

MIHAILIS E. DIAMANTIS
University of Iowa, College of Law
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CURRENT POSITION

Visiting Professor of Law, Washington University School of Law(Spring 2022)
Professor of Law, University of Iowa, College of Law and Department of Philosophy (by courtesy) (2016 – present; tenured June 2021)

RESEARCH INTERESTS

Law White-Collar Crime, Law and Tech, Criminal Law, Privacy, Corporate Law, Jurisprudence
Philosophy Action, Experimental Philosophy, Moral Psychology, Ethics, Mind

COURSES TAUGHT

Law Corporate Crimes; Criminal Law; Privacy Law and Technology; Law and Language; Experimental Jurisprudence; Legal Writing and Research
Philosophy Philosophy of Law; Ethics; Logic; Philosophy of Mind

MOST RECENT TEACHING EVALUATIONS (2020-21)

<i>Corporate Crimes</i>	Instructor: 5.6/6	Course: 5.7/6
<i>Criminal Law</i>	Instructor: 5.7/6	Course: 5.8/6
<i>Privacy Law and Technology</i>	Instructor: 5.2/6	Course: 5.1/6

BAR MEMBERSHIP

New York
Supreme Court

EDUCATION

NYU Philosophy, Ph.D. (2018)

Dissertation “Doing Responsibly”
Committee Ned Block, Sharon Street, David Velleman (Chair)
Research Ronald Dworkin – JUSTICE FOR HEDGEHOGS (2011)

Yale Law School, J.D. (2009)

Journals *The Yale Law Journal*, Symposium Editor
Yale Journal of International Law, Articles Editor
Yale Human Rights and Development Law Journal, Managing Editor
Yale Law and Policy Review, Lead Editor

Amherst College, A.B., Philosophy, Mathematics, and English (2004)

Honors *Summa Cum Laude*
Kennedy Prize (best philosophy thesis)
Breusch Prize (best mathematics thesis)

CURRENT COMMITTEE WORK

Diversity, Equity, and Inclusion
J.D. Admissions
Learning Outcomes and Curriculum

SERVICE TO THE PROFESSION

AALS Jurisprudence Section, Chair of Board (2019), Executive Committee (2020 – present)
Law & Philosophy Workshop, Board Member (2017 – present)
SEALS Jurisprudence Group, Organizer (2017 – present)

GRANTS, FELLOWSHIPS, AND AWARDS

Institute for Humane Studies, Discourse Initiative (June 2021) (\$23,000)
Iowa Innovation and Business Law Center, David M. Hellwege Grant (May 2021) (\$35,000)
New York University School of Law, U.S. Corporate Law & Governance Program, Invited
Lecturer (2020-21)
Georgetown University, Institute for the Study of Market Ethics, Manuscript Workshop
Award (October 2019)
University of Iowa, Arts & Humanities Initiative Grant (August 2019) (\$7,500)
American Bar Foundation, Scholar in Residence (2018-19)

PRIOR EXPERIENCE

Associate in Law, Columbia Law School (2014-16)
Olin-Searle Fellow in Law, resident at Columbia Law School (2013-14)
Chief Judge Alex Kozinski, Ninth Circuit Court of Appeals, Law Clerk (2012-13)
Debevoise & Plimpton LLP, Mid-Level Associate, white-collar crime, alternative dispute
resolution, and attorney-client privilege (2009-12)

BOOKS

LAW AND PHILOSOPHY OF THE CORPORATE PERSON (Cambridge University Press,
forthcoming 2023)

WHITE COLLAR CRIME: CASES, MATERIALS AND PROBLEMS (Carolina Academic Press, 4th
ed. 2021) (with J. Kelly Strader & John Anderson)

ARTICLES AND CHAPTERS

Invisible Victims, 2022 WIS. L. REV. (forthcoming 2022)

How to Read a Corporation's Mind, in THE CULPABLE CORPORATE MIND (Elise Bant ed.,
forthcoming 2022)

Branding Corporate Crime, 1 STETSON BUS. L. REV. (forthcoming 2022) (with W. Robert
Thomas)

