

EXPERIENCE

INSTITUTIONAL LITIGATION OVERSIGHT

Special Master – LH v. Brown 2005-present
Deputy Special Master – Valdivia v. Brown (Special Master is Chase Riveland)

Neutral representative of federal court overseeing development and implementation of system of parole revocation conducted consistent with due process, and alternatives to incarceration, in California's adult and juvenile systems.

Responsibilities include:

- Oversee negotiations concerning policy development and implementation
- Investigate and assess implementation in 14 revocation centers; 6 juvenile facilities; 58 counties' jails; parole supervision units including mental health service; administration of attorney panel representing parolees; community service providers; and central administration of board of parole hearings, paroles division, legal affairs, institutions division, and health care services
- Recommend systems improvements, including design and implementation of effective information management and Quality Improvement systems
- Produce analytical reports that serve as one basis for the court's findings and further orders
- Conduct fact-finding hearings and issue findings of fact and conclusions of law

Deputy Special Master – Farrell v. Cate (Special Master is Nancy Campbell) 2011-present

Neutral representative of federal court overseeing systemic reform of juvenile facilities, including medical, dental and mental health care; disabilities; use of force; and education. Collaborate with Special Master concerning implementation issues and oversight strategy.

Monitor – Coleman v. Schwarzenegger 1998-2008
(Special Masters have been J. Michael Keating and Matthew Lopes, Jr.)

Neutral representative of federal court overseeing development and delivery of outpatient, intermediate care, and acute care mental health services in California's prison system. Responsibilities include:

- On-site and documentary review of institutions' progress toward implementing negotiated terms of remedy
- Investigate and bridge obstacles to delivery in an institution, across the system, and in relation to state mental health hospital system
- Lead discussions between institutional administration, mental health, medical, and security staff to identify and design solutions to implementation barriers
- Assist institutional leaders and clinicians in developing effective Quality Improvement systems
- Produce analytical reports that serve as one basis for the court's findings and further orders
- Recommend systems improvements
- Review and contribute to policy development

Plaintiffs' counsel -- Ruiz v. Estelle 1991-1999
Senior Associate, Law Office of Donna Brorby

Plaintiffs' counsel in landmark prison conditions class action against the Texas prison system, then the largest in the U.S. Responsibilities included:

- Emphasis on medical, mental health, vulnerable populations, and use of force issues
- Assisted in implementing comprehensive consent decree, which initiated systems governing most areas of prison management

- Coordinated legal and paralegal team investigating claims of continuing violations, including documentary analysis and on-site inspections, staff and prisoner interviews
- Successful defense against a PLRA challenge, including preparing and presenting medical and correctional experts, witnesses, and evidence; drafting motions and appellate filings; and formulating strategy during three-week evidentiary hearing

In addition to representation in Ruiz v. Estelle, served as plaintiffs' and defense counsel in employment actions in federal and state courts. Second chair in three trials, developing evidence, presenting and cross-examining experts and witnesses, delivering opening statement, writing and arguing motions, and post-trial briefing. Supervised associates, paralegals and support staff. Represented clients in mediated settlements. Conducted and defended depositions; law and motion and appellate research and writing.

ALTERNATIVE DISPUTE RESOLUTION

MEDIATORS BEYOND BORDERS

2007-present

(Secretary, Board Director, Projects Chair, team leader, founding member)

Liberian Initiative: Co-director of the Liberian Initiative, a 6-year peacebuilding project carried out in Liberia and Ghana. Components include community reconciliation, integration of former child soldiers, and addressing trauma. Responsible for project design; coordinating activities of 15-member volunteer team and 4-organization consortium; developing and maintaining partnerships; delivery of dialogues, training and other interventions; evaluation; quality improvement; and fundraising.

