

DAVID S. HAN
Pepperdine University Caruso School of Law
24255 Pacific Coast Highway • Malibu, CA 90263
310-506-6274 • david.han@pepperdine.edu

ACADEMIC APPOINTMENTS

Pepperdine University Caruso School of Law, Malibu, CA
Associate Dean for Faculty and Research 2022 – Present
Professor of Law 2019 – Present
Straus Research Professor 2018 – 2019
Associate Professor of Law (tenure granted in 2017) 2013 – 2019
Awards: Howard A. White Award for Teaching Excellence (University Award) – 2019
Dean’s Award for Excellence in Scholarship – 2021, 2015

New York University School of Law, New York, NY 2010 – 2013
Acting Assistant Professor of Lawyering
Chair, Lawyering Scholarship Colloquium

EDUCATION

Harvard Law School
J.D., *magna cum laude*, 2005.
Activities: *Harvard Law Review*, Notes Chair
Harvard Journal of Law & Technology
Asian Pacific American Law Students Association (APALSA)

Yale University
B.A. with distinction, *magna cum laude*, in English Language and Literature, 2000.
Honors: Phi Beta Kappa

JUDICIAL CLERKSHIPS

The Honorable David H. Souter, Washington, DC 2006 – 2007
Supreme Court of the United States

The Honorable Michael Boudin, Boston, MA 2005 – 2006
United States Court of Appeals for the First Circuit

LAW REVIEW PUBLICATIONS

Refining Student Speech Doctrine, 60 U.C. DAVIS LAW REVIEW __ (forthcoming 2026).

Compelled Speech, Speaker Perception, and Plausibility, 77 FLORIDA LAW REVIEW 743 (2025).
- Selected for inclusion in THE FIRST AMENDMENT LAW HANDBOOK (Rodney A. Smolla, ed., West 2025-26).

Free Speech and Public Self-Definition, 51 FLORIDA STATE UNIVERSITY LAW REVIEW 943 (2024).

Compelled Speech and Doctrinal Fluidity, 97 INDIANA LAW JOURNAL 841 (2022) (symposium).

- Selected for inclusion in THE FIRST AMENDMENT LAW HANDBOOK (Rodney A. Smolla, ed., West 2022-23).

Constitutional Rights and Technological Change, 54 U.C. DAVIS LAW REVIEW 71 (2020).

- Reviewed by Mark Kende, *Loose Constitutional Interpretation for a Changing Technological World*, JOTWELL (Apr. 15, 2022), <https://conlaw.jotwell.com/loose-constitutional-interpretation-for-a-changing-technological-world/>

Managing Constitutional Boundaries in Speech-Tort Jurisprudence, 69 DEPAUL LAW REVIEW 495 (2020) (symposium).

- Invited submission for the 25th Annual Clifford Symposium on Tort Law and Social Policy, which was entitled “Rising Stars: A New Generation of Scholars Looks at Civil Justice”

Brandenburg and Terrorism in the Digital Age, 85 BROOKLYN LAW REVIEW 85 (2019) (symposium).

Categorizing Lies, 89 UNIVERSITY OF COLORADO LAW REVIEW 613 (2018) (symposium).

Conspiracy Theories and the Marketplace of Facts, 16 FIRST AMENDMENT LAW REVIEW 178 (2018) (symposium).

Middle-Value Speech, 91 SOUTHERN CALIFORNIA LAW REVIEW 65 (2017).

- Selected as a winner of the 2017 Southeastern Association of Law Schools Call for Papers competition

Terrorist Advocacy and Exceptional Circumstances, 86 FORDHAM LAW REVIEW 487 (2017) (symposium).

Transparency in First Amendment Doctrine, 65 EMORY LAW JOURNAL 359 (2015) (symposium).

The Value of First Amendment Theory, 2015 UNIVERSITY OF ILLINOIS LAW REVIEW SLIP OPINIONS 87 (2015) (invited response).

Rethinking Speech-Tort Remedies, 2014 WISCONSIN LAW REVIEW 1135 (2014).

The Mechanics of First Amendment Audience Analysis, 55 WILLIAM & MARY LAW REVIEW 1647 (2014).

