

JOHN L. DIAMOND
University of California
Hastings College of the Law
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Education:

Yale College, New Haven, Conn.
B.A. (1972) *Magna Cum Laude*; Departmental Honors with Exceptional Distinction

Emmanuel College, Cambridge University, Cambridge, England
Diploma in Criminology (1973)

Columbia Law School, New York, N.Y.
J.D. (1976) Harlan Fiske Stone Scholar

Employment:

University of California, Hastings College of the Law, San Francisco, California
The Honorable Raymond L. Sullivan Professor of Law (2018 to present);
Professor of Law (1986 - 2018);
Associate Academic Dean (1987 - 1989);
Associate Professor of Law (1983 - 1986);
Assistant Professor of Law (1980 - 1983).
Courses: Torts; Criminal Law; Mass Media Law

Cravath, Swaine & Moore, New York, N.Y.
Associate (1977 - 1980)

Honorable Thomas P. Griesa, United States District Court, S.D.N.Y.
Law clerk (1976 - 1977)

Teaching Awards:

Elected Faculty Commencement Speaker by Hastings Graduating class in 2013, 2010, 2009, 2005, 2004, 2001, 2000, 1988, 1987, 1985;

Outstanding Professor Award presented by Hastings student government 2011, 2010, 2008, 2004, 1990;

Rutter Outstanding Teaching Award (2001);

Northern California Association of Phi Beta Kappa Excellence in Teaching Award (2001);

Outstanding Professor Award presented by Alumni Office (1993).

Publications

Books:

UNDERSTANDING TORTS (6TH ED., Carolina Academic Press 2018) (with Lawrence C. Levine & Anita Bernstein)

CRIMINAL LAW: CASES AND MATERIALS (4TH ED., Carolina Academic Press 2017) (with Steven Saltzburg, Kit Kinports, Thomas Morawetz, & Rory Little)

TORTS - CASES AND MATERIALS (3RD ED. WEST ACADEMIC PUBLISHING 2016)

UNDERSTANDING TORTS (5TH ED., LEXISNEXIS 2013) (with Lawrence C. Levine & Anita Bernstein)

UNDERSTANDING TORTS (4TH ED., LEXISNEXIS 2010) (with Lawrence C. Levine & Anita Bernstein)

CRIMINAL LAW: CASES AND MATERIALS (3RD ED., LEXIS PUB. 2008) (with Steven Saltzburg, Kit Kinports, Thomas Morawetz, & Rory Little) (with Teacher's Manual and Annual Supplements)

CASES AND MATERIALS ON TORTS (2ND ED., WEST GROUP 2008)

UNDERSTANDING TORTS (3RD ED., LEXIS PUB. 2007) (with Lawrence C. Levine & M. Stuart Madden)

LEXISNEXIS CAPSULE SUMMARY: TORTS (LEXISNEXIS 2004 DIGITAL PUBLICATION) (with Lawrence C. Levine & M. Stuart Madden)

CASES AND MATERIALS ON TORTS (WEST GROUP 2001) (with Teacher's Manual)

CRIMINAL LAW: CASES AND MATERIALS (2ND ED., LEXIS PUB. 2000) (with Steven Saltzburg, Kit Kinports, & Thomas Morawetz) (with Teacher's Manual)

UNDERSTANDING TORTS (2ND ED., LEXIS PUB. 2000) (with Lawrence C. Levine & M. Stuart Madden), *excerpted in* UNDERSTANDING LAW SCHOOL: AN INTRODUCTION TO THE LEXISNEXIS UNDERSTANDING SERIES AND TIPS ON HOW TO SUCCEED IN LAW SCHOOL 59 (LEXISNEXIS 2004)

UNDERSTANDING TORTS (MATTHEW BENDER 1996) (with Lawrence C. Levine & M. Stuart Madden)

CRIMINAL LAW: CASES AND MATERIALS (MICHIE 1994) (with Steven Saltzburg, Kit Kinports, & Thomas Morawetz) (with Teacher's Manual)

Articles and Essays: "Measles and Misrepresentation in Minnesota: Can there be Liability for Anti Vaccine Misinformation that Causes Bodily Harm?," 56 San Diego L. Rev. ____ (Forthcoming 2019) (with Dorit Rubinstein Reiss).