What Do We Owe to Victims of Corporate Crime?, in CORPORATE CRIME: THE FIRM AS VICTIM AND OFFENDER (Routledge: Advances in Criminological Theory) (Miranda A. Galvin & William S. Laufer eds., forthcoming 2022)

But We Haven't Got Corporate Criminal Law!, 47 J. CORP. L. (forthcoming 2022) (with W. Robert Thomas)

Interview featured on Ralph Nader Radio Hour (Nov. 2021)

Corporate Identity, in EXPERIMENTAL PHILOSOPHY OF IDENTITY AND THE SELF (forthcoming 2022)

Vicarious Liability for AI, in CAMBRIDGE HANDBOOK OF AI AND LAW (Kristin Johnson & Carla Reyes eds., forthcoming 2022)

The Moral Irrelevance of Constitutive Luck, 86 ERKENNTNIS (2021), <https://link.springer.com/article/10.1007/s10670-021-00404-x>

Algorithms Acting Badly: A Solution from Corporate Law, 89 GEO. WASH. L. REV. 801 (2021)

Reproduced in shorter form as *Algorithmic Harm as Corporate Misconduct*, in ARTIFICIAL INTELLIGENCE IN THE ECONOMIC SECTOR: PREVENTION AND RESPONSIBILITY 135 (Maria João Antunes & Susana Aires de Sousa eds., 2022)

Illusions of Affection: A Hyper-Illusory Account of Normative Valence, 28 J. CONSCIOUSNESS STUDS. 6 (2021)

The Corporate Insanity Defense, 111 J. CRIM. L. & CRIMINOLOGY 1 (2021)

Interview featured in CORPORATE CRIME REPORTER (Mar. 2020)

Interview featured in *Corporate Scholarship Podcast* (June 2020)

Featured by Spencer Jakab, *Can a Company Use the Insanity Defense?*, WALL ST. J. (Sept. 11, 2020)

The Body Corporate, 83 L. & CONTEMP. PROBS. 133 (2021)

The Extended Corporate Mind: When Corporations Use AI To Break the Law, 91 N.C. L. REV. 893 (2020)

Functional Corporate Knowledge, 2019 WM. & MARY L. REV. 319 (2019)

Limiting Identity in Criminal Law, 61 B.C. L. REV. 2011 (2019)

Prosecution and Punishment of Corporate Criminality, 14 ANN. REV. L. & SOC. SCI. 453 (2019) (with William Laufer)

Interview featured in KNOWABLE MAGAZINE (June 2020)

The Law's Missing Account of Corporate Character, 17 GEO. J.L. & PUB. POL'Y 865 (2019)

Corporate Incapacitation: A Handmaid's Tale?, 72 VAND. L. REV. EN BANC 251 (2019)

Monitorships: An Academic Perspective, in GLOBAL INVESTIGATIONS REVIEW – GUIDE TO MONITORSHIPS (Anthony S. Barkow et al. eds. 2019)

Corporate Essence and Identity in Criminal Law, 154 J. BUS. ETHICS 955 (2019)

Successor Identity, 36 YALE J. ON REG. 1 (2019)

Privileging Privacy: Confidentiality as a Source of Fourth Amendment Protection, 21 U. PA. J. CONST. L. 485 (2018)

Reproduced in shorter form as *Privacy-as-Confidentiality*, 46 SEARCH & SEIZURE L. REP. 27 (2019)

Clockwork Corporations: A Character Theory of Corporate Punishment, 103 IOWA L. REV. 507 (2018)

With responses by Miriam Baer, John Hasnas, and William S. Laufer
Interview featured in CORPORATE CRIME REPORTER (Feb. 2018)

An Eerie Feeling of Déjà Vu: From Soviet Snitches to Angry Birds, in CAMBRIDGE HANDBOOK OF SURVEILLANCE LAW (David Gray & Stephen E. Henderson eds., 2017) (with Judge Alex Kozinski)

White-Collar Showdown, 102 IOWA L. REV. ONLINE 320 (2017)

Of, For, and By the People: The Legal Lacuna of Synthetic Personhood, 25 ARTIFICIAL INTELLIGENCE & L. 273 (2017) (with Joanna Bryson & Tom Grant)