Kenya Initiative: Member of team consulting with Kenyan NGOs serving pastoralist communities. Provide technical assistance to tribal elders when they intervene with warring tribes, and as they design peaceful substitutes for violent rites of passage. Provide mentoring and training for tribal representatives and organizational development support for the NGOs, convene NGOs with mutual interests, and catalyze complementary development projects as peace dividends.

Organizational leadership: served on Executive Committee and Board of Directors, contributing to most operational and policy decisions for 501(c)(3) organization providing volunteer conflict resolution internationally. Initiatives include selecting and guiding volunteer administration team, formulating strategic plan, financial decisionmaking, writing protocols for project selection and oversight, coordinating technology use and communications with the public and membership, fundraising, and creation of the full range of policies and procedures needed for a mature organization.

President, COLLABORATION SPECIALISTS (formerly HEALTH CARE MEDIATIONS, Inc.)

2001-present

Conflict resolution: Adapt conflict resolution to specific needs of health care environment. Provide facilitation, coaching, mediation, and other services as needed. Integrate these techniques into addressing operational challenges, such as technology implementations, culture change, patient safety projects, quality improvement efforts, effects of mergers, patient-centered care initiatives, and bioethics committee functions.

Technical assistance: Serve on the first Conflict Management Advisory Board for Amnesty International, a complex global organization advocating for human rights. Advise Pacific University, McGeorge School of Law in its design and implementation of the Pacific Conflict Management Institute, a resource for the health care industry.

Mediation:

- Mediate complex organizational disputes, with outcomes including consultation guidelines, self-sustaining internal conflict resolution systems, collaboration in resident training, and interdisciplinary quality improvement
- Mediate events when patients and professionals disagree about quality of care
- Provide facilitative mediation to businesses and individuals instead of litigation or to conclude it. Provided service to panels for: California Court of Appeals, First District; Medicare program in California (Lumetra); State Bar of California; Contra Costa, Marin, and Solano Superior Courts; San Francisco, Sonoma and Alameda counties' bar associations; Mediation Services-Alameda.

Training:

- Offer skills-based, interactive trainings in conflict resolution, negotiation, mediation and community peacebuilding in Iraq, Liberia, Ghana, Sierra Leone, Italy and Canada. Participants include NGOs, women leaders, tribal leaders, government, business leaders, military and prison officials, lawyers, law and other graduate students, churches.
- Train health care professionals in conflict resolution, patient safety, negotiation, teamwork, and mediation, with emphasis on the particular demands of medical errors disclosures, bioethics deliberations, clinical research, and hospital operations. Train mediators and lawyers concerning health care operations and culture.

Conference presentations: Address clinical, leadership, legal, and conflict resolution audiences on these topics internationally.

Dialogue: Convene and lead dialogues in service of creating culture change.

- Capacity-building in dialogue facilitation to foster interfaith cooperation in Nigeria.
- Interdisciplinary gatherings to increase awareness of separate and shared values, role of collaboration in generating safety and better outcomes and a healthier work environment, and identifying common goals and developing commitment and means to achieve them
- Health care dispute resolution professionals and academics concerned with advancing the field, considering ethical questions, and creating collaborative practice within that community

Arbitration, Administrative Hearing Officer: Conduct hearings and file binding written findings and conclusions for the State Bar of California concerning fee disputes, and for the cities of Fremont and Hayward in disputes over municipal code violations.

<i>Prisoner advocate, Committee for Human Research</i> -- UNIVERSITY OF CALIFORNIA, SAN FRANCISCO	2002-2011
<i>Chair, education subcommittee, Bioethics Committee</i> -- MARIN GENERAL HOSPITAL, Greenbrae, CA	2000-2003
<i>Community member, Institutional Review Board</i> -- ALTA BATES MEDICAL CENTER, Berkeley, CA	1997-2004
<i>Community member, Ethics Committee</i> -- ALTA BATES MEDICAL CENTER, Berkeley, CA	1995-2003

IRB: Review all proposed and ongoing medical research on human subjects to ensure adequate controls for safety, ethical practice, and informed consent. Formulate related policy; issues included surrogate consent for research; disclosure of investigator compensation; and property rights in DNA, tissue, and other samples.