"Crisis in American Criminal Law - Reflections from a Comparative Perspective," 65 *ArsAequi* 254 (April 2016) (Leiden University Law School faculty published journal)

Articles and Essays:

(cont'd)

"Reviving Lenity and Honest Belief at the Boundaries of Criminal Law," 44 University of Michigan Journal of Law Reform 1 (2010)

"Rethinking Compensation for Mental Distress: A Critique of the Restatement (Third) §§ 45-47," 16 The Virginia Journal of Social Policy & the Law 141 (2008)

"Larceny" in Oxford Companion to American Law (Oxford University Press, NY, 2002) (edited by Kermit Hall)

"Burglary" in Oxford Companion to American Law (Oxford University Press, NY, 2002) (edited by Kermit Hall)

"Trespass" in Oxford Companion to American Law (Oxford University Press, NY, 2002) (edited by Kermit Hall)

"An Ideological Approach to Excuse in Criminal Law," 25 New England Journal on Criminal and Civil Confinement 1 (1999)

"The Crisis in the Ideology of Crime," 31 Indiana Law Review 291 (1998)

"The Myth of Morality and Fault in Criminal Law Doctrine," 34 American Criminal Law Review 111 (1996)

"Rethinking Media Liability for Defamation of Public Figures," 5 Cornell Journal of Law And Public Policy 289 (1996)

"Assumption of Risk After Comparative Negligence: Integrating Contract Theory Into Tort Doctrine" 52 Ohio State L.J. 719 (1991). Reprinted in edited form in Davies, Levine and Kionka, A Torts Anthology 2d ed. (Anderson, 1999)

"Rediscovering Traditional Tort Typologies to Determine Media Liability for Physical Injuries: From the Mickey Mouse Club to Hustler Magazine" (with J.L. Primm) 10 Hastings Journal of Communications and Entertainment Law 969 (1988)

"*Philadelphia Newspapers v. Hepps*: Unanswered Defamation Questions," 10 Hastings Journal of Communications and Entertainment Law 125 (1987)

"Kidnapping: A Modern Definition," 13 American J. Crim. L. 1 (1985)

"*Dillon v. Legg*, Revisited: Toward a Unified Theory for Compensating Bystanders and Relatives of Victims," 35 Hastings L.J. 477 (1984)

"Eliminating the "Defect" in Design Strict Products Liability Theory," 34 Hastings L.J. 529 (1983)

Book Review:

67 A.B.A. J. 194 (1981) (reviewing James J. Magee, MR. JUSTICE BLACK: ABSOLUTIST ON THE COURT (1980))

Academic Visits and

Other Teaching:

University of California Berkeley School of Law: Visiting Professor 2018; 2016; 2014; and numerous prior visits

Cambridge University Emmanuel College: Senior Visitor, October 2018; October 2017; March, 2015

Leiden University Law School (the Netherlands): Visiting Professor 2015

George Washington University School of Law, Washington D.C.: Visiting Professor 2013-2014

Golden Gate University School of Law: Visiting Professor 2012 and additional prior visits

Cambridge University Wolfson College: Visiting Scholar 1992

BARBRI Bar Review: Lecturer (Torts) 1987-2014

UC Hastings Faculty

Committees Service

(previous and current years):

Chair, Curriculum Committee; Chair, Academic Standards Committee; Chair, Admissions Policy, Financial Aid and Student Service Committee; Chair, Student Life Task Force Committee; Co-Chair, Faculty Appointments Committee; Member, Executive Committee; Member, Dean's Advisory Board Meeting on Student Career Placement; Member, Rank and Tenure Committee; Member, Student Misconduct Committee; Member, Long Range Planning Committee; Member, Library Committee; Member, Admissions LEOP Process Committee.

Selected Memberships:

The American Law Institute's Members' Consultative Group Restatement (Third) of Torts: Intentional Torts to Persons;

The American Law Institute's Members' Consultative Group Restatement (Third) of Torts: Liability for Economic Harm;

The American Law Institute's Members' Consultative Group Restatement (Third) of Torts: Liability for Physical and Emotional Harm;

The American Law Institute's Members' Consultative Group Model Penal Code: Sentencing;

The American Law Institute's Members' Consultative Group Model Penal Code: Sexual Assault and Related Crimes;

Advisory Committee for *Hastings Communications and Entertainment Law Journal (Comm/Ent)*;

Faculty Advisory Board for the *Hastings Race and Poverty Law Journal*.

(revised 06-11-19)