Corporate Criminal Minds, 91 NOTRE DAME L. REV. 2049 (2016)

Featured in JOTWELL, Corporate Law (Feb. 2016)

Arbitral Contractualism in Transnational Bankruptcy, 35 SW. U. L. REV. 327 (2006)

SHORTER WORKS

The Impeachment Trial Doesn't Have To Be Pointless – Provided It's Not All about Trump, THE HILL (Feb. 1, 2021), <https://thehill.com/opinion/judiciary/537939-the-impeachment-trial-doesnt-have-to-be-pointless-provided-its-not-all>

The Source(s) of Corporate Harm, THE FINREG BLOG (Feb. 8, 2021), <https://www.law.ox.ac.uk/business-law-blog/blog/2020/07/criminally-insane-corporations>

Criminally Insane Corporations, OXFORD BUS. L. BLOG (July 2, 2020), <https://www.law.ox.ac.uk/business-law-blog/blog/2020/07/criminally-insane-corporations>

Who Pays for AI Injury?, OXFORD BUS. L. BLOG (May 4, 2020), <https://www.law.ox.ac.uk/business-law-blog/blog/2020/05/who-pays-ai-injury>

The Light Touch of Caveat Emptor, 104 IOWA L. REV. ONLINE 113 (2020)

The Problem of Algorithmic Corporate Misconduct, COMPLIANCE & ENFORCEMENT (Sept. 16, 2019), https://wp.nyu.edu/compliance_enforcement/2018/10/26/getting-comfortable-with-collective-knowledge/
Republished OXFORD BUS. L. BLOG (September 23, 2019), <https://www.law.ox.ac.uk/business-law-blog/blog/2019/09/problem-algorithmic-corporate-misconduct>

From Here to There: A Reply to Professor Baer, 103 IOWA L. REV. ONLINE 154 (2019)

Looking Glass: A Reply to Caulfield and Laufer, 103 IOWA L. REV. ONLINE 147 (2019)

Duck-Rabbit: A Reply to Professor Hasnas, 103 IOWA L. REV. ONLINE 133 (2018)

Toward More Efficient Corporate Knowledge, BLUE SKY BLOG (December 27, 2018), <http://clsbluesky.law.columbia.edu/2018/12/27/toward-more-efficient-corporate-knowledge/>

Getting Comfortable with Collective Knowledge, COMPLIANCE & ENFORCEMENT (Oct. 26, 2018), https://wp.nyu.edu/compliance_enforcement/2018/10/26/getting-comfortable-with-collective-knowledge/

Rethinking Successor Criminal Liability, for the First Time, HARVARD LAW SCHOOL FORUM ON CORPORATE GOVERNANCE AND FINANCIAL REGULATION (May 11, 2018), <https://corpgov.law.harvard.edu/2018/05/11/rethinking-successor-criminal-liability-for-the-first-time/>

Ditching Deterrence: Preventing Crime by Reforming Corporations Rather than Fining Them, COMPLIANCE & ENFORCEMENT (Jan. 3, 2018), https://wp.nyu.edu/compliance_enforcement/2018/01/03/ditching-deterrence-preventing-crime-by-reforming-corporations-rather-than-fining-them/

How to Punish a Corporation, BLUE SKY BLOG (December 12, 2017), <http://clsbluesky.law.columbia.edu/2017/12/12/how-to-punish-a-corporation/>

Sentencing Fraud, COMPLIANCE & ENFORCEMENT (Oct. 3, 2017), https://wp.nyu.edu/compliance_enforcement/2017/10/03/sentencing-fraud/

RECENT PRESENTATIONS AND PANELS

2021

How to Read a Corporation's Mind, Corporate Culpable Minds, University of Western Australia (online) (December 2021)

Algorithms as Employees, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (November 2021)

