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SUPREME COURT OF NEW JERSEY

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November 29, 1999

Certified Mail - R.R.R. and Regular Mail

Martin C. Latinsky, Esq.

CONFIDENTIAL - REDACTED

Re: In the Matter of Martin C. Latinsky
Docket No. DRB 99-291
LETTER OF ADMONITION

Dear Mr. Latinsky:

The Disciplinary Review Board has reviewed your conduct in the above matter and has concluded that it was improper. Specifically, in April 1996 you were retained by Fred Scaduto to investigate the probate of his deceased sister's will. Although you timely prepared a verified complaint and had Mr. Scaduto sign it, you never filed the complaint because you later determined that Mr. Scaduto did not have a meritorious case. You did not, however, inform Mr. Scaduto of your determination and did not properly terminate the attorney-client relationship with him. It was only after Mr. Scaduto filed a grievance against you that you properly terminated the relationship and returned the fee to him. Your conduct was improper and in violation of RPC 1.16(d). You also violated RPC 1.4(a) when you failed to communicate with Mr. Scaduto for a period of fifteen months.

In another matter, you were retained by Tom Abramo in 1996 to file a bankruptcy petition on his behalf in order to prevent a foreclosure and a sheriff's sale of his residence. When the stay resulting from the filing of the 1996 bankruptcy petition was lifted because of the Abramos' inability to make scheduled payments, you continued to counsel them. In early October 1997 you went to the Abramos' house to obtain Elsie Abramo's signature on a bankruptcy petition, which you hoped would stay the sheriff's sale. Because, however, the mortgagee had obtained an order providing that future filings would not result in a stay of the foreclosure action, the sheriff proceeded with the sale. Although you had an obligation to keep your clients informed about the status of their matter, you did not call the Abramos after your last-ditch effort to stay the sheriff's sale was rejected by the sheriff and, in addition, failed to return some of Elsie Abramo's telephone calls at a time when she was anxiously seeking information about the progress of their case. Your conduct was unethical and in violation of RPC 1.4(a).

I/M/O Martin C. Latinsky

DRB No. 99-291

In a third matter, in April 1997 you were retained by Shaun Moore to represent him in an eviction proceeding and to file a related consumer fraud action. Although you filed a complaint, it was later dismissed for your failure to attend a scheduled arbitration proceeding, which you mistakenly believed had been adjourned. Thereafter, you did not make a motion to reinstate the complaint until almost nine months after a grievance was filed against you. You also failed to serve answers to interrogatories that had been prepared. Lastly, you did not return your client's repeated requests for information about the status of his case. Your conduct in this matter was unethical and in violation of RPC 1.3 and RPC 1.4(a).

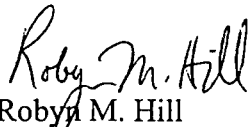
The Board was troubled by the fact that your conduct encompassed three matters and, in fact, viewed it as the type of conduct that borders on the imposition of a reprimand. Because, however, of the several mitigating circumstances present in this matter — your candor, acknowledgment of wrongdoing, recognition that changes in your practice were necessary, your current work in a structured environment and, finally, the lack of permanent harm to your clients — the Board agreed to issue a strong admonition. You should be forewarned, however, that any future instances of unethical conduct will be met with more severe discipline.

Your conduct adversely reflected not only upon you as an attorney, but also upon all members of the bar. Accordingly, the Board has directed the issuance of this strong admonition to you. R. 1:20-15 (f) (4).

A permanent record of this occurrence has been filed with the Clerk of the Supreme Court and the Board's office. Should you become the subject of any further discipline, it will be taken into consideration.

The Board has also directed that the costs of the disciplinary proceedings be assessed against you. An affidavit of costs will be forwarded under separate cover.

Very truly yours,


Robyn M. Hill

RMH:ms

- c. Chief Justice Deborah T. Poritz
- Associate Justices
- Stephen W. Townsend, Clerk
- Supreme Court of New Jersey
- Lee M. Hymerling, Chair
- Disciplinary Review Board
- David E. Johnson, Jr., Director
- Office of Attorney Ethics.
- Bonnie Mizdol, Chair
- District IIA Ethics Committee
- Morton Covitz, Secretary
- District IIA Ethics Committee
- Fred Scaduto, Elsie and Tom Abramo, Shaun Moore, Grievants