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Sandra Robinson is empathetic
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The Queen of Malpractice

Sandra Robinson is empathetic and easygoing:
Watch out

by ELIZABETH WASSERMAN

portrait by LARRY MARCUS

Thirty years ago, Sandra H. Robinson, a senior medical malpractice attorney with Jack H. Olender & Associates, began her career as a psychology counselor. It didn't take.

But as Robinson heads to a conference room at her firm, where bookshelves are lined with bound tomes of such journals as *Obstetrics & Gynecology* and *Pediatrics*, she emphasizes the importance of her psychology background.

The conference room is where families who have lost a loved one, given birth to a child with disabilities or suffered other medical mishaps tell their stories. "You get mothers who can't get over the grief of a son's death or mothers who are afraid to have another child," Robinson, soft-spoken and mild-mannered, says. "You get up from the table sometimes and your eyes are watering."

Such was the case when Jennifer Martin-Johnson and her husband, Jonathan, walked into the conference room 11 years ago. The Bowie, Md., mother had delivered a son, also named Jonathan, in 1994. He had brain damage from complications at birth and he later developed cerebral palsy and epilepsy. Even though he would require lifelong medical care, Martin-Johnson, pregnant with another child, didn't know if she wanted to bring a medical malpractice case.

"I had really made up my mind that I would not go through with it at all," Martin-Johnson says. "Then I met [Robinson]. She was easygoing. I wasn't running into a very abrupt attorney personality. She was very easy to talk to. She explained everything about the process that we were going to go through—not just technical legalese. But she said, 'Let's be people here. Here's what you can expect from people who sit on the jury, other attorneys, etc.'" Her case settled before it went to court.

It's these attributes that attracted Jack H. Olender to Robinson when he had an opening for a trial attorney in 1990. "She's got heart. She's got empathy," Olender says of his protégé. "She falls in love with the little children that she represents. That's a big factor that you can't test on any LSAT exam."

Psychology taught Robinson that the most important life skill for anyone is knowing when to keep quiet. "In this business, you've

really got to be able to listen," she says. "Not just to identify what the issues are in a legal case, but to help comfort people in pain."

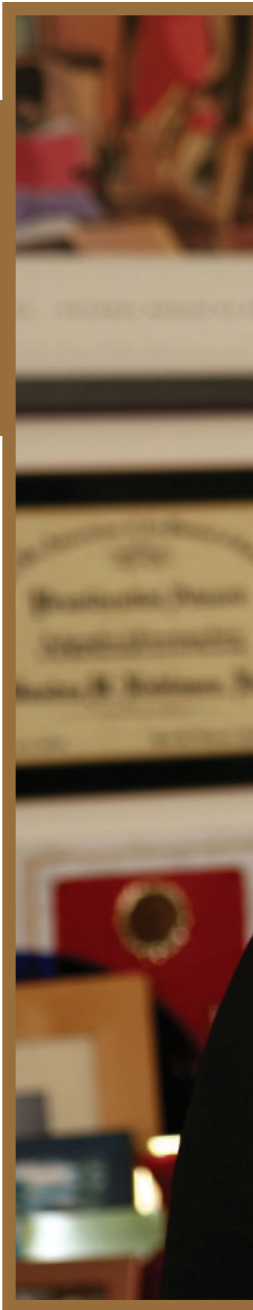
BORN OUTSIDE OF Altavista, Va., to Mary Hawkins-Baker and William Hawkins, Robinson was only 6 years old when her parents divorced. She and younger brother Sterlon Hawkins lived with their grandparents while their mother went to college, pursuing an elementary education certification that eventually brought mother and children to D.C. "My mother worked two jobs until I was in college," Robinson recalls. "She taught elementary school and then went on to teach reading. And when I was much younger, she typed for a printing company [at night]."

Her mother, who died in 1997, was, she says, "my rock, my foundation. She was always there no matter what I needed."

Robinson likes to say she comes from a long line of hard-working women. Her great-aunt, Mabel Haden, worked as a nanny, teacher and switchboard operator before becoming one of the first African-American female lawyers in the district. She practiced law for nearly four decades before her death in 2006. Another aunt, Hilda Mason, served on the city's board of education and later the city council.

Robinson thought she had a clear idea about her career when she left for Oberlin College. "I wanted to be a psychologist—probably because I just thought I could help people," she recalls. She graduated, returned to D.C., and, while working toward her master's in psychology at Howard University, got a job as a counselor in a group home for teenage girls. In the meantime, she married and gave birth to a daughter, whom she named after her mother.

But when the program for teenage girls lost its funding and Robinson lost her job, she started thinking about a different career. "Psychology wasn't as exact as I wanted it to be. It wasn't an exact





One client says of Robinson: "She was easygoing. She explained everything about the process. She said, 'Let's be people here.'"

science," Robinson says. There was also this advice from her mother. "She would always say, 'Sandra, baby, be able to take care of yourself,'" Robinson recalls.

So Robinson enrolled in The Catholic University of America School of Law. It was a grueling four years of night school. Robinson worked during the day as a human rights investigator and social worker; then she picked up her daughter from school and left her with her husband, mother or friends to attend night classes.

Even so, she says, "In the first year, I knew I had made the right decision. It just felt good."

After graduation, Robinson opened up a small firm with her friend Madeline Robinson. Robinson & Robinson handled court-appointed cases, child neglect cases, divorce work. Mabel Haden helped mentor her niece. "Getting out of law school, they teach you about books and all, but just being a lawyer, going to court and dealing with people, that's where she held my hand somewhat," Robinson says.

