

Diana J. Simon
dianasimon@arizona.edu
520-907-3800

PROFESSIONAL EXPERIENCE

Teaching Experience

University of Arizona, James E. Rogers College of Law, Tucson, Arizona

Continuing Status Eligible

Oct. 2021-present

Associate Clinical Professor of Law

Aug. 2017-present

Adjunct Assistant Professor

1994-May 2017

- Courses taught: Pre-Trial Litigation (1994-2010); Legal Research, Analysis, and Communication (2008-present); Advanced Legal Writing (2011-2016), Contracts Practice Lab (Fall 2007); Civil Procedure Practice Lab (Fall 2006, 2008); Co-taught Moot Court (Spring 2014).
- Developing and drafting hypothetical problems: Since approximately 2009, I have been creating hypothetical problems that our legal writing department uses for both 1L and 2L classes. Beginning in 2018, I was responsible for developing all 1L hypothetical problems, including two in the fall, one in the spring, and the final exam.

Eller College of Management, University of Arizona, Tucson, Arizona

Adjunct Assistant Professor

Fall 2013

- Courses taught: Business communications to undergraduate business students

Law Practice Experience

Diana J. Simon, PC, Tucson, Arizona

2001-2006

Founder/Shareholder

Korn, Waterman & Simon, P.C., Tucson, Arizona

1993-2001

Shareholder (from 1995)

Rosenfeld, Meyer & Susman, Beverly Hills, California

1985-1992

Equity Partner (from 1989)

Bryan Cave, Los Angeles, California

1984-1985

Associate

Liotta & Finkelstein, Washington, D.C.

1982-1984

Associate

Bar Admissions: Arizona (retired status), California (inactive status), Georgia (inactive status), and the District of Columbia (inactive status).

EDUCATION

Emory Law School, Atlanta, Georgia
Juris Doctor

1982

- Notes and Comments Editor, Emory Law Journal
- Author: *Defendant's Full and Fair Opportunity to Litigate: The Constitutionality of Search and Seizure in State Court Motion Hearing Collaterally Estops Relitigation of Same Issue in Subsequent Section 1983 Suit*, 30 Emory L. J. 927 (1981).

Washington University in St. Louis, St. Louis Missouri
Bachelor of Arts, Psychology

1979

- Dean's List all four years

PUBLICATIONS

BOOKS

- Author, Book, *The (Not Too Serious) Grammar, Punctuation, and Style Guide to Legal Writing* (Carolina Academic Press, November 2022). This book was listed in [David Lat's November 2022 column](#) where he spotlights noteworthy new books related to the law. The book was also favorably reviewed on a leading legal writing blog, [legal writing.net \(Dec. 6, 2022\)](#). It was also favorably reviewed by the Editor-in-Chief of the *Arizona Attorney Magazine* in the January 2023 issue and by author William Domnarski in Los Angeles's *Daily Journal* (Feb. 24, 2023) ("Diana Simon has written the best and only book you need to get what you write right. That it is fun to read is a bonus.").
- Work-in-Progress, Co-Author, Book, *A Legal-Writing Casebook: Opinions, Problems, and Commentary* (accepted for publication by Carolina Academic Press in February 2023—expected publication date—2024).

FULL-LENGTH ARTICLES

- Author, "Legal Education and Trigger Warnings: More Harm Than Good?" (forthcoming work in progress)
- Author, "The Ombudsman Privilege is a House of Cards: The Organizational Ombudsman's Hopeful but Unrealized Promise of Privilege and a Roadmap for Keeping the Promise, 41 Tex. Rev. Litigation, 34-101 (Winter 2021). *The Ombuds Blog* [blogged about it](#). It was also cited as authority in *Domke on Commercial Arbitration*, § 3:24 (Dec. 22 update).
- Author, "The Power of Connectivity: The Science and Art of Transitions," 18 Legal Communication & Rhetoric, JALWD, 65-80 (Fall 2021). *TaxProf Blog* referenced it in its [Weekly Legal Education Roundup](#). It was also discussed in 91 Kan. B. J. 14 (2022) ("Professor Simon's article inspired this column. If you are interested in a deeper dive into transitions, I recommend it!"). Finally, the [Law & Humanities](#) blog included a

discussion of it as well as a top legal writing blog, called Legalwriting.net.
<https://sites.utexas.edu/legalwriting/2023/06/12/connecting-legal-writing/>.

