. Turner. Waco: Texas State Technical College Publishing, 2010.

## **CONFERENCES AND PRESENTATIONS**

Guest Lecturer, “*The Privacy Paradox of Crypto*,” Kelley School of Business FinTech Club, University of Indiana, Bloomington, Indiana, April 7, 2026

Invited Speaker, “*Estate Planning Updates and the Potential for Blockchain Wills*” UNT Financial Planning Community Class Series, University of North Texas, Denton, Texas, April 12, 2025

Invited Speaker, “*Artificial Intelligence Startups and Federal Jurisdiction: A Case Law Update*,” Kelley School of Business, University of Indiana, Bloomington, Indiana, January 2025

Invited Speaker, “*Estate Planning 101: What Documents Do You Need in Texas?*” UNT Financial Planning Community Class Series, University of North Texas, Denton, Texas, November 2024

Invited Speaker, “*An Overview of Estate Planning in Texas*,” Finance, Insurance, Real Estate & Law Department Meeting, University of North Texas, Denton, Texas, May 2024

Presenter, “*Using Discord to Improve Student Interactions in Online Courses*,” Western Texas College, Snyder, Texas, May 2022

Presenter, “*Texas Community College Teachers Association Meeting De-Brief*,” Western Texas College, Snyder, Texas, April 2022

Invited Speaker, “*The History of Veterans’ Day: Legal and Social Reflections*,” Western Texas College, November 2021

Invited Speaker, “*The Evolution of the Fourth Amendment in the Digital Age*,” Western Texas College, September 2021

Invited Speaker, “*Updates on Concealed Carry and 2nd Amendment Laws for Small Businesses*,” McLennan Community College, Waco, Texas, September 2019

Invited Speaker, “*The Specter of Texas Secession: Prevailing Constitutional Issues*,” McLennan Community College, Waco, Texas, April 2011

Presenter, “*The Rebirth of Urban Light Rail Transportation in Texas*,” Southwest Social Science Association, Denver, Colorado, April 2009.

## **OTHER LEGAL EXPERIENCE**

**Self-Employed Attorney**, Lubbock, Texas, November 2016-August 2023

- *Business and Property Law* - Assisted clients with business entity formations, with a specific focus on blockchain-related technology startups; assisted clients with the creation and implementation of the Texas Series LLC model for real estate investment; served as outside counsel for technology-related and cryptocurrency-related startups; practiced general business litigation focusing on business-to-business contract matters involving UCC Articles 2 and 9 disputes
- *Estate Planning* – Counseled individuals and families on Wills, Powers of Attorney, and probate avoidance through trust formation, beneficiary designations, and asset protection focused on the incorporation of estate planning with the Family Limited Partnership model
- *Tax Controversy* – Represented individuals and business clients in state and federal tax disputes before the Internal Revenue Service and the Texas Comptroller of Public Accounts, including audits, offer-in-compromise negotiations, administrative appeals, tax debt resolution, and sales tax compliance matters.
- *Trust Planning* - Assisted high-net-worth clients with the creation of Revocable Living Trusts, Irrevocable Lifetime Insurance Trusts, Spousal Lifetime Access Trusts, and Section 678 Trusts
- *Trust Administration* - Assisted with the preparation and filing of IRS Form 706 for estates in excess of \$40 million; prepared and filed IRS Form 709 for individuals with gifting above the annual federal gift tax exclusion; coordinated and advised beneficiaries, CPAs, and Financial Advisors regarding estate tax planning and probate consequences

## **OTHER TEACHING**

**Western Texas College**, Snyder, Texas

*Instructor*, Fall 2021-August 2022

- 2021-2022 Courses: Legal and Ethical Environment of Business, History of Texas, National Government; Texas Government, United States History Before 1877; United States History From 1877
- Formats Taught: Traditional; Online; Hybrid (half classroom/half online); Flex (5-week semesters)
- Service: Phi Theta Kappa Co-Advisor; WTC Student Government Association Co-Advisor; Served and presented research for Online Teaching Effectiveness Committee; Assisted with organization and lectured for Constitution Day and Veterans' Day

**Texas Tech University, Lubbock, Texas**

*Visiting Professor, Spring 2012-2013*

- 2012-2013 Courses: Colonial Mexico and the Spanish Borderlands (emphasis on the Spanish legal tradition); Creating the American Nation (emphasis on the emergence of Constitutional law in the United States); Social and Cultural History of Europe, 1800 to the Present

**McLennan Community College, Waco, Texas**

*Instructor, Fall 2009-2023*

- Courses Taught: United States History to 1877; United States History from 1877; Texas History; National Government, Texas Government; Legal Environment of Business
- Formats Taught: Traditional; Online; Hybrid (half classroom/half online); Flex (6-week semesters); Summer semester; Weekend-only semester

**BAR ADMISSION**

State of Texas (admitted November 2016) (status: inactive)

Internal Revenue Service - Circular 230 Attorney (status: inactive)