Her previous career helped. "I remember sitting waiting outside

of a courtroom with my client, who was a woman getting divorced, and her husband, who chose to be unrepresented," Robinson says. "I was refereeing between the two and I started thinking to myself that maybe my psychology background will come in handy."

After three years, because she needed a steadier paycheck and benefits, Robinson took a job with the Federal Election Commission. "We were mainly dealing with campaign contributions and questions about whether they were legal or not," Robinson says.

In 1990, her great-aunt, Haden, heard that Olender had an opening at his firm. Robinson applied. Olender was impressed. "It wasn't a hard choice," he recalls.

BY THIS TIME, Olender had already been labeled "King of Malpractice" by the Washington media. In 1976, he'd won the first multimillion-dollar obstetric malpractice verdict in the country. His firm went on to win or settle more than 200 cases for more than a million dollars apiece.

Robinson quickly learned the ropes and developed a specialty

"My rock. My foundation," Robinson says of her mother, who died in 1997.



in malpractice cases involving obstetrics—prenatal care, labor and delivery. These cases included babies who died during delivery, those who ended up with brain damage and infants who received life-long injuries, such as cerebral palsy, as a result of mistakes during delivery.

"It was kind of a baptism by fire," Robinson says.

One of her first trials in 1992, which she tried with Olender, involved a 12-year-old boy who was deprived of oxygen during birth, suffered brain damage and was confined to a wheelchair. "During the labor process, there was an indication on the fetal monitor strip that the baby was not getting enough oxygen," Robinson recalls. "The question is at what point should the nurses and doctors have intervened, have tried giving the mother oxygen or changing her position? At what point should doctors have decided and performed a cesarean section to deliver the baby?"

After a two-week trial, a D.C. Superior Court jury answered these questions and awarded the boy's family \$9.4 million. According to *The Washington Times*, the jury faulted nurses at Columbia Hospital for Women for failing to alert doctors that the baby was in distress. The boy was later diagnosed with cerebral palsy.

That same year, Robinson and Olender represented a former University of Maryland football player whose right leg was amputated below the knee after a doctor failed to diagnose a rare blood disorder. A jury came back with a \$5 million award. Olender told *The Washington Times* that the player "would give back the \$5 million and more if he could get his leg back."

Another case with a large jury award brought the total she and Olender earned for clients that year to more than \$20 million. "It seemed like we were in trial every two months," she says.

Sometimes the never-ending stream of sad stories takes an emotional toll on Robinson. "I had a mother in here telling me that almost every day she goes and sits by her son's grave and talks to him," Robinson recalls. The boy, a robbery victim, had been shot and taken to a D.C. hospital, where he died. Robinson filed suit on behalf of the boy's family alleging medical malpractice against the hospital. "She wanted to have someone tell her they were sorry and to try to make this right. I had to get up from the table because I didn't want to cry."

So how does this soft-spoken former counselor hold her own in a courtroom? Attorneys who have faced Robinson, and those on the same side, say she's tenacious, always well-prepared and trusted by juries.

"She's an extremely worthy advocate," says Steven Hamilton, of Hamilton Altman Canale & Dillon in Bethesda, Md., who has tried several cases against Robinson. "She doesn't make it personal. She does what a true trial lawyer should do in practicing the art of advocacy and civility. She blends the two well."

Courtroom antics annoy her. During one trial, she recalls, opposing counsel served her with new pleadings at 4 or 5 p.m. nearly every day for several weeks. "I knew they were just trying to interfere with my trial preparation," Robinson says with a sigh. "It was just a ploy. But I remember thinking, 'Why are you doing this? Let's just get in court and duke it out.'"

Laurie Amell, a med-mal attorney with Stein, Mitchell & Muse, who has gotten to know and respect Robinson through the D.C. Trial Lawyers Association (Robinson was its president from 1997 to 1998), is a nurse-turned-lawyer. "Having a medical background gives you an edge," Amell says. "You try to show the jury that you're more knowledgeable. You show them, 'I know the medicine.' Sandra always has everything nailed down. It's not like it used to be 20 years ago, where an attorney would come in and be all blustery and a showman. People don't want to see that anymore. They want litigators to come into the courtroom and teach them the medicine and be honest with them. Sandra embodies that."

Indeed, the field of malpractice, with its ever-changing advances in technology and medicine, also satisfies Robinson's intellectual curiosity. "If the radiology changed and they can see more through a certain process that they weren't able to see before, then has the standard of care changed?" Robinson asks. "Should they have used that procedure? Should they have used that new technique or new operation, which is no longer something new or novel?"

THE WALLS OF Robinson's office are lined with prints of jazz legends such as John Coltrane and Miles Davis. Stacks of files and depositions and medical reports are piled high on her desk. The bookcase houses photos of Robinson with her mother, with her daughter, and with celebrities and politicians such as former president Bill Clinton and the Rev. Jesse Jackson. There are also photographs of children whom she helped win malpractice awards.

For Robinson, the sadness she feels for some of the people who come into her office is offset somewhat by winning cases on their behalf. She looks forward to the updates from clients, who send her Christmas cards or letters with new photos. Martin-Johnson is one parent who keeps in touch. "By the time the case came up, I had my daughter and she was a toddler, so I send her pictures of both of them," Martin-Johnson says. "It's like she's a family friend. Jonathan is 14 now. He's in a special school. She's always asking me for updated pictures."

"There's some joy at the end when you're able to help them get the money they need to improve the quality of life of their children," Robinson says. "These children deserve a good quality of life." ◀