

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

University of Iowa, College of Law and Department of Philosophy (by courtesy)
Ben V. Willie Professor in Excellence (2023 - present)
Professor of Law (2021-23)
Associate Professor of Law (2016-21)

RESEARCH INTERESTS

Law Criminal Law, Corporate Law, Privacy, Law and Tech, White-Collar Crime, 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

<i>Corporate Crimes</i>	Instructor: 5.6/6	Course: 5.7/6
<i>Criminal Law</i>	Instructor: 5.6/6	Course: 5.8/6
<i>Privacy Law and Technology</i>	Instructor: 5.2/6	Course: 5.5/6
<i>Topics in Philosophy of Law</i>	Instructor: 5.8/6	Course: 5.8/6

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., *Summa Cum Laude*, Philosophy, Mathematics, and English (2004)

FELLOWSHIPS, VISITS, AND AWARDS

Visiting Fellow, University of Leeds, School of Philosophy (Fall 2023)
Manuscript Workshop Award, Institute for the Study of Market Ethics, Georgetown University (April 2023)

Mihailis E. Diamantis

Finalist for Best Conference Paper Award, Society of Business Ethics (Aug. 2022)
Diversity, Equity, and Inclusion Award, University of Iowa College of Law (May 2022)
Visiting Professor of Law, Washington University School of Law (Spring 2022)
Invited Lecturer, New York University, School of Law, U.S. Corporate Law & Governance Program, (2020-21)
Scholar in Residence, American Bar Foundation (2018-19)

CURRENT COMMITTEE WORK

Diversity, Equity, and Inclusion
Faculty Advisor to the “Society for Privacy Law and Technology” (student group)
Equal Justice Foundation
Staff Recognition

SERVICE TO THE PROFESSION

Society for Business Ethics, DEI Committee, Chair (2021 – present)
Society for Business Ethics, Ad Hoc Data Privacy Committee (2023-24)
Law and Society, CRN 46 (Corporate and Securities Law), Organizer (2022 – present)
AALS Jurisprudence Section, Chair of Board (2019), Executive Committee (2020-23)
SEALS Jurisprudence Group, Organizer (2017-22)
Law & Philosophy Workshop, Board Member (2017-22)

GRANTS

EAGER Grant, National Science Foundation, “Taking Law into Our Own Hands: Infusing Law into CS Education, Early and Often” (co-PI) (\$300,000) (2023-25)
David M. Hellwege Grant, Iowa Innovation and Business Law Center (\$20,000) (June 2022)
Symposium Grant, Georgetown Institute for the Study of Market Ethics (\$25,000) (Oct. 2021)
Symposium Grant, Zicklin Center for Business Ethics Research (\$10,000) (Oct. 2021)
Institute for Humane Studies, Discourse Initiative (\$23,000) (June 2021)
Arts & Humanities Initiative Grant, University of Iowa (\$7,500) (Aug. 2019)

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 2024)
WHITE COLLAR CRIME: CASES, MATERIALS AND PROBLEMS (Carolina Academic Press, 4th ed. 2021) (with J. Kelly Strader & John Anderson)

ARTICLES AND CHAPTERS

Vicarious Liability for AI, 99 INDIANA L.J. (forthcoming 2024)

Police Mental Health, Too, 109 IOWA L. REV. (forthcoming 2024)

Branding Corporate Criminals, 92 FORDHAM L. REV. (forthcoming 2024) (with Will Thomas)
Interview featured in CORPORATE CRIME REPORTER (April 2023)

The Monster Within: Representing Corporate Evil, in CORPORATE EVIL (Penny Crofts ed., forthcoming 2024)
Interview featured in CORPORATE CRIME REPORTER (October 2023)

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 2024)

Forms of Disclosure: The Path to Automating Closed Book Privacy Audits, 37 HARV. J. L. & TECH. (forthcoming 2023) (with Rishab Nithyanand, Maaz Bin Musa, and Lucas Ausberger)

A Marketing Pitch for Corporate Criminal Law, 2 STETSON BUS. L. REV. 1 (2023) (with W. Robert Thomas)

How to Read a Corporation's Mind, in THE CULPABLE CORPORATE MIND (Elise Bant ed., 2023)
Cited in Ontario Provincial Council of Carpenters' Pension Trust Fund v. Walton, 294 A.3d 65 (Del. Ch. 2023)
Cited in IBEW Local Union 481 Defined Contribution Plan and Trust v. Winborne, 2003 WL 5444317 (Del. Ch. 2023)

