

Experienced Viewpoint

Neutral Patti C. Ratekin's honesty educes clients' trust, lawyers say.

Patti Ratekin

Special to the Daily Journal

During her long run on the San Diego County Superior Court, retired commissioner Patti C. Ratekin often spent her lunch hour working to resolve family law disputes.

"I've always loved mediation," Ratekin said. "And I used to do it anywhere between three and five days a week on my lunch hour to settle people's cases – not usually my own but other judges on my hallway."

Ratekin said she thought of those mediations as a form of community service.

"Getting people out of the system meant something to me because it's a really difficult system to be in," Ratekin explained. "It's hard on the people; it's hard on the kids. ... When I get to the end of a mediation and these people are finished, it just makes you feel so good when you help somebody get their case done."

Shortly after retiring, Ratekin joined Signature Resolution's portfolio of private neutrals in January 2022. She's since then been tackling a range of family law disputes as a mediator, private judge, parenting plan coordinator, special master and arbitrator.

A 1991 graduate of Thomas Jefferson School of Law, Ratekin said she started working on family law cases as an attorney in 1993 because they were "the only kind of cases that were coming through the door." But the challenging nature of the practice area quickly began to grow on her.



Thomas Kurtz / Special to the Daily Journal

"What you need to know as a family law lawyer is so broad," Ratekin explained. "You need to have a little bit of experience in almost every kind of law there is because there's crossovers that go to just about everything: probate, civil, criminal, immigration, bankruptcy. You need to have a hand in each one of those. It was a big challenge, and I always liked the challenge, so that's where I ended up."

Ratekin was appointed as a commissioner in 2007, and focused on family law matters throughout her

career on the bench. She views her work as a privately compensated temporary judge and an arbitrator much like her duties on the bench. Except when parties hire her today they can speed up the process dramatically.

"They can get a motion as soon as they agree it can be heard. They can get an ex parte by phone, by Zoom – as long as they take care of the court process part of it," she explained. "They can get a hearing much sooner on most neutrals' calendars, especially these days

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after COVID and all of the crowding in the court. ... They get it done a lot sooner, and they have resolution, and they can move on with their lives.”

Before a mediation, Ratekin said she likes to receive briefs from all the parties and to speak over the phone with attorneys.

“Some people have to be handled with a kid glove, and other people are just ready to dive in, while some people need to have their story heard. They have to get that out, or we’re never going to settle anything,” Ratekin explained. “I try to get a feel for that from the lawyers during my premediation calls, asking them, ‘What’s going to help me help you get your client to a settlement posture?’”

Family law attorney Wayne D. Dersch has used Ratekin to successfully mediate several cases over the past year, and said her premediation phone calls have been especially productive.

“She essentially asks, ‘How can I help when you need me to talk with your client?’” Dersch said. “And that gives you a chance to tell

her, ‘Hey, be extra gentle with my client’ or, ‘They’re very business-like; just get to the point.’ ... And for those that are a little bit more emotional that she needs to treat a little bit more sensitively, she’s very good about adjusting her style to gain their trust.”

Ratekin noted, however, that she’s not afraid to share her thoughts about a case.

“I feel like my job as a mediator is to point out where their weaknesses are at court, where they’re likely to not prevail, and I tell each side that,” she explained. “I always tell them, ‘Sometimes, it’s going to seem like I’m on their side, and sometimes in the other room, it seems like I’m on your side. The bottom line is, I’m just trying to point out to you what I think might happen when you get to court.’”

Trust and estate litigator Scott J. Ingold used Ratekin recently to resolve a probate matter involving some community versus separate property issues. Ingold said he decided to go with the Signature neutral because of her expertise in that area of family law practice.

“I think she probably beat up equally on both parties – if I had to guess – and was pretty blunt about some of the weaknesses on each side,” Ingold said. “I didn’t agree with her opinions on certain things, but I suppose it’s a testament to her as a mediator that even though I didn’t necessarily agree with her, she was able to put enough doubt in my head to move the needle a little bit.”

Family law attorney Anita J. Margolis appeared before Ratekin while she was on the bench and has since used her to successfully mediate two cases in the past year. Margolis noted that Ratekin was always tough as a commissioner but has softened her approach somewhat as a private mediator while still remaining straightforward.

“I think she’s really fair,” Margolis said. “She doesn’t strike me as somebody who tries to coerce people by making threats just to get people to compromise. I think she’s really honest in her assessment of things, and because of that, I think she builds trust and confidence in what she encourag-

es the parties to consider.”

Agreeing with Margolis and Ingold, Dersch said Ratekin also has an especially thorough understanding of family law.

“Every time I go in front of her on a private mediation, I always learn something new,” Dersch said. “She’s just this weird – and I mean weird in a good way – textbook of information and knowledge of things I haven’t considered or didn’t know. And she’s like an encyclopedia in the way she can pull these statutes or case names off the top of her head during just organic discussions. So that is always helpful from the attorney perspective because it helps me evaluate the case.”

Here are some attorneys who have used Ratekin’s services: Wayne D. Dersch, Gavin & Dersch Law and Mediation; Anita J. Margolis, Law Offices of Anita J. Margolis; Scott J. Ingold, Higgs Fletcher & Mack; Amy J. Lass, Griffith, Young & Lass; Chris J. Allred, Peterson, Burnell, Glauser & Allred.

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