

Florida Attorney Robert Ratiner Disbarred for Acting Childish



Summary: A Florida attorney repeatedly engaged in obnoxious behavior similar to a child during court hearings, resulting in his disbarment.

Perhaps a Miami Lakes attorney has been spending too much time with preschoolers because his childish behavior ended up getting him disbarred.

The Florida bar disbarred Robert Ratiner, 54, after a record of inappropriate behavior piled up against the attorney. *The Miami Herald* reported that Ratiner would throw paper and wadded-up stickers at opposing counsel, try to intimidate a witness by threatening jail time, ignored judicial time limits for closing arguments, repeatedly kicked a table leg so loudly during a hearing that a judge ended the hearing, and made comments like “can you remove that large booger hanging from your nose?”

His bad behavior first became a problem when he was representing Claire Sidran in a lawsuit she filed against E.I. DuPont De Nemours & Co., Inc.

A May 2007 deposition of Deborah Naylor resulted in a Referee’s report recommending his disbarment for three disciplinary matters. The Referee wrote, “My recommendation of disbarment stems from the multiple acts of misconduct and the severity of each act.” The Referee noted that during Ratiner’s four hours testimony, he never once expressed “remorse for any of his multiple acts of misconduct.”

In fact, Ratiner put the blame on Naylor, DuPont, DuPont’s counsel, the Florida Bar and the court. At the time, the state Supreme Court ordered a 60-day suspension and public reprimand.

The documents specifically note how Ratiner “proceeded to forcefully lean over the deposition table, lambast (opposing counsel) Mr. (Thomas) Sherouse in a tirade, while proceeding to tear up the evidence sticker, wad it up and flick or toss it in the direction of Mr. Sherouse.” Ratiner was asked to stop spitting tobacco juice and keep it from dripping down his mouth because it was disturbing Naylor. Ratiner replied, “Sir, can you remove that large booger from your nose?”

Naylor left the room during a break. Sherouse used the opportunity to again ask Ratiner to stop chewing and spitting tobacco but he responded, “I wish the witness would quit scratching her crotch.” She heard his comment, calling the deposition “by far the worth experience of my life, both professional and personal.”

Naylor was not the only one bothered by the deposition. A court reporter even stated, “I can’t work like this!” and his own consultant told him to “Take a Xanax.”

After this incident, Ratiner’s behavior did not calm down. In 2009, he had problems with opposing counsel Bonnie Daboll and co-counsel Lea Souza-Rasile. The Referee report from this case resulted in Ratiner being on timeout for three years for crude remarks he made about Souza-Rasile and actions towards Daboll. Ratiner called Souza-Rasile a “dominatrix” and tried to rip a document out of Daboll’s hand. “Mr. Ratiner attempted to grab the document from underneath Daboll’s right hand, and then immediately reached across her body and grabbed the papers which she had in her left hand. As Daboll attempted to hold on to the documents, she stated, ‘Don’t grab me ever again.’ Mr. Ratiner continued to attempt to forcibly take the papers from Daboll, causing a security guard to come across the room and intervene.”

Then in 2011, Judge Amy Steele Donner was forced to reprimand Ratiner for “wrinkling and throwing” documents and for ignoring her time limits on closing arguments by saying he would take as long as he wanted. She described his “behavior at trial as ‘awful, that he was not respectful to the court or obeyed orders, and that she was appalled.’” She testified before the Supreme Court that he “had been totally disruptive, that he was a ‘bully’ and that she called the Bar about” his behavior.

After his incident, the Referee recommended a three-year suspension to happen after his three-year timeout concluded. However, Florida’s Supreme Court decided it had seen enough and agreed with the state bar. They stated, “Disbarment is appropriate when a lawyer ... has been suspended for the same or similar misconduct, and intentionally engages in further similar acts of misconduct. ... Ratiner’s intentional and egregious misconduct continues to demonstrate an attitude that is wholly inconsistent with professional standards, and there is no indication that he is willing to follow the professional ethics of the legal profession.”

Ratiner is a [University of Miami School of Law](#) graduate that was admitted to the state’s bar in 1990.

Do you think Ratiner should have been punished more severely after the first incident? Share your thoughts with us in the

comments below.

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