

MICHAEL R. DIMINO

Widener Law Commonwealth
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ACADEMIC APPOINTMENTS

WIDENER UNIVERSITY COMMONWEALTH LAW SCHOOL, Harrisburg, Pa. 2004-Present
Professor of Law (July 2015-Present)
Associate Professor of Law (July 2007-June 2015) (Tenure Received in 2010)
Assistant Professor of Law (July 2004-June 2007)

Courses: Constitutional Law; First Amendment; Criminal Procedure; Criminal Law; Election Law; Administrative Law; Legislation; Federal Courts; Evidence; Civil Rights Litigation; Conflict of Laws; Contracts; Public International Law/National Security Law; Sports Law; Sexuality, Gender, and the Law; Separation of Powers; Supreme Court Politics; Torts; Role of a Judge

Research Areas: Voting Rights & Election Law, Judicial Selection, First Amendment

Honors: Douglas E. Ray Award for Faculty Scholarship (2011 and 2017)
Outstanding Professor Award (2021, 2022, and 2024)

UNIVERSITY OF SOUTH CAROLINA SCHOOL OF LAW, Columbia, S.C.
Visiting Professor of Law (Fall 2024); *Associate Professor of Law* (Spring 2015)

UNIVERSITÀ DEGLI STUDI ROMA TRE, Rome, Italy Spring 2018
Fulbright Scholar, teaching Law of Democratic Representation; U.S. Law & Foreign Policy

FLORIDA STATE UNIVERSITY COLLEGE OF LAW, Tallahassee, Fla. 2008-09
Visiting Associate Professor of Law

STETSON UNIVERSITY COLLEGE OF LAW, Gulfport, Fla. Summer 2008
Visiting Assistant Professor of Law

PENN STATE UNIVERSITY, DICKINSON SCHOOL OF LAW, Carlisle, Pa. Summer 2007
Visiting Assistant Professor of Law

EDUCATION

HARVARD LAW SCHOOL – J.D., *cum laude* June 2001
Articles Editor, *Harvard Journal of Law and Public Policy*

ARTICLES AND ESSAYS

- Political Speech*, in THE OXFORD HANDBOOK OF AMERICAN ELECTION LAW (Eugene D. Mazo ed., forthcoming 2024)
- You've Got (Political) Questions? We've Got No Answers*, 71 MERCER L. REV. 719 (2020)
- Foreword: Let's Be Reasonable: Thoughts on the Fourth Amendment and Constitutional Interpretation*, 29 WIDENER COMMW. L. REV. 1 (2020) (solicited)
- A Foolish Inconsistency: Religiously and Ideologically Expressive Conduct*, 4 ITALIAN L.J. 621 (2018), available at <http://theitalianlawjournal.it/data/uploads/4-italj-2-2018/619-dimino.pdf>
- The Rules of the Game: The Constitution and the Lawmaking Process*, in PENNSYLVANIA POLITICS AND POLICY 1 (J. Wesley Leckrone & Michelle J. Atherton eds. 2018)
- Minnesota Voters Alliance v. Mansky Strikes Down a Vague Ban on Speech in Polling Places, But Future Bans May Be Upheld*, 19 FED. SOC. REV. 134 (2018)
- Is There a Better Way to Elect the President?*, 2 CIVITAS 17 (2016)
- Image Is Everything: Politics, Umpiring, and the Judicial Myth*, 39 HARV. J.L. & PUB. POL'Y 397 (2016) (solicited)
- Tort Liability for Sports Officials*, REFEREE (Feb. 2015)
- It's My Party and I'll Do What I Want To: Political Parties, Unconstitutional Conditions, and the Freedom of Association*, 12 FIRST AMEND. L. REV. 65 (2014)
- Shelby County, Alabama v. Holder: Must Congress Update the Voting Rights Act's Coverage Formula for Preclearance?*, 14 ENGAGE 56 (2013)
- Untitled Review of MITCHEL A. SOLLENBERGER, JUDICIAL APPOINTMENTS AND DEMOCRATIC CONTROLS (2011), 22 LAW AND POLITICS BOOK REVIEW 52 (2012)
- The Natural and the Familiar in Politics and Law*, 56 ST. L. U. L. REV. 701 (2011)
- Public Confidence and Judicial Campaigns*, 56 WAYNE L. REV. 705 (2011)
- Police Paternalism: Community Caretaking, Assistance Searches, and Fourth Amendment Reasonableness*, 66 WASH. & LEE L. REV. 1485 (2009)
- We Have Met the Special Interests and We Are They*, 74 MO. L. REV. 495 (2009)
- Untitled Review of CHARLES L. ZELDEN, *BUSH V. GORE: EXPOSING THE HIDDEN CRISIS IN AMERICAN DEMOCRACY* (2008), 19 L. & POLS. BOOK REV. 35 (2009)
- Accountability Before the Fact*, 22 NOTRE DAME J.L. ETHICS & PUB. POL'Y 451 (2008)
- The Non-Political Branch*, 10 TEX. REV. L. & POLS. 449 (2006) (reviewing LEE EPSTEIN & JEFFREY A. SEGAL, *ADVICE AND CONSENT* (2005))
- Counter-Majoritarian Power and Judges' Political Speech*, 58 FLA. L. REV. 53 (2006)
- The Worst Way of Selecting Judges—Except All the Others That Have Been Tried*, 32 N. KY. L. REV. 267 (2005)
- The Futile Quest for a System of Judicial "Merit" Selection*, 67 ALB. L. REV. 803 (2004)

