

Patrick Hudec, with History of Failed Communication with Clients, Faces 60-Day Suspension



Summary: Wisconsin attorney Patrick Hudec could be suspended for 60-days for misconduct related to two recent matters and a history of similar misconduct.

East Troy, Wisconsin attorney Patrick J. Hudec is facing a 60-day suspension for alleged misconduct. A complaint filed by the state Office of Lawyer Regulation claims that Hudec had poor to absent communication and failures to conduct court proceedings in a timely manner on two cases.

Hudec has six counts against him, with the first set from a case in 2012 where he was hired by a woman to represent her regarding her deceased mother's estate. He failed to communicate the range of his representation and the rate in writing to the woman in a reasonable time. As the case moved forward, he did not respond to emails or calls promptly from the client. He also failed to file court matters in a timely manner, including an objection to someone else's claim to her mother's estate.

The Walworth County Court ruled against Hudec so he took it to the court of appeals. He claimed he was undergoing health problems but the appeals court still sided with the first court. They stated that his health problems were not an excuse to forgo his responsibilities. The decision read, "The post judgment court considered the serious health incidents suffered by the estate's attorney but pointed to the distinct pattern of missed deadlines, observing that the record 'is replete with the failure of (the estate's attorney) to comply with virtually every time deadline.'" The court directed the woman to hire a new attorney, which led her to the discovery of full reports that Hudec had not shared with her.

Hudec is also in trouble for a defamation suit in 2012 in Waukesha County Court. In this matter, Hudec failed to send a timely response to counterclaim and failed to give his client notice of a hearing. He also failed to provide requested discovery from the opposing council, failed to file a pretrial report, and indicated he intended to withdraw as the attorney but submitted unsigned documents.

Hudec has been previously reprimanded with three private and two public instances. The complaint notes that those punishments were for conflicts of interest, withholding material evidence from the Board of Attorneys Professional Responsibility, drafting a letter with false statement of fact, failing to act with "reasonable diligence and promptness in representing a client," and misconduct regarding a "pattern of gross and inexcusable attention to detail" such as "filing a brief rife with grammatical and spelling errors."

Bill Weigel of the Office of Lawyer Regulation filed the complaint. Weigel explained that Hudec is able to contest the new allegations, of which Weigel's office will have the burden to provide "clear, satisfactory and convincing" evidence.

Do you think health problems are an appropriate excuse for an attorney to use for poor performance in their job? Tell us in the comments below.

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