- Selected for inclusion in THE FIRST AMENDMENT LAW HANDBOOK (Rodney A. Smolla, ed., West 2014-15).

Autobiographical Lies and the First Amendment's Protection of Self-Defining Speech, 87 N.Y.U. LAW REVIEW 70 (2012).

- Selected for inclusion in THE FIRST AMENDMENT LAW HANDBOOK (Rodney A. Smolla, ed., West 2012-13).

Note, *Assessing the Viability of a Substantive Due Process Right to In Vitro Fertilization*, 118 HARVARD LAW REVIEW 2792 (2005).

Recent Case, *Lombardo v. Warner*, 117 HARVARD LAW REVIEW 2753 (2004).

BOOKS AND BOOK CHAPTERS

STUDENT SPEECH IN THE TWENTY-FIRST CENTURY (Alexander Tsesis & David Han eds., Cambridge University Press, forthcoming 2026).

Tinker and the Varieties of Student Speech, in STUDENT SPEECH IN THE TWENTY-FIRST CENTURY (Alexander Tsesis & David Han eds., Cambridge University Press, forthcoming 2026).

Our Eclectic First Amendment, in THE ELGAR COMPANION TO FREEDOM OF SPEECH AND EXPRESSION (Ashutosh Bhagwat & Alan Chen eds., Edward Elgar Publishing, 2026).

Disentangling "Cancel Culture", in MINORITIES, FREE SPEECH, AND THE INTERNET (Oscar Pérez de la Fuente, Alexander Tsesis, Jędrzej Skrzypczak eds., Routledge, 2023).

OTHER PUBLICATIONS AND BLOGS

Terrorist Advocacy and the First Amendment Tipping Point, DAILY JOURNAL, Feb. 12, 2018.

Prawfsblawg, Guest Contributor, March 2014.

A Shift in Constitutional Tort Jurisprudence, SAN FRANCISCO ATTORNEY, Summer 2009, at 49 (with Aimee Feinberg and Michelle Friedland).

Change of Heart—Justice Stevens Reassesses the Death Penalty, SAN FRANCISCO ATTORNEY, Fall 2008, at 32 (with Jeff Bleich, Daniel Bress, Aimee Feinberg, and Michelle Friedland).

SELECTED CONFERENCES AND PRESENTATIONS

Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT: Discussant for Lauren Gailey's *Salvaging Sullivan: Protecting the Press after Actual Malice*, April 2026.

Faculty Workshop, UC Irvine School of Law, Irvine, CA: *Refining Student Speech Doctrine*, April 2026.

Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT: Discussant for Hannah Bloch-Wehba's *Information Law Pluralism*, April 2025.

Constitutional Law Colloquium, Florida State University College of Law, Tallahassee, FL: *Our Eclectic First Amendment*, November 2024.

Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT: *Free Speech and Public Self-Definition*, April 2024.

Loyola Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL: *Speaker Intent and the Boundaries of Speech Protection*, November 2023.

Loyola Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL: *The Right to Public Self-Definition*, November 2022.

Chapman Law Review Symposium on “A Future Proof Constitution: Exploring the Effects of Modernization on Constitutional Law,” Panelist, January 2022. (online)

International Webinar on “Free Speech, Democracy and Rights of Minorities”: *Disentangling “Cancel Culture”*, July 2021. (online)

Indiana Law Journal Symposium: *Compelled Speech and Doctrinal Fluidity*, March 2021. (online)

ACS Constitutional Law Scholars Forum, Barry University Dwayne O. Andreas School of Law, Orlando, FL: *Constitutional Rights and Technological Change*, February 2020.

Loyola Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL: *Constitutional Rights, Technology, and Doctrinal Obsolescence*, November 2019.

Clifford Symposium on Tort Law and Social Justice, DePaul University College of Law, Chicago, IL: *Managing Constitutional Boundaries in Speech-Tort Jurisprudence*, April 2019.

Brooklyn Law Review Symposium, Brooklyn Law School, Brooklyn, NY: *Brandenburg and Terrorism in the Digital Age*, April 2019.

Constitutional Law Colloquium, University of Illinois College of Law, Champaign, IL: *Constitutional Rights and Technological Change*, March 2019.