Ethics: Formulate policy; mediate between health care staff, patients and families where differing views of medical practice present a dilemma. Design and implement training for committee on ethical discipline and practices.

EDUCATION

BOALT HALL SCHOOL OF LAW, University of California, Berkeley
SAN FRANCISCO STATE UNIVERSITY

J.D., 1996
B.A., Anthropology, 1993

EASTERN MENNONITE UNIVERSITY
American University, United States Institute of Peace
Mediation training -- more than 250 hours, including:
Harvard School of Public Health
Bar Association of San Francisco
Health law CLE - more than 125 hours

Graduate Certificate in Conflict Transformation, candidate
Graduate and executive coursework
Health Care Negotiation and Conflict Resolution Leadership
Comprehensive Mediation training

BOARDS AND PROFESSIONAL ASSOCIATIONS

Mediators Beyond Borders, Secretary, Executive Committee, Projects Committee, founding member
Amnesty International, Conflict Management Advisory Board
National Coalition for Dialogue & Deliberation
Consumers Advancing Patient Safety, founding advisor and member of Board of Directors Conflicts Committee
Harvard School of Public Health alumni association, source book/database workgroup
Association for Conflict Resolution, Health Care Section Executive Council
Patient Advocacy Summit, web resource workgroup leader
Middle East Institute
American Health Lawyers Association
State Bar of California

PUBLICATIONS

Gail Ervin, Virginia Morrison, Prabha Sankaranarayan, Mediators Beyond Borders: How Mediators Can Build Partnerships for a Culture of Peace, *World Mediation Forum VIII Conference Proceedings*, 2012, Vol. II, 14-21

Virginia L. Morrison, Nicola B. Truppin, *Using the Law to Strengthen the Patient's Voice*, in Patient Advocacy for Healthcare Quality: Strategies for Achieving Patient-Centered Care, Earp, J. & French, E. (Eds.), Jones and Bartlett (2007)

Virginia L. Morrison, *Heyoka: The Shifting Shape of Dispute Resolution in Health Care*, 21 GA ST. U. L. REV 931 (2005)

Lance Montauk, Virginia Morrison, Crime, Confidentiality, and Clinical Judgment, *The Lancet*, December 2004, 364: 46-47

Dale C. Hetzler, Virginia L. Morrison, Debra S. Gerardi, Lorraine Sanchez Hayes, Curing Conflict: A Prescription for ADR in Health Care, *Dispute Resolution Magazine-Journal of American Bar Asso. Dispute Resolution Section*, Fall 2004, 5-7

Virginia L. Morrison, Debra S. Gerardi, When Response to Tragedy Compounds It: Another Aspect of Terry Schiavo's Story, *Ethics Rounds*, Fall 2004

Robert Robson, Virginia L. Morrison, The Final ADR Frontier: Conflict Resolution in Health Care, *ACResolution-Journal of Asso. For Conflict Resolution*, May 2003

SELECT PRESENTATIONS

International audiences

International Human Rights Law Institute, Peacebuilding Training Toward Reconciliation in Iraq, Suleimaniya, Iraq: *Conflict Prevention Skills to Promote Community Reconciliation* (for NGOs and tribal leaders)

Women for Peace International Conference, Nairobi, Kenya:
Women Hold Up Half the Sky: Community Women as Peace Leaders

Psychosocial Consortium of Liberia, Monrovia, Liberia:
Power of Dialogue

International Human Rights Law Institute, Women's Leadership Conference, Duhok, Iraq:
Mediation Skills for Women Leaders

Centre for Conflict Resolution, Accra, Ghana:
Mediation Training (for military, traditional leaders, business and attorneys)

Kofi Annan Institute for Conflict Transformation, graduate short course, Monrovia, Liberia:
Mediation and Interest-Based Processes: Professional Practice and Skills