But We Haven't Got Corporate Criminal Law!, Imagining a World Without Corporate Criminal Law, Georgetown University Law Center, Washington, D.C. (October 2021)
Corporate Accountability for Algorithmic Harms, Business Law Seminar, Iowa State Bar Association, Iowa City, Iowa (October 2021)
Algorithms as Employees, Chicagoland Junior Scholars Conference, Loyola University Chicago School of Law, Chicago, Illinois (October 2021)
Invisible Victims, JWI Fellows Conference, Washington D.C. (September 2021)
Algorithms as Employees, Legal Theory Workshop, University of Virginia, Charlottesville, Virginia (September 2021)
Algorithm Misconduct and Artificial Intelligence: The Accountability Gap in Corporate Law, University of Sao Paulo Business and Human Rights Working Group (September 2021)
The Fiction of Corporate Agency, International Social Ontology Conference, University of California San Diego (online) (August 2021)
Bots for Hire, CrimFest, University of North Carolina (online) (July 2021)
Bots for Hire, ComplianceNet, University College London (online) (June 2021)
Bots for Hire, Speak for a Sandwich Series, Institute for Humane Studies (online) (June 2021)
Vicarious Liability for AI, Iowa Summer Faculty Workshop Series, University of Iowa College of Law, Iowa City, Iowa (June 2021)
Bots for Hire, National Business Law Scholars Conference, University of Tennessee (online) (June 2021)
Corporations, Sustainability, Social Responsibility, and Resilience (Roundtable in Honor of Professor Margaret Blair), Annual Meeting, Law and Society Association (online) (May 2021)
Artificial Intelligence and Corporations, Artificial Intelligence in the Economic Sector: Prevent and Account, Universidade de Combría (online) (May 2021)
Discretion in Blaming: Some Lessons from Law for Philosophy, Oxford Seminars in Jurisprudence, Oxford University (online) (May 2021)
Vicarious Liability for AI, Cambridge Handbook of AI and Law Symposium, Emory University School of Law and SMU Dedman School of Law (online) (April 2021)
Corporate Accountability for Algos: How Businesses Conspire with, Solicit, and Fail to Supervise their Bots, AI Challenges to Established Legal Institutions, Monash University and Ramat Gan (online) (March 2021)
Social Media Surveillance, American Constitutional Society, University of Iowa, Iowa City, Iowa (February 2021)
Unpunishable Criminals, Philosophy Department Speaker Series, University of Iowa, Iowa City, Iowa (January 2021)
Blamers Discretion, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (January 2021)

2020

Unpunishable Criminals, Legal Theory Research Group, University of Edinburgh (online) (November 2020)
Algorithms Acting Badly, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (November 2020)

- Moral Standing, the Immoral Majority, and Politics*, Faculty Book Panel (MARK OSIEL, *THE RIGHT TO DO WRONG: MORALITY AND THE LIMITS OF LAW* (2019)), University of Iowa College of Law (online) (September 2020)
- The Body Corporate*, Junior Faculty Workshop, University of Iowa College of Law (online) (September 2020)
- Algorithms Acting Badly*, CRN 46 Corporate and Securities Law in Society, Melbourne Law School (online) (September 2020)
- The Corporate Insanity Defense*, MANCEPT, University of Manchester (online) (September 2020)
- Algorithms Acting Badly*, Law and Philosophy Discussion Group, Southeastern Association of Law Schools (online) (August 2020)
- Unpunishable Criminals*, CrimFest, Cardozo School of Law (online) (July 2020)
- Law and Philosophy of the Corporate Person*, Summer Faculty Workshop Series, University of Iowa College of Law (online) (June 2020)
- Unpunishable Criminals*, CrimWips, Northern Illinois University College of Law (online) (June 2020)
- The Corporate Insanity Defense*, Junior Faculty Workshop, University of Iowa College of Law (online) (June 2020)
- Law and Philosophy of the Corporate Person*, Summer Faculty Workshop, University of Iowa College of Law (online) (May 2020)
- Prosecuting the Unpunishable*, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (February 2020)
- Why Sarch Pretends We Don't Know What We Do*, Author Meets Critics (ALEXANDER SARCH, *CRIMINALLY IGNORANT: WHY THE LAW PRETENDS WE KNOW WHAT WE DON'T* (2018)), American Philosophical Association, Philadelphia, Pennsylvania (January 2020)
- The Extended Corporate Mind*, Business Associations Young Scholars Panel, American Association of Law Schools, Washington, DC (January 2020)