- Author, “The Scope of Employment Test Under the Work-Made-for-Hire Doctrine Revisited: How Covid-19, Remote Working, and the Restatement (Third) of Agency Could Change It,” 20 UIC Rev. Intell. Prop. L. 232 (April 2021).
- Author, “Laughing Your Way to Academic Success: Can Laughter Impact Learning and Well-Being in the Law School Classroom & Are There Cross-Cultural Differences?” 53 Conn. L. Rev. Online (May 2021). [TaxProf Blog](#) reported on it.
- Author, “Focused and Fun: A How-to Guide for Creating Hypotheticals for Law Students,” 19 Scribes Journal of Legal Writing 161-180 (Fall 2020).
- Author, “Cross-Cultural Differences in Plagiarism: Fact or Fiction?” 57 Duq. L. Rev. 73 (2019). Won Global Legal Skills Award for this article. The article was featured in the [TaxProf Blog](#) and in [Retraction Watch](#), funded in part by the MacArthur Foundation. Scholars in France and Saudi Arabia tweeted about it. It was also reported on in the [Committee on Publication Ethics](#) (a UK website).
- Author, “How I Spent My Summer Vacation: Creating an Online Plagiarism Workshop for Law Students,” (forthcoming work in progress).

SHORTER PIECES ON LEGAL WRITING

- Author, “Yada, Yada, Yada: The Magic of Three in Legal Writing” (forthcoming 360.com).
- Author, “Time to do Laundry: Cleaning Up Your Quotations” (forthcoming 360.com).
- Author, “Be a Superhero (Nor a Mummy): Embrace the Active Voice,” (forthcoming 360.com).
- Author, “Exploring the Singular ‘They’” (forthcoming 360.com).
- Author, “More True Confessions of a Legal Writing Professor: Response Times Are So Slow These Days, Email is Now Sloth Mail,” *Arizona Attorney Magazine* (forthcoming).
- Author, “More True Confessions of a Legal Writing Professor: Chat GPT Makes a Better Therapist Than a Lawyer,” *Arizona Attorney Magazine* (forthcoming Oct. 2023). This article was reported on in 360.com and blogged about in [TaxProfBlog](#).
- Author, “So, You Think You Can Write? Why Legal Writing Continuing Education Should Be Mandatory for Lawyers,” <https://www.law360.com/pulse/articles/1697275> (July 11, 2023).
- Author, “More True Confessions of a Legal Writing Professor: The Continuing Study of Legal Writing Should Be Deemed a Required Part of Our Professional Responsibility,” *Arizona Attorney Magazine* (June 2023). This article was blogged about in the [Law & Humanities](#) blog (Feb. 23, 2023).
- Author, “More True Confessions of a Legal Writing Professor: Unlike Belly Buttons, Commas and Periods with Quotation Marks Cannot Be Innies or Outies,” *Arizona Attorney Magazine* (forthcoming). The article was blogged about in [Comparative Law Tips and Tricks](#).
- Author, “More True Confessions of a Legal Writing Professor: Dictionaries Should Not Be a Democracy,” *Arizona Attorney Magazine* (October 2022). Reprinted in *@law*, National Association for Legal Support Professionals (Summer 2022, Vol. 71, Issue 3).

This article was blogged about in [hedges and foxes](#).

- Author, “More True Confessions of a Legal Writing Professor: I Will Never Surrender to the Sinful Comma Splice,” *Arizona Attorney Magazine* (September 2022). This was blogged about on [TaxProf Blog](#). It was also referenced in the Legal Education eJournal, Vol. 19, No. 11 (Feb. 25, 2022).
- Author, “More True Confessions of a Legal Writing Professor: Exclamation Proliferation and Why it Has to Stop!” *Arizona Attorney Magazine* (February 2022). This article was blogged about in [hedges and foxes](#), [TaxProf Blog](#), and an international consultant’s [linked in](#) feed (“the best and most amusing article you have read on the exclamation mark”).
- Author, “True Confessions of a Legal Writing Professor: Semicolons Suck,” *Arizona Attorney Magazine* (April 2021). Even before it was published, the blog [prawnsblawg](#), wrote about it. The [Appellate Advocacy Blog](#) also blogged about my article. My article was also discussed in [Maricopa County’s Public Defender Newsletter](#) (Jan. 2022, Vol. 31, Issue 4, p. 8).
- Author, “Handling Criticism of Your Writing (after Taking Advil to Handle the Hurt),” *Arizona Attorney Magazine* (Nov. 2018).
- Author, “The Science and Art of Transitions,” *Arizona Attorney Magazine* (April 2018).