University of Sierra Leone, Fourah Bay College, Freetown, Sierra Leone:
Communication Skills, Conflict Management and Mediation

International Academy of Law and Mental Health, 30th International Conference, Padua, Italy:
Mental Health Care in Prisons: Beyond Litigation to Effective Systems

Psychosocial Consortium of Liberia, Monrovia, Liberia
Gathering Information We Can Use: Survey and Interview Techniques

Decisionmaking and Solutions, Buduburam refugee settlement, Ghana

Action for Greater Harvest (local NGO), Monrovia, Liberia:
Mediation and Interest-Based Processes

Lutheran Church of Liberia, Monrovia, Liberia:
Mediation and Interest-Based Processes: Advanced Skills for Counselors

Centre for Conflict Resolution, Accra, Ghana:
Mediation Training (for government officials and attorneys)

Creative Conflict Management in Health Care, Dialogue organizer, Vancouver, Canada

Law and Mediation associations

American Bar Association Dispute Resolution Section, Annual Meeting, San Francisco, CA:
Mediators Beyond Borders and the Rule of Law: Peacebuilding in International Communities

Managing Conflict Ethically: Collaboration in Bioethics and Health Law, Atlanta, GA:
Dialogue organizer
*Mediation Techniques: Developing Skills for Balancing Competing Interests -and-
When Things Spiral Out of Control: Practicing Methods for Rebuilding Trust and Making the Conversation Productive -and-
World Café: Surfacing Values and Assumptions Within Professional Cultures*

Southern Methodist University International Training Center, Plano, TX:
Working Within Communities: Some Implications for Fieldwork

Mediators Beyond Borders, Annual Congress, Los Angeles, CA:
OMG: Our Partner Said What!? – Lessons from the Field

Mediators Beyond Borders, Annual Congress, Washington, DC:
Leadership Roles and Responsibilities

Georgia State University Law Review Symposium -- The Next Generation of ADR and Conflict Management in Health Care Settings: New Challenges, New Approaches, Atlanta, GA:
Improving Patient Care Through Conflict Resolution – Insiders' Approaches

Association for Conflict Resolution, Annual Meeting, San Diego, CA:
Women Hold Up Half the Sky: When the Other Half is Falling

American Bar Association Dispute Resolution Section, Annual Conference, Los Angeles, CA:
Growing Pains: The Next Stage in Health Care ADR

American Bar Association Dispute Resolution Section, Annual Meeting, San Antonio, TX:
A Prescription for Institutional ADR (awarded Best Original Paper for the conference)

American Bar Association Dispute Resolution Section, Annual Meeting, New York, NY:
Curing Conflict: Bridging the Divide Between Dispute Resolution and Health Care

Global Negotiation Insight Institute, Summer Learning Forum, Rhinebeck, NY:
Mediating Dangerously: Mediators Beyond Borders

Mediators Beyond Borders, Annual Congress, New Orleans, LA:
Peacebuilding in Liberia and Ghana

City University of New York Dispute Resolution Consortium, New York, NY:
Conflict Management in Health Care – The Inside Scoop for Mediators

Association for Conflict Resolution, Annual Conference, San Diego, CA:
Using Lessons Learned in Mediation to Improve Patient Safety and Quality of Care

Southern California Mediation Association Conference, Malibu, CA:
Cutting Edge Issues in Healthcare Mediation- A Dialogue

Wisconsin Association of Mediators Emerging Issues in Mediation Conference, Madison, WI:
Conflict Management in Health Care: Using Mediation to Foster Healthy Clinical Environments

Santa Clara University School of Law, guest lectures, Santa Clara, CA:
Mediation and Conflict Resolution in the Health Law Arena
Conflict Resolution in Health Law

Hastings School of Law, guest lecture, San Francisco, CA:
International Conflict Resolution

