

These summaries are provided by the Office of Lawyer Regulation (OLR), an agency of the Wisconsin Supreme Court. The OLR assists the court in supervising the practice of law and protecting the public from misconduct by lawyers. The OLR has offices at 110 E. Main St., Suite 315, Madison, WI 53703; toll-free (877) 315-6941. The full text of items summarized is at [www.wicourts.gov/olr](http://www.wicourts.gov/olr).

### Public Reprimand Of Michael D. Huitink

The Office of Lawyer Regulation (OLR) and Michael D. Huitink, Brookfield, entered into an agreement for imposition of a public reprimand, pursuant to SCR 22.09(1). A Wisconsin Supreme Court-appointed referee approved the agreement and issued the public reprimand on Jan. 17, 2024, in accordance with SCR 22.09(3).

On a Friday afternoon, a city of Brookfield police officer was dispatched to a vehicle in a ditch on Gebhardt Road. Upon arrival, the officer observed Huitink standing outside the vehicle. Huitink explained to the officer that he swerved to avoid hitting a squirrel and drove into the ditch on the south side of Gebhardt Road. Huitink stated he was traveling from the Milwaukee County Courthouse to his residence in Menomonee Falls. The officer observed Huitink had slurred speech, and a strong odor of intoxicants was emitting from his breath. Huitink denied consuming any alcohol and told the officer it had been approximately five weeks since he consumed alcohol. Huitink showed clues of impairment while performing field sobriety tests. Huitink denied a preliminary-breath test and was placed under arrest. Huitink was then transported to a hospital, where he agreed to submit to an evidentiary chemical test of his blood. The test result was 0.232 g/100mL blood alcohol concentration.

The state charged Huitink with second-offense operating while intoxicated (OWI). Huitink pled guilty and was convicted and sentenced by the Waukesha County Circuit Court.

By engaging in conduct leading to a conviction of misdemeanor second-offense OWI, Huitink violated SCR 20:8.4(b), which states, "It is professional misconduct for a lawyer to ... commit a

criminal act that reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer in other respects."

In November 2019, Huitink was privately reprimanded for violating SCR 20:1.3, SCR 20:1.4(a)(3), and SCR 20:8.4(c).

### Disciplinary Proceedings Against Matthew T. Luening

On Dec. 15, 2023, the Wisconsin Supreme Court suspended the law license of Matthew T. Luening, Milwaukee, for 60 days, effective Jan. 26, 2024, and ordered him to pay the \$8,639.22 cost of the disciplinary proceeding. *Disciplinary Proc. Against Luening*, 2023 WI 76.

Luening represented a client who is from Kenya but had previously lived in Milwaukee with her husband. The client's husband was in the military. After returning to Kenya, the client's husband died and the client applied for veterans' benefits payable because of the death. When the client ran into problems securing the benefits, she asked Luening for help. There was no discussion of legal fees and no written fee agreement. To secure the death benefits, the client executed a power of attorney that granted many powers to Luening. In March 2018, Luening received notice that the client would receive the death benefits and he informed the client that his representation had ended.

In April 2018, Luening sent the client a handwritten letter in which he discussed his financial problems. In a May 4, 2018, letter to Luening, the client in part stated, "I can lend you \$25,000 if you need it." No further communication occurred between the client and Luening about a loan agreement or about the terms of a loan such as the type of disbursement that would be made or the repayment of interest.

In June 2018, using the power of attorney the client had signed, Luening began making

electronic withdrawals from the client's checking account and transferring the funds to his bank account for his personal use. He did not provide the client notice of the electronic withdrawals. Between June 28, 2018, and Jan. 2, 2019, Luening stated he made 13 withdrawals totaling \$23,600. As of March 10, 2020, Luening had repaid the client \$33,000. Luening considered the purported loan amount to be \$23,600 and interest to be \$9,400.

By failing to communicate to the client in writing the scope of the representation or the basis or rate of his fee or expenses for which the client would be responsible, Luening violated SCR 20:1.5(b)(1). By misappropriating the client's funds for personal use, Luening violated SCR 20:8.4(c).