2019

- The Extended Corporate Mind*, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (December 2019)
- The Body Corporate*, Corporate Crimes Conference, Duke University School of Law, Durham, North Carolina (November 2019)
- Kahler v. Kansas*, Supreme Court Preview, American Constitution Society and Federalist Society, University of Iowa, College of Law, Iowa City, Iowa (October 2019)
- The Extended Corporate Mind*, Zicklin Center Normative Business Ethics Workshop, Wharton School of Business, Philadelphia, Pennsylvania (October 2019)
- The Corporate Insanity Defense*, Philosophy Club Faculty Presentation, University of Iowa Department of Philosophy, Iowa City, Iowa (October 2019)
- The Extended Corporate Mind*, Chicagoland Junior Scholars Workshop, Northern Illinois University College of Law, Chicago, Illinois (September 2019)
- The Extended Corporate Mind*, Legal Theory Reading Group, University of Iowa College of Law and Department of Philosophy, Iowa City, Iowa (September 2019)
- The Corporate Insanity Defense*, Junior Scholars Works in Progress Workshop, Chapman University Fowler School of Law, Orange, California (September 2019)

- The Corporate Insanity Defense*, Faculty Workshop, University of Iowa College of Law, Iowa City, Iowa (August 2019)
- The Extended Corporate Mind*, Jurisprudence Panel, Southeastern Association of Law Schools, Boca Raton, Florida (August 2019)
- The Extended Corporate Mind*, Criminal Theory Workshop, Harvard Law School, Cambridge, Massachusetts (July 2019)
- Limiting Identity in Criminal Law*, CrimFest, Brooklyn Law School, Brooklyn, New York (July 2019)
- Limiting Identity in Criminal Law*, Junior Criminal Law Theory Workshop, University of Toronto Law School, Toronto, Ontario (June 2019)
- Corporate Character Theory*, ComplianceNet, Villanova University School of Law, Villanova, Pennsylvania (June 2019)
- The Extended Corporate Mind*, Business Law & Tech Roundtable, Michigan State College of Law, East Lansing, Michigan (May 2019)
- Limiting Identity in Criminal Law*, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (April 2019)
- The Extended Corporate Mind*, Business Ethics in a Digital Age, Harvard University, Cambridge, Massachusetts (April 2019)
- The Extended Corporate Mind*, Corporate Crime Workshop, University of Houston Law Center, Houston, Texas (March 2019)
- Limiting Identity in Criminal Law*, Faculty Speaker Series, Mississippi College of Law, Jackson, Mississippi (January 2019)
- Functional Corporate Knowledge*, New Voices in Criminal Justice, American Association of Law Schools, San Diego, California (January 2019)
- Either, Neither, Both and the Light Touch of Caveat Emptor*, Insider Trading and Cryptoassets, American Association of Law Schools, San Diego, California (January 2019)

2018

- Even Odds: The Moral Irrelevance of Constitutional Luck*, Einstein Ethics Group, Humboldt University, Berlin, Germany (December 2018)
- The Law's Missing Account of Corporate Character*, The Ethics of Corporate Moral Agency, Georgetown Institute for the Study of Markets and Ethics and Zicklin Center for Business Ethics Research, Georgetown University, Washington, D.C. (November 2018)
- The Corporation and the Epistemologist*, Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (October 2018)
- The Corporation and the Epistemologist*, University of Chicago Law School, Chicago, Illinois (October 2018)
- The Corporation and the Epistemologist*, University of Missouri School of Law, Columbia, Missouri (September 2018)
- U.S. v. Martoma and the Future of Insider Trading Law*, Southeastern Association of Law Schools, Fort Lauderdale, Florida (August 2018)
- Philosophical Reflections on Rule of Law*, Southeastern Association of Law Schools, Fort Lauderdale, Florida (August 2018)
- The Corporation and the Epistemologist*, Southeastern Association of Law Schools, Fort Lauderdale, Florida (August 2018)