California Western School of Law Preventing and Solving Legal Problems Creatively, San Diego, CA:
Creating Synergy in Health Care- Managing Conflict Through Complementary Conflict Resolution

Health care leadership associations

National Patient Safety Foundation Congress, Orlando, FL:
Using Improvisation Techniques: Simulation and Skill Development for Difficult Conversations in the Clinical Setting

American College of Healthcare Executives Congress, Chicago, IL:
Mediation Techniques for Health Care Leaders

Lumetra (Medicare) – Mediation in Motion conference, San Francisco, CA:
Creative Approaches to Healthcare Mediation

Medical Group Management Association Annual Meeting, Nashville, TN:
Preconference session: *Negotiation Skills for Group Practice Managers-Responding to Tricks, Power Plays and “Passive-Aggressive” Maneuvers*

Association of Nurse Executives Annual Meeting, New Orleans, LA:
Acknowledging Error: Ethics, Liability and Conflict Resolution in an Era of Patient Safety

Coro, University of California at San Francisco Leadership Development Program, San Francisco, CA:
Leadership Skills: Conflict Resolution and Negotiation

Hospital Council of Northern and Central California, Health Care Summit, San Francisco, CA:
Designing a Program for Disclosing Unanticipated Events

Hospital Insurance Forum Annual Meeting, Scottsdale, AZ:
Using Mediation and Its Techniques to Reduce and Manage Risk

Clinical associations

American Medical Association Organized Medical Staff Annual Meeting, Chicago, IL:
Negotiation Skills for Responding to Tricks, Power Plays and “Passive-Aggressive” Maneuvers

American Medical Association Group and Faculty Practice Caucus Annual Meeting, Chicago, IL:
Team Management Techniques for Physicians: Moving from Competition to Collaboration

American Medical Association Group and Faculty Practice Caucus Annual Meeting, Chicago, IL:
Apologizing for Error: Ethics, Liability and Managing Conflict in an Era of Patient Safety

American Association of Critical-Care Nurses National Teaching Institute, Orlando, FL:
Creative Conflict Management in Critical Care and Collaborative Solutions for Creating Healthy Work Environments

Public Responsibility in Medicine and Research, Annual Meeting, Boston, MA:
Prisoner Research: The View from the Field

Children’s Hospital of Atlanta, Atlanta, GA:
Talking With Patients and Families About Patient Harm (series of workshops in multiple formats and media)

American Society for Healthcare Risk Management, Annual Meeting, Nashville, TN:
Using Mediation Techniques to Manage Risk

Kaiser Permanente Northern CA Ethics Dept Symposium, San Ramon, CA:
Physician-Assisted Suicide – What We’re Learning From Oregon’s Experience and a Dialogue on the Values That Inform Our Actions

Kaiser Permanente Northern CA Ethics Dept Symposium, Berkeley, CA:
Negotiating from the Eye of the Storm: Skills for Balancing Interests in End-of-Life Decision-making

American Association of Critical-Care Nurses National Teaching Institute, San Antonio, TX:
Curing Conflict™: Introduction to Mediation Techniques in the Critical Care Setting

Public Responsibility in Medicine and Research, Annual Meeting, Boston, MA:
Survival Skills for IRB Professionals: Conflict Resolution and Avoiding Burnout

Association of Perioperative Registered Nurses 50th Congress, Chicago, IL:
Curing Conflict™: Mediation Techniques for the Health Care Professional

Public Responsibility in Medicine and Research Annual Meeting, Boston, MA:
Preconference session: *Upset Subjects, PIs or Colleagues? How to Transform Negative Research Interactions*

Applied Research Ethics National Association Annual Meeting, San Diego, CA:
Upset Subjects, Angry PIs, and Surly Colleagues: Transforming Negative Interactions into Productive Solutions

National Association of Social Workers-California Annual Meeting, San Francisco, CA:
Integrating Mediation Techniques to Improve Clinical Teams and Patient Safety