



Profile: Shahrads Milanfar

Iranian immigrant found a fair judicial system in the U.S. and built a satisfying professional life around it

By **STEPHEN ELLISON**

Having a very troubling experience suddenly become very memorable and then truly life changing might be an odd way into a profession, but that's pretty much how Shahrads Milanfar became interested in the law.

The principal of the Milanfar Law Firm grew up in Oakland. He endured physical bullying at school and one of the incidents ended up in court, where he had to testify against the people who beat him up.

"I didn't end up taking the stand, but the prosecutor did a great job of protecting me and was someone who I found myself thinking, 'All right, he's in your corner, and he's standing up for you.' And that left an impression. I thought, 'OK, I want to do that when I'm older.' So that's kind of where the seed was planted.

"I'm also from an Iranian family, and we always joke that you're either a doctor or a lawyer or an engineer," he added. "And since I wasn't smart enough to become a doctor, and my brother was smart enough to become an engineer, I figured being a lawyer is not a bad profession."

As Milanfar strived to be like that prosecutor who represented him, he discovered that what his attorney had done in his case only scratched the surface. During a volunteer stint as a prosecutor – to gain trial and courtroom experience and perhaps get his foot in the door – Milanfar soon realized that the political factors that went into how cases were prosecuted gave him pause. It was enough of a negative vibe for him to explore his other options in law.

"It was kind of a wake-up call," he said. "So, then I basically needed to try to look for a job, and I ended up on a



Milanfar

defense track. I did defense work for 19 years before I opened this firm in January of 2020."

As a defense attorney, Milanfar had the opportunity to work on high-value, high-stakes

catastrophic injury cases.

He prided himself on taking a "human" approach rather than treating every case as if it's unwarranted or the plaintiff is not being truthful. He described it as taking an objective, 1,000-foot view so that he would be able to offer the proper advice to his clients because the last thing the client needs, he added, is to be surprised with a massive verdict after their attorney insisted things would be OK.

"That was a good experience," Milanfar said. "I've always been very curious about learning decision-making presentations, technology, and I ultimately ended up learning about mediation and becoming a mediator. So, in addition to doing the work I do as an attorney, I also mediate cases. I always tell people, I'm kind of a unique person in a room where there's a mediation occurring because I've been a plaintiff in a case, I've been a defense lawyer, I've been a plaintiffs' lawyer and then a mediator. So, I've sat in just about every seat in that room.

"I try to use that in my day-to-day litigation," he continued. "I think that allows you to hopefully have a better understanding about persuasion, as

opposed to some who may think strong-arming is the best approach, which doesn't always work as well as it should."

That versatility may have served Milanfar well in his most recent victory. The case involved nursing home negligence and elder abuse in Sonoma County, where his client, an 88-year-old woman with severe hearing loss and dementia suffered numerous falls and extensive neglect as a resident of Arbol Residences in Santa Rosa. Some of that neglect included going 15 hours without her pain medication for a fractured arm; going 11 days without her hearing aid; going unsupervised for a seven-hour period after she and other residents were evacuated during a wildfire; enduring an unsafe discharge from the emergency room after treatment for her broken arm; and not getting medical attention when she was believed to be suffering a stroke.

The defendants, which included Life Care Services, the company that operated Arbol Residences, denied liability and contended they should not be required to pay punitive damages. The jury disagreed, awarding Milanfar's client more than \$10 million for the injuries and trauma she suffered plus \$22 million in punitive damages.

"That case was essentially a passion project for me," he said. "When it came to me, at first glance, I thought it's going to be a very difficult case. ... Seeing what had happened to our client in that case, it's not something I would wish on my worst enemy, much less somebody's mother or grandmother. So, we took the case.

"At the end of the day," he added, "this was an 88-year-old woman who was profoundly deaf, and she had dementia, and the way she was treated was unconscionable as far as I'm



concerned. And the jury saw that and acted appropriately.”

Two worlds

Born in Europe, Milanfar emigrated to the U.S. with his family when he was about 10 or 11, he said. He was raised in Oakland, where he witnessed the immigrant struggle firsthand, in terms of coming to the U.S. and trying to survive.

His father had been a colonel in the Iranian army before the revolution, but when the family moved to the U.S., he had to go to work in heating and air conditioning (“No one was hiring Iranian colonels,” Milanfar joked). To make a living in America, his father went from being the person whom soldiers saluted as he was picked up at the front door in the morning with an assigned driver and security detail, to crawling underneath homes and fighting off rodents. His mother, who in Iran hadn’t worked a day in her life outside the home, ended up working here until her late 60s, he said.