As of June of 2023, I rank in the top 2% of all authors in downloads on SSRN.

EDITORIAL/PEER REVIEW POSITIONS

- Managing Editor, Journal of Appellate Practice and Process (2020-2023).
- Peer Reviewer, “Strategies to manage student’s plagiarism: a cross-cultural comparison,” *Higher Education Quarterly* (2020).
- Peer Reviewer, ALWD Guide to Legal Citation (Seventh Edition) (Fall 2020). I peer reviewed Rule 15 governing all citation forms to both federal and state legislation.
- Deputy Editor, American Bar Section of International Law, 2020 International Law Year in Review
- Beta Tester, We Cite Blog, University of Oregon (Winter 2021).

PRESENTATIONS

- Invited Speaker, “Tips to Improve Your Legal Writing,” Pima County Bar Association Legal Support Alliance (Sept. 23, 2023).
- Selected Co-Presenter (with Sylvia Lett), “The Power of the Hypo: How Writing About Whether a Homeless Shelter is a Dwelling under the Fair Housing Act Can Educate Students about Cultural Competency and Teach Instructors About Handling Student Triggers,” (ALWD Biennial Conference, July 13, 2023).
- Selected Speaker, “Harry Potter, Cartoons, and Caselaw: The Stories Surrounding Grammar, Punctuation, and Style,” (Rocky Mountain Legal Writing Conference Feb. 24, 2023).
- Book Talk (Nov. 14, 2022) Diana J. Simon, “The (Not Too Serious) Grammar, Punctuation, and Style Guide to Legal Writing,” (Carolina Academic Press, 2022).

- Invited Speaker, Arizona Women Lawyers Association, “The Details Matter: Tips to Improve Your Legal Writing” (October 16, 2022) (CLE Webinar).
- Selected Speaker, “How I Spent My Summer Vacation: Creating an Online Plagiarism Workshop” (Rocky Mountain Legal Writing Conference, Phoenix, March 4, 2022).
- Moderator, Book Talk on ALWD Guide, Seventh Edition (Sept. 14, 2021).
- Speaker, LawCats Live Webinar, “Ownership of intellectual property between employers and their employees: How Covid-19 and a Remote Workforce Could Change the Landscape” (June 22, 2021)
- Speaker, Legal Support Alliance (Arizona Chapter), “Brevity in Legal Writing: Be Prepared to Fall Out of Love with Your Words,” (May 26, 2021).
- Selected Speaker, ALWD 2021 Biennial Conference, “Laughing Your Way to Academic Success: Can Laughter Improve Learning and Well-Being?” (June 2021).
- Selected Speaker, “Cross-Cultural Differences in Plagiarism: Fact or Fiction?” (Legal Writing Institute Biennial Conference Washington, D.C. July 2020) (in-person conference cancelled but presented online in July).
- Selected Speaker, “Laughing Your Way to Academic Success: Can Laughter Impact Learning and Well-Being and are There Cross-Cultural or Cross-Generational Differences?” (Rocky Mountain Legal Writing Conference, Tucson, AZ, Mar. 2020) (cancelled due to Covid-19).
- Selected Speaker, “Laughing Your Way to Academic Success: Can Laughter Improve Learning and Well-Being?” (Conference on Writing and Well-Being, University of Arizona, Tucson, AZ, Jan. 2020).
- Selected Speaker, “Cross-Cultural Differences in Plagiarism: Fact or Fiction?” (Global Legal Skills Conference, Phoenix, AZ, Dec. 2019).
- Selected Speaker, “The Story of Cross-Cultural Differences in Plagiarism,” (Biennial Applied Storytelling Conference, Boulder, CO, July 2019) (forced to cancel due to family emergency).
- Speaker, “The ABCs of Legal Writing,” (Tucson Paralegal Association and NALS of Tucson & So. Az.), Continuing Legal Education on Legal Writing (Tucson, AZ, May 2019).
- Selected Speaker, “The Power of Connectivity: The Science and Art of Transitions,” (Rocky Mountain Legal Writing Conference, Las Vegas, NV, Mar. 2019).
- Selected Speaker, “Cross-Cultural Differences in Plagiarism: Fact or Fiction?” (Rocky Mountain Regional Legal Writing Conference, University of Denver, Sturm College of Law, Denver, CO, Mar. 2018).
- Speaker, “Cross-Cultural Differences in Plagiarism: Fact or Fiction?” (Legal Writing Institute One-Day Workshop, University of Arizona, James E. Rogers College of Law, Tucson, AZ, Dec. 2017).
- Selected Speaker, “The Power of Connectivity: The Science and Art of Transitions,” (Rocky Mountain Legal Writing Conference, Phoenix, AZ, Mar. 2017).
- Speaker, “On Going to Law School,” Pre-Law Society, (University of Arizona, Tucson, AZ Sept. 2011).
- Speaker, “Moving Beyond Memos—Moving Students from the Ivory Tower to the Office,” (Tenth Annual Rocky Mountain Legal Writing Conference, University of Arizona, James E. Rogers College of Law, Tucson, AZ, Mar. 2010).