Faculty Colloquium, UC Hastings College of Law, San Francisco, CA: *Constitutional Rights and Technological Change*, February 2019.

Loyola Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL: *The Metaphysics of First Amendment Doctrine*, November 2018.

First Amendment Law Review Symposium, University of North Carolina School of Law, Chapel Hill, NC: *Conspiracy Theories and the Marketplace of Facts*, October 2017.

Southeastern Association of Law Schools Annual Conference, Boca Raton, FL: *Terrorist Advocacy and Exceptional Circumstances*, August 2017.

Call for Papers Luncheon, Southeastern Association of Law Schools Annual Conference, Boca Raton, FL: *Middle-Value Speech*, August 2017.

Ira C. Rothgerber Jr. Conference on Constitutional Law, University of Colorado Law School, Boulder, CO: *Categorizing Lies*, April 2017.

Fordham Law Review Symposium, Fordham University School of Law, New York, NY: *Terrorist Propaganda and Exceptional Circumstances*, April 2017.

Loyola Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL: *Speech and Conflicting Perceptions*, November 2016.

Southern California Junior Faculty Workshop, Chapman University School of Law, Orange, CA: *Middle-Value Speech*, October 2016.

Loyola Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL: *Middle-Value Speech*, November 2015.

Southeastern Association of Law Schools Annual Conference, Boca Raton, FL: *Middle-Value Speech*, July 2015.

Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT: Discussant for Caroline Mala Corbin's *Speech or Conduct?*, May 2015.

Randolph W. Thrower Symposium, Emory University School of Law, Atlanta, GA: *Transparent First Amendment Doctrine*, February 2015.

University of San Diego School of Law Faculty Colloquium, San Diego, CA: *Rethinking Speech-Tort Remedies*, September 2014.

Southeastern Association of Law Schools Annual Conference, Amelia Island, FL: *Rethinking Speech-Tort Remedies*, August 2014.

Freedom of Expression Scholars Conference, Yale Law School, New Haven, CT: *Flexible Remedies in Speech-Tort Jurisprudence*, May 2014.

Prawfsfest X, Pepperdine University School of Law, Malibu, CA: *Flexible Remedies in Speech-Tort Jurisprudence*, December 2013.

Loyola Constitutional Law Colloquium, Loyola University Chicago School of Law, Chicago, IL: *Flexible Remedies in Speech-Tort Jurisprudence*, November 2013.

NYU Lawyering Scholarship Colloquium, New York University School of Law, New York, NY:
The Mechanics of First Amendment Audience Analysis, June 2012.

NYU Lawyering Scholarship Colloquium, New York University School of Law, New York, NY:
Autobiographical Lies and the First Amendment's Protection of Self-Defining Speech, June
2011.

PROFESSIONAL AFFILIATIONS AND SERVICE

American Law Institute – Elected Member (elected 2021)

Faculty Appointments Committee – Chair (2020-21); Vice-Chair (2021-22); Committee Member
(2018-19, 2022-present)

Academic Standards Committee (2019-20)

Student Life Committee – Chair (2017-18); Committee Member (2014-17)

Curriculum Committee (2013-14)

Pepperdine University Faculty Council (2017-18)

Faculty Advisor for Pepperdine chapter of Asian Pacific American Law Students Association
(APALSA) (2013-present)

Peer reviewer for Harvard Law Review; Yale Law Journal; Jurimetrics—The Journal of Law,
Science & Technology; Cambridge University Press

Chair of NYU Lawyering Scholarship Colloquium (2012-13)

OTHER PROFESSIONAL EXPERIENCE

Munger, Tolles & Olson LLP, San Francisco, CA 2007 – 2010
Litigation Associate

Davis Polk & Wardwell LLP, New York, NY Summer 2004
Summer Associate

New York City Law Department, New York, NY Summer 2003
Summer Honors Intern – Appeals Division

Morgan Stanley & Co., New York, NY 2000 – 2002
Strategic Planning Analyst

TEACHING AND RESEARCH INTERESTS

First Amendment Law, Torts, Criminal Procedure, Law and Economics, Jurisprudence