

**BEFORE THE HEARING BOARD
OF THE
ILLINOIS ATTORNEY REGISTRATION
AND
DISCIPLINARY COMMISSION**

In the Matter of:

ROBERT JAMES SEMRAD,

Commission No. 2021PR00044

Attorney-Respondent,

No. 6226455

NOTICE OF FILING

TO: MICHAEL RUSCH
COUNSEL FOR ADMINISTRATOR
A.R.D.C.
One Prudential Plaza
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601-6219
mrusch@iadc.org
ARDCeService@iadc.org

PLEASE TAKE NOTICE that on October 15, 2021, I will e-file

RESPONDENT'S ANSWER TO COMPLAINT by causing the original copy to be e-filed with the
Clerk of the Attorney Registration and Disciplinary Commission.

Respectfully submitted,

/s/ Samuel J. Manella
SAMUEL J. MANELLA
ATTORNEY FOR ATTORNEY-RESPONDENT

SAMUEL J. MANELLA #06190368
Counsel for Attorney-Respondent
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FILED
10/15/2021 10:36 AM
ARDC Clerk

PROOF OF SERVICE

I, SAMUEL J. MANELLA, on oath state that I served a copy of the Notice of Filing, RESPONDENT'S ANSWER TO COMPLAINT on the individual at the address shown on the foregoing Notice of Filing, sent via e-mail at mrusch@iardc.org, ARDCeService@iardc.org on October 15, 2020 at or before 4:00 p.m.

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters the undersigned certifies as aforesaid that he verily believes the same to be true.

_____/s/ Samuel J. Manella_____

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In the Matter of:)
ROBERT JAMES SEMRAD,) Commission No. 2021PR00044
Attorney-Respondent,)
No. 6226455.)

ANSWER TO COMPLAINT

Now comes ROBERT JAMES SEMRAD, by his attorney, SAMUEL J. MANELLA, and for his Answer to the Complaint, states as follows:

Respondent was licensed to practice law in Illinois in 1994 and also the Northern District of Illinois in 1994.

COUNT I

(Criminal conviction for domestic battery in Lake County, Illinois)

1. On June 10, 2015, Respondent returned to his residence in Highland Park, Illinois, after completing work for the day. Upon his return home, Respondent was greeted by his romantic partner, Y.N., and began to consume alcohol. Sometime later, Y.N. went upstairs to the bedroom and Respondent continued to consume alcohol and watch televised sports.

RESPONSE:

Respondent admits the allegations contained in Paragraph 1 of Count I of the Complaint.

2. Eventually, Respondent retired to the bedroom and observed Y.N. on her phone. Respondent became angry and began to argue with Y.N. regarding her phone usage and spending habits. During this argument, Respondent grabbed Y.N.'s phone from her possession and threw it in the toilet. Respondent left the bedroom and went downstairs.

RESPONSE:

Respondent admits the allegations contained in Paragraph 2 of Count I of the Complaint. Further answering, Respondent observed Y.N. ordering excessive merchandise online with his credit card

despite his repeated requests that she cease this recurring practice. Respondent was upset and took the phone that he had recently purchased for Y.N. and threw it in the toilet

3. At approximately 11:00 p.m., Y.N. came downstairs and ran towards the door to leave the residence. As she tried exiting the front door, Respondent grabbed her, preventing her from leaving the residence. Y.N. repeatedly told Respondent that he was hurting her. Respondent released his grip and Y.N. left the residence.

RESPONSE:

Respondent admits the allegations contained in the first and second sentences of Paragraph 3, denies the allegation contained in the third sentence and admits the allegation contained in the last sentence of Paragraph 3 of Count I of the Complaint. Further answering, Respondent states that when Y.N. came downstairs, she was completely naked and Respondent believed that she was under the influence of drugs. When Y.N. scratched Respondent, Respondent let her go, and she left the residence naked.

4. After leaving the residence, Y.N. drove herself to the Highland Park Police station and filed a police report.

RESPONSE:

Respondent neither admits nor denies the allegations contained in Paragraph 4 of Count I of the Complaint due to insufficient knowledge.

5. On June 10, 2015, the Lake County State's Attorney's office charged Respondent with criminal sexual assault, in violation of 720 ILCS 5/11-1.20(a)(1); domestic battery, in violation of 720 ILCS 5/12-3.2(a)(1); and interfering with the reporting of domestic violence, in violation of 720 ILCS 5/12-3.5(a). The matter was captioned as People of the State of Illinois vs. Robert J. Semrad, case number 15CF1519.

RESPONSE:

Respondent admits the allegations contained in Paragraph 5 of Count I of the Complaint. Further answering, Respondent states that Y.N. refused a sexual assault test, and after Respondent was arrested, Y.N., with the assistance of counsel, recanted her allegations against Respondent. Also, subsequent to his arrest, Respondent passed a lie detector test in which he denied every criminal allegation in the complaint.