SERVICE TO INSTITUTION

- University Ombuds, Chair, University of Arizona's Ombuds Committee (2022-2024)
Conducted University outreach, including presentation to Deans, Provost's Council, Human Resources, College of Law, College of Medicine (Tucson and Phoenix), College of Pharmacy, College of Applied Science and Technology, College of Education, Wyant College of Optical Sciences, Graduate College, student workers' union, and student fairs. Drafted first charter and content for website. Conducted in-house training of committee members. The [Ombuds Blog](#) reported on my appointment and included a reference to my article on the ombuds privilege.
- Member, Diversity Coordinating Council, University of Arizona (2022-2024).
- Designated one of 100 Campus Leaders (2022-2023).
- Managing Editor, Journal of Appellate Practice and Process (2020-2024).
- Member, Inaugural University-wide Ombuds Committee (2021-2022) (selected after application process).
- Hiring Committee for professor to teach legal writing and other subjects at Ocean University (2022).
- Creation of eight-module, three-hour online plagiarism workshop for our global and non-global students in Arizona (covering definitions of plagiarism, reasons for plagiarism and types of plagiarism, diverse cultural perspectives, quoting and paraphrasing, character and fitness issues, and lawyers and plagiarism) (Summer 2021) (Became mandatory part of 1L curriculum in Fall of 2022).
- Admissions Committee, 2020-2022.
- Member, Senate ad hoc University of Arizona Committee on Career Track Faculty, 2021-2022.
- Faculty Advisor, Student Notes (patent law, Indian Country and environmental racism, English only laws, election law and AI interference, treatment of celebrity defendants accused of a crime, mass marketing companies/pyramid schemes and regulation)
- Podcast Interviews for Practice in Place: Law and Justice Go Viral
- Writing Fellow Selection Process: Interviewed all writing fellow applicants, summarized interviews, and made recommendations to legal writing team, Spring 2020, 2021, and 2022.
- Presenter at workshop for incoming international students at orientation on plagiarism, Fall 2019, 2020, 2021.
- Speaker, 1L Class—On Making Partner and Generating Business, Spring 2019.
- Judge for Fegtly Moot Court Competition (finals), Spring 2018.
- Judge for practice rounds of ABA Moot Court Competition (2017-present).
- Speaker, Sports and Entertainment Law Society (multiple years).
- LawCats Live online seminar (June 2021).

AWARDS

- Distinguished Early Career Scholar Award (recognizes one outstanding faculty member per year for highly valued contributions to research and the intellectual life of the College). Awarded May 22, 2023.
- Global Legal Skills Award for scholarship on cross-cultural education (awarded at Global

Skills Conference, Dec. 2019, Phoenix, Arizona).