Pay No Attention to That Man Behind the Robe: Judicial Elections, the First Amendment, and Judges as Politicians, 21 YALE L. & POL'Y REV. 301 (2003)

All the President's Men? Executive Departments and Executive Privilege, 2 _____ (now GEO.) J.L. & PUB. POL'Y 68 (2001), at https://works.bepress.com/michael_dimino/7/

Comment, *Yes, Virginia (Tech), Our Government Is One of Limited Powers*, 24 HARV. J.L. & PUB. POL'Y 895 (2001)

Comment, *D.C. Circuit Revives Nondelegation Doctrine . . . Or Does It?*, 23 HARV. J.L. & PUB. POL'Y 581 (2000)

LEGAL EXPERIENCE

BAR MEMBERSHIPS: PENNSYLVANIA, NEW YORK, D.C. CIRCUIT, THIRD CIRCUIT, MIDDLE DISTRICT OF PENNSYLVANIA & U.S. SUPREME COURT

Arguing counsel in *McLinko v. Commonwealth*, a Pennsylvania Supreme Court case challenging the constitutionality of the Commonwealth's mail-in-voting law.

Court-appointed counsel in *United States v. Braddy*, a Third Circuit case challenging a federal conviction because of a violation of the right to counsel.

Pro bono service in child-custody, landlord-tenant, and PFA matters.

Consultant in *Jacobson v. Kings County Democratic Committee*, concerning party endorsements of judicial candidates.

MEDIATOR, U.S. DISTRICT COURT FOR THE MIDDLE DIST. OF PA. 2021-Present

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA Feb.-June 2004
Law Clerk for District Judge Paul L. Friedman

UNITED STATES COURT OF APPEALS FOR THE D.C. CIRCUIT Aug. 2003-Feb. 2004
Law Clerk for Senior Circuit Judge Laurence H. Silberman until his departure to chair the Commission on U.S. Intelligence Capabilities Regarding Weapons of Mass Destruction

NEW YORK STATE COURT OF APPEALS Aug. 2001-Aug. 2003
Law Clerk (Aug.-Dec. 2001) and Chief Law Clerk (Dec. 2001-Aug. 2003) for Associate Judge Albert M. Rosenblatt

JONES, DAY, REAVIS & POGUE, Washington, D.C. Summer 2001
Interim Associate. Worked primarily in the Issues and Appeals Group.

OTHER EMPLOYMENT

BASEBALL AND HOCKEY OFFICIAL 1991-Present
Baseball Umpire; Hockey Referee and Linesman. Officiated state, district, and national hockey championships.

WJL RADIO, AM 1440, Niagara Falls, N.Y. 1995-96
Old-Time Rock 'n' Roll Disc Jockey, News Reporter, Talk-Show Host, and Interim Sports Director.