- Criminal Justice: A Play in Three Acts*, CrimFest, Cardozo Law School, New York, New York (July 2018)
- Successor Identity*, Junior Scholars Colloquium, Annapolis, Maryland (June 2018)
- Successor Identity*, National Business Law Scholars Conference, University of Georgia School of Law, Athens, Georgia (June 2018)
- The Corporation and the Epistemologist*, Integrating Corporate Reporting, Hebrew University, Jerusalem, Israel (June 2018)
- Corporate Essence and Identity in Criminal Law*, Central Division Meeting, American Philosophical Association, Chicago, Illinois (February 2018)
- Successor Identity*, Boston College Law School, Boston, Massachusetts (February 2018)
- Successor Identity*, Zicklin Center Normative Business Ethics Workshop, Wharton School of Business, Philadelphia, Pennsylvania (January 2018)
- What Is Fraud Anyway?*, American Association of Law Schools, San Diego, California (January 2018)
- Philosophy, Criminal Law, and the Present Crisis*, American Association of Law Schools, San Diego, California (January 2018)

2017

- This Is a Conversation Between A and B: How a “Second Party” Privilege Could Save Us from the Third-Party Doctrine*, Constitutional Law Colloquium, Loyola School of Law, Chicago, Illinois (November 2017)
- Acting Out: Environmental Influences on Action Attribution*, Experimental Jurisprudence Workshop, Yale Law School, New Haven, Connecticut (October 2017)
- The Corporation and the Epistemologist*, White Collar Workshop, University of Houston Law Center, Houston, Texas (October 2017)
- The Corporation and the Epistemologist*, Corporate Personhood Workshop, University of Iowa, College of Law, Iowa City, Iowa (October 2017)
- Unsticking Corporate Liability*, Northwestern University Law School, Chicago, Illinois (September 2017)
- The Corporation and the Epistemologist*, Southeast Association of Law Schools, Boca Raton, Florida (August 2017)
- Simulating Responsibility*, Society for Philosophy and Psychology, Johns Hopkins University, Baltimore, Maryland (June 2017)
- Clockwork Corporations: A Character Theory of Corporate Punishment*, Junior Scholars Colloquium, Annapolis, Maryland (June 2017)
- Clockwork Corporations: A Character Theory of Corporate Punishment*, National Business Law Scholars Conference, University of Utah, Salt Lake City, Utah (June 2017)
- The Corporation and the Epistemologist*, Law and Philosophy Workshop, University College London, London, U.K. (May 2017)
- Clockwork Corporations: A Character Theory of Corporate Punishment*, New Institute for the Study of Markets and Ethics, Georgetown University, Washington, D.C. (April 2017)
- Clockwork Corporations: A Character Theory of Corporate Punishment*, Iowa Law Speakers Series, University of Iowa, College of Law (February 2017)

2016

- Clockwork Corporations: A Character Theory of Corporate Punishment*, University of Kentucky College of Law, Lexington, Kentucky (November 2016)
- Clockwork Corporations: A Character Theory of Corporate Punishment*, University of Chicago Law School, Chicago, Illinois (November 2016)
- The Corporation and the Epistemologist*, Food for Thought, University of Iowa (October 2016)
- Clockwork Corporations: A Character Theory of Corporate Punishment*, CrimFest, Cardozo School of Law, New York, New York (July 2016)
- ‘Action’ Without Action*, The Joint Session of the Aristotelian Society and the Mind Association, Cardiff, Wales (July 2016)
- Clockwork Corporations: A Character Theory of Corporate Punishment*, Corporations as Legal Persons: Taking Entity Status Seriously, Cornell Law School, New York, New York (April 2016)
- Picking Out Actions*, The Science of Consciousness, Tucson, Arizona (April 2016)
- Perfect Criminals: A Theory of Corporate Punishment*, Markelloquium, Brooklyn Law School, New York, New York (March 2016)
- Dealer’s Choice in Moral Gambling*, Central American Philosophical Association Division Meeting, Chicago, Illinois (March 2016)
- Perfect Criminals: A Theory of Corporate Punishment*, Zicklin Center Normative Business Ethics Workshop, Wharton School of Business, Philadelphia, Pennsylvania (March 2016)
- Perfect Criminals: A Theory of Corporate Punishment*, AALS Conference, New York, New York (January 2016)