The Moral Irrelevance of Constitutive Luck, 88 ERKENNTNIS 1331 (2023)

Employed Algorithms: A Labor Model of Corporate Liability for AI, 72 DUKE L.J. 797 (2023)
Finalist for Society of Business Ethics Best Conference Paper Award (Aug. 2022)
Reproduced in shorter form as *Accountability for AI Labor*, in RESEARCH HANDBOOK ON CORPORATE LIABILITY (Christian Wittig & Martin Petrin, eds., forthcoming 2023)

AI and the Law: Can Legal Systems Help Us Maximize Paperclips and Minimize Deaths?, in TECHNOLOGY ETHICS: A PHILOSOPHICAL INTRODUCTION AND READINGS 242 (Gregory Robson & Jonathan Y. Tsou eds., 2022) (with Rebekah Cochran & Miranda Dam)

But We Haven't Got Corporate Criminal Law!, 47 J. CORP. L. 991 (2022) (with W. Robert Thomas)
Interview featured on Ralph Nader Radio Hour (Nov. 2021)
Interview featured in CORPORATE CRIME REPORTER (October 2021)

Corporate Identity, in EXPERIMENTAL PHILOSOPHY OF IDENTITY AND THE SELF 203 (Kevin Tobia, ed., 2022)

Invisible Victims, 2022 WIS. L. REV. 1

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)

Republished in Portuguese as *O Corpo Corporativo*, 2 REVISTA CIENTÍFICA DO CPJM 1 (Artur de Brito Geuiros trans., 2023).

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)

Cited in *Schwarz v. United States*, 828 Fed. Appx. 628 (11th Cir. 2020)

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 420 (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

A Marketing Pitch for Corporate Criminal Law, BLUE SKY BLOG (August 25, 2022), <https://clsbluesky.law.columbia.edu/2022/08/25/a-marketing-pitch-for-corporate-criminal-law>

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/

BAR MEMBERSHIP

New York
Supreme Court

RECENT PRESENTATIONS AND PANELS

2023

Reasonable AI: A Negligence Standard, Faculty Speaker Series, Newcastle University Law School, Newcastle, UK (Oct. 2023)

Reasonable AI: A Negligence Standard, Manchester Organisational Non-Compliance Initiative, University of Manchester, Manchester, UK (Oct. 2023)

- Law and Philosophy of the Corporate Person*, Manuscript Workshop, Surrey Center for Law and Philosophy, University of Surrey School of Law, Guildford, UK (Oct. 2023)
- Law and Philosophy of the Corporate Person*, Faculty Speaker Series, Philosophy Department, University of Leeds, Leeds, UK (Oct. 2023)
- Branding Corporate Criminals*, Annual Conference of the European Criminology Society, Florence, Italy (September 2023)
- The Good Corporate Person*, Annual Conference of the European Criminology Society, Florence, Italy (September 2023)
- Diversity, Equity, and Inclusion Plenary*, Society for Business Ethics Annual Conference, Boston, Massachusetts (Aug. 2023)
- Branding Corporate Criminals*, Society for Business Ethics Annual Conference, Boston, Massachusetts (Aug. 2023)
- Does ESG Have a Short-Termism Problem?*, Doing Business Well, John Templeton Foundation, Boston, Massachusetts (Aug. 2023)
- Does ESG Have a Short-Termism Problem?*, Southeastern Association of Law Schools, Boca Raton, Florida (July 2023)
- Myths and Misunderstandings of White-Collar Crime*, Law and Society CRN 46, San Juan, Puerto Rico (June 2023)
- Police Mental Health, Too*, Law and Society CRN 46, San Juan, Puerto Rico (June 2023)
- The Meaning and Relevance of Diversity for Business*, Central Division Meeting, American Philosophical Association, Denver, Colorado (Feb. 2023)
- Branding Corporate Criminals*, Faculty Workshop Series, University of North Carolina, Chapel Hill, North Carolina (Feb. 2023)
- Employed Algorithms: A Labor Model of Corporate Liability for AI*, Section on Agency, Partnerships, LLC's and Unincorporated Associations, American Association of Law Schools, San Diego, California (Jan. 2023)