“For me, it’s a lesson in what you have to do in order to survive and to provide for your family, regardless of what the circumstances are,” Milanfar said.

Meanwhile, in his youth, Milanfar marveled at the American judicial system. The system in Iran did not compare, so he was in awe when he saw lawyers working within a system where they’re able to advocate and in which both sides have a fair chance.

“It’s not a perfect system by any means,” he said. “But it’s better than anything else that I’ve encountered anywhere else. So, to me, it’s always a very emotional thing when I get up in court and conduct a trial, and I’m advocating for a client who is relying on my preparation and skill to deliver the best result possible.”

Milanfar went to UC Santa Cruz for his undergraduate studies in political science before graduating from Golden Gate University School of Law. After that negative experience he had trying his hand as a prosecutor, he took a job with

REDIRECT:

Getaway Spot: Monterey/Carmel

Go-To Music or Artist: Prince

Recommended Reading: “The Power of One” by Bryce Courtenay

Dream Job: Have it

Words to Live By: A poem by the Persian poet Saadi: “Human beings are members of a whole/ In creation of one essence and soul/ If one member is afflicted with pain/ Other members uneasy will remain/ If you have no sympathy for human pain/ The name of human you cannot retain.”

Becherer, Kannett & Schweitzer in Emeryville as a defense trial attorney. He stayed for 19 years, later adding mediation to his skill set, before he decided not only to open his own firm but also to jump over to the plaintiffs’ side.

“I always joke that I have great timing. I opened this firm in January of 2020, right before the pandemic hit,” he said. “But it was scary. I had a number of different options in terms of what I could do, as far as my practice was concerned, but the deciding factor really was if you’re not going to do it when you’re my age, you’re never going to do it.

“One of the things I really thought about was my parents, who came to this country with very little and no job experience that was transferable here, right?” he continued. “And they were able to do it. And now I’m sitting here at my age with my skill and my training and everything that I’ve learned over the years, and I’m wringing my hands about whether or not it’s going to be a good idea. I just didn’t want to be an elderly person going, ‘You know what, I should have opened my own firm.’ It’s been interesting: At times it’s incredibly difficult, and at times it’s incredibly rewarding.”

‘The big picture’

When preparing for trial, Milanfar believes it’s important to take a step back and try to see the big picture. It’s his way

of checking himself to ensure he doesn’t have blinders on or making sure he’s looking at the evidence in the same way a jury would look at it. It’s akin to second-guessing himself, he said. He also encourages people he doesn’t work with to challenge what he’s saying about a given case because he wants a better understanding of how people without any legal training and with certain biases against lawyers perceive such things.

“That has huge weight,” he said. “Because you don’t want to basically tell yourself you’re going to do a great job and the facts are all in your favor and then have a jury turn around and give you a different result. There is no magic formula for understanding that or knowing what’s going to happen. But, at the same time, if you’re not critical of your own approach, the chances of being blindsided are significantly higher than they would be otherwise.”

Milanfar also believes passionately in remaining genuine when presenting his case to a jury. Be human, he said. “Whether I was on the defense side or on the plaintiff side, I believed that if you take that approach, and the jury is able to see that it’s not contrived, then that would be a tremendous asset in a trial. Because ... let’s be realistic: It’s hard to fool 12 people who are sitting there watching your every move. So, the better approach is to be yourself and, awkward or not, that helps the jurors see the real you and know that the information you’re providing to them is genuine and is something that they need to see in order to make an informed decision.”

Relieving the stress

When he’s not working, Milanfar spends time with his family, going to shows at the Berkeley Rep and other theaters. They also love to travel to places such as Maui and Spain, where he said they’re able to experience the fascinating culture and where the locals are by far some of the most hospitable people he’s ever encountered.



DECEMBER 2023

Asked to share his wisdom with younger lawyers, Milanfar stressed the importance of managing stress. “Learn about and continuously work on developing your stress management skills,” he said. “There is nothing in this profession that destroys careers more than the inability to handle the stress that we’re under. If you’re able to do that, and to constantly work on that skill, you will be

much happier and much more effective for your clients as time passes.

“I made that commitment to myself when I was a young law student and went to watch trials and law in court,” he continued. “Far too many lawyers who walked into the courtroom looked like ... they got run over by a tequila bottle. It’s an unfortunate thing that happens to far too many colleagues and, you know,

there’s no silver bullet cure to it. But at the same time ... you don’t want to go to law school and spend all that time and money getting trained to do something that you’re going to hate, only to retire so you can spend a few years being happy.”

Stephen Ellison is a freelance writer based in San Jose. Contact him at ssjellison@aol.com.