In another matter, on June 5, 2019, the Wisconsin Board of Bar Examiners suspended Luening's Wisconsin law license for noncompliance with the 2017-18 mandatory continuing legal education (CLE) requirements because a late fee had not been paid. Luening acknowledged that he received a notice of noncompliance before June 5, 2019, and that the notice stated that any unpaid late fee must be received no later than June 4, 2019. Luening continued to practice law; he represented clients on June 5, 6, and 7, primarily in criminal and immigration matters.

By appearing on behalf of clients and filing motions on behalf of clients in circuit court while subject to a CLE suspension, Luening violated SCR 31.10(1) and SCR 22.26(2), enforceable via SCR 20:8.4(f).

Luening received two public reprimands in 2017.

### Public Reprimand Of Ronald E. Langford

The OLR and Ronald E. Langford, Des Moines, Iowa, entered into an agreement for imposition of a public reprimand, pursuant to SCR 22.09(1). A Wisconsin Supreme Court-appointed referee approved the agreement and imposed the public reprimand on Dec. 21, 2023.

The Iowa Supreme Court ordered a public reprimand against Langford on Nov. 8, 2023. The Iowa Supreme Court

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found that Langford violated the following Iowa Rules of Professional Conduct: 1.15 (safekeeping property); 5.3 (responsibilities regarding non-lawyer assistants); 8.4(c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation); 45.1 (requirement for client trust account); 45.2(2) (accounting and returning funds or property); 45.2(3) (maintaining trust account records); and 45.7(3), (4) (deposit and withdrawal of advanced fees and expenses in trust account and notification upon withdrawal of

fee or expense). The Wisconsin Supreme Court's public reprimand is reciprocal to discipline imposed against Langford by the Iowa Supreme Court.

Langford received a public reprimand in 2015.

### Public Reprimand Of Dennis P. Coffey

The OLR and Dennis P. Coffey, Milwaukee, entered into an agreement for imposition of a public reprimand, pursuant to SCR 22.09. A Wisconsin Supreme Court-appointed referee approved the agreement and issued

the public reprimand on Dec. 18, 2023.

On Aug. 15, 2015, the family of an individual (the defendant) hired Coffey to complete a review of the defendant's 2015 armed-robbery conviction for a possible withdrawal of plea or a sentence modification. Coffey was paid \$3,500. On Dec. 1, 2015, Coffey was substituted for the attorney who previously represented the defendant, and Coffey filed a motion to extend time to file a postconviction motion or a notice of appeal. The Wisconsin Court of Appeals issued an order extending the period to file either a postconviction motion or a notice of appeal until Feb. 19, 2016.

Coffey met with the defendant on Jan. 21, 2016, and continued to research issues. Coffey drafted a motion for sentence modification but did not file it. Coffey met with the defendant again on Aug. 24, 2017, and had telephone conversations with the defendant on May 11, 2018, Oct. 30, 2018, April 1, 2019, and Sept. 28, 2021. Coffey had no documentation of any communications with the defendant between April 1, 2019, and Sept. 28, 2021. The defendant sent a letter to Coffey in November 2020. Coffey failed to respond to that letter and did not communicate with the defendant again until Sept. 28, 2021. The last communication with Coffey was in February 2022. The defendant filed a grievance in May 2022.

By failing to reasonably communicate with the defendant for over two years, from April 2019 to September 2021, Coffey violated SCR 20:1.4(a), which states: "A lawyer shall: ... (2) reasonably consult with the client about the means by which the client's objectives are to be accomplished; (3) keep the client reasonably informed about the status of the matter; (4) promptly comply with reasonable requests by the client for information; ..."

By failing to file a postconviction motion or a notice of appeal or to inform the defendant there were no issues for appeal for nearly seven years, Coffey violated SCR 20:1.3, which states: "a lawyer shall act with reasonable diligence and promptness in representing a client."

Coffey received private reprimands in 2001 and 2002. **WL**



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