

unstoppable

San Diego attorney Virginia C. Nelson has accomplished the impossible—discovering the existence of extra hours previously unknown to science in what was known, until recently, as the 24-hour day.

How else to explain someone with a full-time legal practice and a part-time teaching career—not to mention her service on the American Board of Trial Advocates, president of the San Diego County Bar Association and the San Diego Inn of Court, and a position as arbitrator for the San Diego Superior Court?

“I’ve been told I have no ‘off’ switch,” Nelson admits with a laugh. “Mellow’ is not a word I’ve ever heard used to describe me.”

THE LAW RUNS in Nelson’s family. Her father, Maurice, was a solo practitioner for many years in the small town of Fosston in northern Minnesota and later part of a small firm in Fort Collins, Colo. Nelson completed her undergraduate work at Colorado State University in 1975, received her law degree from the University of San Diego three years later, and freely admits to being one of “the driven.”

“Our family always had very high standards for everything we did,” says Nelson, who specializes in personal injury and medical malpractice at her self-named firm. “Academics, professional life, civic and volunteer activities, it didn’t matter. Excellence was expected.” But excellence by itself wasn’t enough.

“Civic activity, giving back to the community on as many levels as possible, was something our family believed in, and something we were raised to see as important,” she says. “My father served as mayor, as head of our church and in a number of other ways. My mother was active in the symphony, in literacy programs, and they raised my two sisters, brother and me to believe that being involved, that giving back to the community that had given so much to you was a vital part of life.

“When I went out on my own [as an attorney], I had more people than I could ever name reach out and help me, so for me to be active in the Bar, in the USD law school, in other areas, seems both natural and important.”

Originally trying to decide between careers in law and teaching, Nelson decided to become an attorney for a couple of reasons. “My dad was one,” she says. “And my mom always said it was important for a woman to be able to take care of herself, but I was also realistic enough to know that what I really wanted was to work for myself. When you’re female and

young, your options get somewhat limited, but I always knew what I wanted—to chart my own course.”

That course began when she joined the San Diego firm of Wesley H. Harris, a personal injury and malpractice firm, as a clerk during law school. In 1979, she became an associate, and a partner in 1982 before going on her own in 1986. “It was a leap of faith,” she says today. “I had been clerking there [Harris] during law school, and it was a good working environment, but at 32, I decided it was time to take that leap.”

SAN DIEGO TRIAL attorney Craig McClellan has known Nelson for more than 25 years and says, “Ginny Nelson is so well organized and so consistently ahead of the game, it makes working with her a breeze. Every back door for every witness is closed; every escape route is sealed off before the trial starts.

“With the court, her demeanor is always even-keeled and professional, respectful but still very willing to stand up for what she believes. With the jury, she’s the perfect mix of deferential and stern, confident in the merits of her case.”

Nelson has a well-deserved reputation for operating on an even keel, but there are still some issues that push her buttons. “I get frustrated by the lack of appreciation for the good that lawyers do,” she says. “All the press goes to the outlying strange stories, rather than the good. Every organization I’m in sounds a constant drumbeat to demystify the legal process, to reach out to and educate the public, but none of that gets as much press as the random bad act. I see constant acts of grace and kindness by attorneys, none of which get much play.” At this point, the note of frustration in her voice rises. “It’s a regrettable fact that, as lawyers, we need to overcome a certain level of suspicion before we can begin to educate.”

McClellan is impressed with how well she connects with people, including opponents. “I do think she’s quite remarkable, and she seems to get along well with everyone. She’s even had people she has sued later come and ask her to represent them. That’s a trait of a fine lawyer, and I don’t think you can give her a higher compliment than that.”

Call Virginia Nelson anything,
but don’t call her mellow

by LANCE FRAZER | photography by LARRY MARCUS

Nelson has received the ultimate professional compliment: people she has sued have gone on to become clients.



Michael Neil, a defense lawyer in San Diego, has known Nelson for more than 20 years, and while they have faced off numerous times in the courtroom, “I have nothing but positive things to offer about Virginia Nelson,” he says.

“She’s a tough attorney, but very professional and someone you can trust. It’s always a pleasure to go up against a good trial lawyer, and she’s one of the best. She’s always well prepared, her witnesses are always well prepared, and dealing with her is a great pleasure.” Told of McClellan’s comment about people Nelson has sued turning to her for representation, he doesn’t seem surprised.

“In need, I certainly wouldn’t hesitate to have her as my attorney,” he says. “She’s very effective, and that’s what it’s all about—as long as you’re ethical. And her ethics are of the highest caliber.”

NELSON HAS A long record of working on fascinating cases, but if she had to pick her favorite, it would be one of her first.

“It involved a woman who had suffered severe gait impairment after having taken several medications for a long time,” she says. “I got her treating physicians’ records, which had multiple entries about how she had been warned about the dangers of these drugs, even though she claimed she had never been warned. It was a real ‘Danielle vs. Goliath’ thing, but we brought in a documents expert who found that the warnings in

the records had been added later on, in different inks to try and match the original records, in an effort to cover up the fact they hadn’t been there when the opposition claimed they were. That was a rewarding victory, and it was exciting, because it gave me a good look at the power of the expert witness and the ability of the lawyer to solve a mystery.”

Nelson pauses again, and when she speaks, you can tell the next case she’s about to mention is different.

“About 10 years later, I was involved in a case where a young African-American woman, working as a research assistant, had planned to go to medical school,” Nelson says. “This woman went to a physician where she worked because of a persistent tingling in her arm, and because of a botched operation, ended up with a paralyzed forearm and hand and constant pain.

“This woman’s performance in defense cross-examination was to be a key part of this trial, and the defense attorney was a very formidable, intimidating individual, but as it turned out, he was no match for her. She was calm and dignified, in control even as the hours of cross-examination went on, and that was the pivotal moment in the trial. The way that young woman handled herself under almost unbearable pressure represented everything I got into law school for, and to this day, that remains one of the key moments of my career.” ◀