

## Woman pays \$7,700 to grandson's attorney who was later removed for inexperience

By [Keith L. Alexander](#), Published:  
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Henrietta Watson stood inside the downtown Manhattan courthouse waiting for one of her grandsons to be released from jail. A young lawyer approached and asked if he could help.

Watson and her husband declined. But the couple told the lawyer about another grandson in Washington, who was charged in the fatal shooting of a Virginia man. That case interested the lawyer, who gave Watson his card and introduced himself as Joseph Rakofsky, Watson said.

Watson, 71, said she told Rakofsky that she wasn't interested in hiring him even for the murder case because the family couldn't afford the \$25,000 to \$30,000 normally charged in such cases.

But Rakofsky, 33, called her, Watson said. And again. She said he told her that he had worked on criminal cases before. And he told her that he would charge \$10,000. Watson decided to "give him a chance," she said, impressed with his tenacity and his willingness to work on her grandson's case, especially for such a low fee. The Watsons took out a loan, paid him \$7,700 and agreed to pay the rest when the trial was over.

What happened next, experts say, should serve as a cautionary tale for people hiring lawyers for the first time.

The Watsons' grandson, Dontrell Deaner, 21, is charged with felony murder and other counts in the fatal 2008 shooting of Frank J. Elliott, 41, in Southeast Washington.

On April 1, three days into Deaner's trial, D.C. Superior Court Judge William Jackson [dismissed Rakofsky from the case](#) and declared a mistrial, citing the lawyer's lack of competence.

In addition, Rakofsky told the jury during his opening statement that the Deaner case was his first trial — something Watson said he never told her.

Watson said she confronted him in the hallway outside the courtroom. "I was shocked. I told him he lied to me," Watson said.

Rakofsky declined telephone and e-mail requests for comment.

Rakofsky's [Web site](#) lists specializations in "criminal law, DUI & traffic law, malpractice law & negligence."

"We really didn't check him out. He said he was this and could do that. We thought he was telling the truth," Watson said.

Lawyers not affiliated with the Deaner case say the mistrial should serve as a lesson for anyone hiring an attorney. Web sites and bar licenses don't provide enough information, said Saul Singer, senior legal ethics counsel for the D.C. Bar. Potential clients need to get references and check out a lawyer's reputation, Singer said.

"Different people spend different levels of due diligence," Singer said. "I don't trust the Internet, because anybody can go on there and say anything. For a lawyer to go on there and say something that is not true is an ethical violation."

While getting rid of Rakofsky, the judge said he was particularly angered by what he learned in a 15-page filing by longtime Washington defense investigator Adrian K. Bean.

Bean told Jackson that he was terminated from the case after refusing Rakofsky's request to "trick" a government witness into saying she did not see Deaner in the area where the shooting occurred, according to the filing. Bean included the [e-mail](#) in which Rakofsky made the request.

"It was a matter of professional principle," Bean said of his unorthodox court filing. "He wanted me to persuade this lady to say she didn't see what she said she saw or heard." Bean also told the judge in the filing that he hadn't been paid for his work.

At a hearing Friday in D.C. Superior Court, Deaner's new, court-appointed attorney, David Benowitz, stood next to his client. Benowitz is Deaner's second court-appointed attorney; the family replaced Deaner's first, Daniel Quillin, with Rakofsky.

At the hearing, Jackson set a new trial date for Jan. 23. Still, there could be yet another attorney shift. In the courtroom during the hearing was Washington area defense attorney Brian K. McDaniel. McDaniel said he had been in talks with Deaner's family about representation.

Meanwhile, Henrietta Watson says her dealings with Rakofsky aren't complete. During a two-hour phone conversation, Watson said, Rakofsky declined to refund her money.

But she says she has a plan. "I told him, I plan on calling a lawyer."

Source:

[http://www.washingtonpost.com/local/woman-pays-7700-to-grandsons-attorney-who-was-later-removed-for-inexperience/2011/04/08/AF15DY9C\\_story.html](http://www.washingtonpost.com/local/woman-pays-7700-to-grandsons-attorney-who-was-later-removed-for-inexperience/2011/04/08/AF15DY9C_story.html)

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