2022

- Monsters, Psychopaths, and Poltergeists: A Typology of Corporate Evil*, The Evil Corporation Symposium, University of Technology Sydney, Sydney, Australia (Dec. 2022)
- Branding Corporate Criminals*, Midwest Law and Economics Association Conference, University of Chicago Law School, Chicago, Illinois (Oct. 2022)
- Branding Corporate Criminals*, Corporate Personhood Seminar, The Wharton School, University of Pennsylvania, Philadelphia, Pennsylvania (Oct. 2022)
- Branding Corporate Criminals*, Chicagoland Junior Scholars Conference, Loyola University Chicago School of Law, Chicago, Illinois (Oct. 2022)
- Employed Algorithms*, Society for Business Ethics, Seattle, Washington (Aug. 2022)
- Philosophical Perspectives on Legal Personhood*, Southeastern Association of Law Schools, Sandestin, Florida (Aug. 2022)
- A New Sanction for Corporate Criminals*, CrimFest, Cardozo Law School, New York, New York (July 2022)
- Branding Corporate Criminals*, Law and Society CRN 46, ISCTE University Institute of Lisbon, Lisbon, Portugal (July 2022)
- Collective States and Individual Roles*, Joint Session, University of St. Andrews Department of Philosophy, Scotland (July 2022)

- Branding Corporate Criminals*, National Business Law Scholars Conference, Oklahoma University College of Law, Norman, Oklahoma (June 2022)
- Branding Corporate Criminals*, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (Apr. 2022)
- Employed Algorithms: A Labor Model of Corporate Liability for AI*, Faculty Workshop Series, Washington University School of Law, St. Louis, Missouri (Mar. 2022)
- Branding Corporate Criminals*, White Collar Crime: A Look into the Past, Present, and Future, Stetson University College of Law (online) (Feb. 2022)

2021

- How to Read a Corporation's Mind*, Corporate Culpable Minds, University of Western Australia (online) (Dec. 2021)
- Algorithms as Employees*, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (Nov. 2021)
- But We Haven't Got Corporate Criminal Law!*, Imagining a World Without Corporate Criminal Law, Georgetown University Law Center, Washington, D.C. (Oct. 2021)
- Corporate Accountability for Algorithmic Harms*, Business Law Seminar, Iowa State Bar Association, Iowa City, Iowa (Oct. 2021)
- Algorithms as Employees*, Chicagoland Junior Scholars Conference, Loyola University Chicago School of Law, Chicago, Illinois (Oct. 2021)
- Invisible Victims*, JWJ Fellows Conference, Washington D.C. (Sept. 2021)
- Algorithms as Employees*, Legal Theory Workshop, University of Virginia, Charlottesville, Virginia (Sept. 2021)
- Algorithm Misconduct and Artificial Intelligence: The Accountability Gap in Corporate Law*, University of Sao Paulo Business and Human Rights Working Group (Sept. 2021)
- The Fiction of Corporate Agency*, International Social Ontology Conference, University of California San Diego (online) (Aug. 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) (Apr. 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) (Mar. 2021)

- Social Media Surveillance*, American Constitutional Society, University of Iowa, Iowa City, Iowa (Feb. 2021)
Unpunishable Criminals, Philosophy Department Speaker Series, University of Iowa, Iowa City, Iowa (Jan. 2021)
Blamers Discretion, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (Jan.2021)

2020

- Unpunishable Criminals*, Legal Theory Research Group, University of Edinburgh (online) (Nov. 2020)
Algorithms Acting Badly, Iowa Faculty Speaker Series, University of Iowa College of Law, Iowa City, Iowa (Nov. 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) (Sept. 2020)
The Body Corporate, Junior Faculty Workshop, University of Iowa College of Law (online) (Sept. 2020)
Algorithms Acting Badly, CRN 46 Corporate and Securities Law in Society, Melbourne Law School (online) (Sept. 2020)
The Corporate Insanity Defense, MANCEPT, University of Manchester (online) (Sept. 2020)
Algorithms Acting Badly, Law and Philosophy Discussion Group, Southeastern Association of Law Schools (online) (Aug. 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 (Feb. 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 (Jan. 2020)
The Extended Corporate Mind, Business Associations Young Scholars Panel, American Association of Law Schools, Washington, DC (Jan. 2020)