



**WEST COAST  
RESOLUTION  
GROUP**



## **Rick Barton, Esq.**

### **Overview**

Richard “Rick” Barton has represented health care providers and health systems for over 30 years. His practice includes both consulting services and litigation on behalf of health systems, hospitals, health associations, physician groups and individual healthcare providers. His role as a consultant is devoted to assisting provider organization with their quality oversight compliance obligations and governance. He has been recognized for his work in health care by The Best Lawyers in America<sup>®</sup>, California and San Diego Super Lawyers, and San Diego Magazine’s Top Lawyers. He is a member of the American Board of Trial Advocates and a Fellow in Litigation Counsel of America. He also serves as an Adjunct Professor of Law for the University Of San Diego School Of Law teaching Health Law and Policy.

Mr. Barton began his career as a litigator. In that role, he has served as lead counsel at the trial court level in both state and federal courts, California’s Court of Appeals, and the California Supreme Court. His litigation experience includes the representation of health care providers in business, class action, professional liability, fraud and abuse and administrative matters. In 2005, he was admitted to practice before the Supreme Court of the United States.

In 2000, Mr. Barton was appointed Medical Staff Counsel for Sharp Memorial Hospital. Since that time, he has added numerous hospital and health systems as clients seeking his guidance in their quality oversight and medical staff functions. Given his background as a litigator, Rick has represented medical staffs in administrative hearings and litigated matters arising from medical staff proceedings in Superior Court and before the California Court of Appeals where he is responsible for several published decisions.

## **Rates**

Superior Court Ordered Civil Mediations:

Civil Limited: \$150 per hour for each of the first two hours and \$450 per hour thereafter.

Civil Unlimited: \$250 per hour for each of the first two hours and \$450 per hour thereafter.

All other cases: \$450 per hour

Basic Rates and Charges for Mediations Held in San Diego:

\$195 non-refundable administrative fee per party.

## **Legal Career & Prior Experience**

- Williams v. Superior Court
- Heater v. Southwood
- Palmer v. Superior Court
- Woo v. Superior Court
- Sharp Memorial Hospital v. Superior Court (Pancoast)
- Extended the protection of the Medical Injury Compensation Reform Act ("MICRA") to ancillary health professionals.
- Extended immunity protection under the Lanterman, Petris, & Short Act for mental health providers.
- Extended MICRA protection to the utilization review process conducted under a delegated model by a physician group.
- Accrued statute of limitations against health care providers.

## **Education & Professional Affiliations**

- JD, University of Southern California Gould School of Law, 1981
- BA, University of California, Los Angeles, 1977
- University of California President's Advisory Council on Campus Climate, Culture, and Inclusion. 2010-2012
- American Board of Trial Advocates
- Anti-Defamation League - San Diego Regional Advisory Board Chairman (1998-2002), ADL National Commissioner (2000 to present), National Executive Committee (2002 to present), Vice Chair of International Affairs (2003-2006), National Chair of Leadership (2006-2009), National Chair of Education (2009-2012), Chair Education Equity Task Force (2012 to present)
- Litigation Counsel of America – Fellow

- San Diego County Bar Association and San Diego County Medical Society – Co-Founder Joint Medical Legal Committee
- Board Member, National Immigrant Women’s Advocacy Project (“NIWAP”)
- Member, International Association of Judicial Independence and World Peace International Project of Judicial Independence.

### **ADR Experience & Specialties**

- Member of the San Diego Superior Court Mediation Panel
- Serves as Judge Pro Tem for the San Diego Superior Court, Small Claims Division
- Over 100 hours of mediator skills training, including successful completion of National Conflict Resolution Center’s Mediator Credentialing Program and Pepperdine University’s “Mediating the Litigated Case” course
- Resolution of cases through mediation and trial as plaintiff’s counsel in complex medical malpractice, personal injury, products liability, and employment law cases
- Frequent speaker, evaluator, and workshop leader for local bar associations, professional groups, and law schools, with focus on programs designed to help attorneys hone mediation and trial skills and promote civility in the law

### **Achievements & Awards**

- The Best Lawyers in America® – 2007-2015 Martindale-Hubbell® AV Preeminent Rating
- San Diego Super Lawyers® – 2007-2015 (Health Care)
- Southern California’s Top Rated Lawyers – 2007-2014
- San Diego Magazine’s Best Lawyers
- ADL Torch of Liberty Award

### **Recent Articles**

- “Whistleblowers and the California Supreme Court’s Decision in Fahlen v. Sutter Central Valley – Toward a Workable Balance for Promoting Advocacy for Patient Care,” February 2014.
- Co-author with Jamie D. Quient. “The Single Shared Governing Body in Multi-Hospital Systems – CMS Revisions to 42 CFR 482.12 in a Climate of Change,” The American Health Lawyers Association - MedStaff News, April

### **Recent Press**

- 2015 Top Lawyers,” San Diego Magazine, March 2015.
- “34 Procopio Attorneys Named San Diego Super Lawyers® and Rising Stars,” Law Exchange Soundbite, January 29, 2015.
- “34 Procopio Attorneys Named San Diego Super Lawyers® and Rising Stars,” Procopio Press Release, January 21, 2015.
- “San Diego Super Lawyers,” Super Lawyers Magazine, San Diego 2015.
- “2014 Top Lawyers,” San Diego Magazine, March 2014.

- "Southern California Super Lawyers," *Super Lawyers Magazine*, Southern California 2014.
- "San Diego Super Lawyers," *Super Lawyers Magazine*, San Diego 2013.
- "2013 Top Lawyers," *San Diego Magazine*, March 2013.

To schedule a mediation, please call Case Manager Kathy Purcell at 619-238-7282.

[rbarton@westcoastresolution.com](mailto:rbarton@westcoastresolution.com)