6. On November 25, 2015, Respondent pleaded guilty to an amended charge of domestic battery, in violation of 720 ILCS 5/12-3.2(a)(2). As part of the plea agreement, on motion of the State, the trial court dismissed the remaining charges against the Respondent.

RESPONSE:

Respondent admits the allegations contained in Paragraph 6 of Count I of the Complaint. Further answering, Respondent states that the State's Attorney threatened to add an allegation of false imprisonment. On advice of counsel, Respondent plead to a misdemeanor domestic battery charge.

7. On November 25, 2015, the Honorable Christen Bishop ("Judge Bishop"), entered a judgment of conviction against Respondent for the crime of domestic battery. Judge Bishop sentenced respondent to 18 months' probation, 14 days in the county jail, 10 hours community service, the requirement that

Respondent complete a drug/alcohol evaluation and treatment, sex offender evaluation and treatment, and mental health/psychiatric treatment, plus a \$5,000.00 contribution to the Lake County Children's Advocacy Center and the payment of fines and costs.

RESPONSE:

Respondent admits the allegations contained in Paragraph 7 of Count I of the Complaint. Further answering, Respondent states that the sex offender evaluation indicted that Respondent is low risk for any future domestic violence.

8. By reason of the conduct described above, Respondent engaged in the following misconduct:

- a. engaging in a criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer in other 3 #1345344 respects, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct, by virtue of having committed a criminal act of domestic battery, in violation of 720 ILCS 5/12-3.2(a)(2).

RESPONSE:

Respondent denies the allegations contained in Paragraph 8 (a) of Count I of the Complaint.

COUNT II

(2012 driving under the influence of alcohol in Cook County, Illinois)

9. On the morning of May 27, 2012, at approximately 3:30 a.m., a Burr Ridge police officer observed Respondent's 2012 Range Rover commit an unauthorized U-turn. The officer stopped Respondent's vehicle. Upon approach, the officer observed that Respondent's face was flush, that he emitted a strong odor of an alcoholic beverage, that he had glassy eyes, and that his speech was slurred.

RESPONSE:

Respondent neither admits nor denies the allegations contained in the first sentence of Paragraph 9 of Count II of the Complaint, admits the allegation contained in the second sentence and neither admits nor denies the allegations contained in the last sentence of Paragraph 9 of Count II of the Complaint.

10. The officer asked Respondent to perform field sobriety tests. During the field sobriety tests, Respondent showed numerous indicators of impairment and was placed under arrest for driving under the influence of alcohol. After his arrest, Respondent refused to submit to a breathalyzer test.

RESPONSE:

Respondent admits the allegation contained in the first sentence of Paragraph 10 of Count II of the Complaint, neither admits nor denies the allegations contained in the second sentence and admits the allegations contained in the last sentence of Paragraph 10 of Count II of the Complaint.

11. On May 27, 2012, the Burr Ridge Police Department charged Respondent with driving under the influence of alcohol, in violation of 625 ILCS 5/11-501(a)(2); disobeying a traffic control device, in violation of 625 ILCS 5/11-305(a); and operating an uninsured motor vehicle, in violation of 625 ILCS 5/3-707. The matters were docketed as People v. Robert J. Semrad, case numbers YD396506, YD396507, YD396508, respectively (Cook County Circuit Court).

RESPONSE:

Respondent admits the allegations contained in Paragraph 11 of Count II of the Complaint.

12. On May 16, 2013, the Honorable Kerry M. Kennedy accepted Respondent's guilty plea and sentenced him to 18 months court supervision on charge number YD396508 (driving under the influence of alcohol). Judge Kennedy ordered that Respondent complete a drug/alcohol evaluation and treatment, that he attend a victim impact panel, that he submit to random drug 4 #1345344 testing, and that he pay fines and costs. On the motion of the State's Attorney, case numbers YD396506(disobeying a traffic control device) and YD396507(operating an uninsured motor vehicle) were stricken on leave.

RESPONSE:

Respondent admits the allegations contained in Paragraph 12 of Count II of the Complaint.

13. By reason of the conduct outlined above, Respondent has engaged in the following misconduct:

- a. engaging in a criminal act that reflects adversely on the lawyer's honesty, trustworthiness, or fitness as a lawyer, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct, by virtue of having committed a criminal act of driving under the influence of alcohol, in violation of 625 ILCS 5/11-501(a)(2).

RESPONSE:

Respondent denies the allegations contained in Paragraph 13 (a) of Count II of the Complaint.

WHEREFORE, Attorney-Respondent respectfully requests the complaint be dismissed.

Respectfully submitted,

/s/ SAMUEL J. MANELLA

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