



# Maryanne Murphy – Stretching the legal mind

*Attorney's quest spans the worlds of art and law.*

## STEPHEN ELLISON

If there are more ambitious career choices for Maryanne Murphy, she has yet to find them. As it is, law and medicine have done fine thus far to sate her determination. But that ultimate dream job still could be out there.

"I'm attempting to get my Master's of Fine Arts from the Academy of Art at the University of San Francisco," says Murphy, who has a nursing degree and a juris doctorate, "in drawing and painting."

Some would say Murphy already is a versatile artist at work. Having mastered all aspects of trial law, the principal of Murphy Mediations, a South Bay law firm, now seems intent on mastering any and all areas where trial law can be applied. Her expertise includes personal injury, employment law (specializing in sexual discrimination and sexual harassment), medical negligence, business contracts, construction defects, real estate and land use.

Murphy also is active in community-oriented projects such as her legal consulting role with the Santa Clara County FireSafe Council, whose mission is to help homeowners reduce and prevent loss from wildfires and advocate for the preservation of natural resources, including California's Redwood forests.

"She does good work for us," says Rick Parfitt, secretary for the council. "She certainly knows the ins and outs of environmental law."

### From the Midwest plains to Silicon Valley

A native of Iowa, Murphy acted on her caring nature by enrolling in nursing



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school and earning a bachelor's degree from the University of Iowa. She continued her education with graduate courses in psychiatric nursing at Iowa State University, and yet, she still

longed for more. After a move to Chicago and entertaining thoughts of becoming a doctor, a meeting with a couple of lawyer friends taught her that their jobs entailed much more than "pushing paper." She had found a new calling.

"I did it for the intellectual challenge," Murphy says of her decision to switch from studying medicine to attending law school. "I knew it was something I could do for the rest of my life and something I would only get better at as I got older."

Working as a registered nurse while attending law school took its toll, but Murphy insists she came away better for the experience. For starters, it opened her eyes to a new way of applying research.

"In medicine, you gather a bunch of facts, and they all usually lead to one conclusion," Murphy says. "In law, you gather a bunch of facts, and then look at all of the possible conclusions that can be drawn from those facts."

After graduating from ITT-Chicago-Kent College of Law, Murphy wasted little time putting her credentials to work. Her medical background led to an apprenticeship first with the renowned

personal injury lawyer, Philip H. Corboy, in Chicago and then with legendary litigator and "king of torts," Melvin Belli, in San Francisco.

She assisted Corboy in what she dubbed "the case of a lifetime." *Block v. General Signal Inc.* (Cook County Illinois Circuit Court, 1983) involved a DePaul University law professor who, as the result of an auto accident, sustained a brain-stem injury called "locked-in syndrome," where victims can move only their eyes but remain conscious. The result was a \$9.3 million verdict.

Two years later, while working with famed attorney Melvin Belli, Murphy was lead counsel on a medical negligence case involving an infant who suffered brain damage due to medical malfeasance. *Wynter Gazzero v. Sisters of Charity of Providence of Montana dba Columbus Hospital* (Cascade County District Court, Montana, 1985) was just about to go to trial when it was resolved with an eleventh-hour settlement for an undisclosed sum.

Murphy eventually landed in Belli's San Francisco office and worked for three other Bay Area firms in the late 1980s before setting out on her own. Barely three years into her own practice, she found herself behind the defense table in what she considers her most memorable case.

In *People of the State of California v. Mieczyslaw Symkowiak* (Santa Clara County Municipal Court, 1993), Murphy's client had been charged with obstruction of justice and assaulting a police officer. Symkowiak, a Polish immigrant, refused to let San Jose police – who were pursuing his daughter, an



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ex-drug felon – into his home without a warrant. He also did not immediately respond to the officers' commands to bend to the ground because of knee injuries he had sustained from being shot by Nazi guards as a detainee in World War II concentration camps. Murphy's representation of Symkowiak in itself was enough to influence the district attorney to dismiss the case.

"This one touched my heart," Murphy says. "From a human point of view, I've never seen relief like what I saw on (Symkowiak's) face that day. I'll always take that with me."

### **Riding the mediation wave**

Murphy just recently ventured into mediation, something of a trend among trial lawyers. She says preparing for a mediation is very different from preparing for a trial in that the attorney acts as a facilitator for both parties rather than an advocate for one client.

"There's some healing in my estimation, as there is in court cases, and this is where they are similar," she says. "It gives (each client) an opportunity to state their piece – it's another way to address the problem. Personally, I love going to court and winning a case. There's no better feeling. But, I also like seeing people resolve a case if they can."

Michael Fitzpatrick, a fellow former board member of the Consumer Attorneys of California, says Murphy's graduation from Gerry Spence's Trial Lawyers College was a transformational event for his colleague and friend.

"She came away from that deeply committed to her work as a trial lawyer," Fitzpatrick says. "Maryanne has a big heart – she used to be a psychiatric nurse. So, she has that caregiver nature. She's still very much like that as a lawyer."

Murphy will soon be adding "artist" to her long list of titles. She says the MFA

pursuit is her way of keeping a healthy mind.

"I tell colleagues that one of the most important things they can do is take care of their minds – their minds are their tools," she says. "I have an artful mind, and I have a legal mind. It's the best of both worlds. I'm very lucky."



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