

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

In the Matter of:

**ROBERT EDWARD LEWIN,**

Attorney-Respondent,

No. 1646710.

Commission No. 2023PR00042

**REPORT AND RECOMMENDATION OF THE HEARING BOARD**

**DEFAULT PROCEEDING**

The hearing in this matter was held by videoconference on October 17, 2023, before a Hearing Board Panel consisting of Nicole C. Mueller, Chair, Bianca B. Brown, and Brian B. Duff. Matthew D. Lango and Evette L. Ocasio appeared on behalf of the Administrator. Respondent was present and appeared *pro se*. The Administrator requested that Respondent be suspended for at least six months and until further order of the Court. We agree with the Administrator's request and recommend that Respondent be suspended for six months and until further order of the Court.

We have considered the Administrator's single-count Complaint, filed on June 23, 2023, a copy of which is attached as Exhibit 1, as well as the Order entered on September 14, 2023, deeming the allegations and charges of the Complaint admitted, a copy of which is attached as Exhibit 2. Respondent did not file an appearance in this matter, an Answer to the Complaint, or a response to the Administrator's Motion to Deem the Allegations of the Complaint Admitted Pursuant to Commission Rule 236. He also failed to appear at both prehearing conferences that were held in this matter. He did, however, appear at his default hearing.

The allegations deemed admitted establish as follows:

**FILED**

November 14, 2023

**ARDC CLERK**

Respondent engaged in misconduct when he harassed Will County Courthouse staff. Specifically, Respondent made inappropriate comments towards female employees and asked them out on dates, patted a law library employee's head and placed his hand in her hair, and commented that he would "get with" a judicial extern if he were younger. Courthouse administrators warned Respondent about his behavior, but he continued to engage in the same behavior. His continued harassment of courthouse employees resulted in courthouse staff placing restrictions on his movement within the courthouse. By the foregoing conduct, Respondent violated Illinois Rule of Professional Conduct 8.4(d).

Respondent presented no evidence of mitigation. In aggravation, in 2022, he consented to a 60-day suspension for, among other things, communicating with a defendant in a criminal case without the consent of the defendant's lawyer and seeking to represent that defendant, even though the representation would be directly adverse to and materially limited by his responsibilities to another client in a related case. See In re Lewin, M.R. 031282, 2021PR00074 (September 21, 2022). While the prior misconduct was different from the current misconduct, Respondent engaged in the current misconduct while the prior disciplinary matter was pending, during a time when he should have had a heightened awareness of his ethical obligations.

In addition, Respondent was an experienced practitioner at the time of his misconduct; he engaged in a pattern of misconduct that spanned more than two years and involved multiple individuals, including a law student; and he continued to engage in his unacceptable behavior even after the Will County Circuit Court staff ordered him to stop his harassing behavior and placed restrictions on his ability to be in the courthouse. Finally, at his hearing, Respondent showed no recognition of the wrongfulness of his conduct nor any sincere remorse for it, and in fact, spent much of his testimony minimizing his conduct and rationalizing why his behavior should not have been deemed offensive. He repeatedly stated that he did not understand what was wrong with his

conduct, which does not instill us with confidence that he will refrain from engaging in similar misconduct in the future.

Accordingly,

1. Respondent agreed to accept service of the Complaint by email, and he was served by email on June 27, 2023. A copy of the Amended Affidavit of Agreed Service Pursuant to Commission Rule 214(c) is attached as Exhibit 3.

2. The allegations and charges of the Complaint were deemed admitted in an Order filed on September 14, 2023. A copy of that Order is attached as Exhibit 2.

3. In consideration of the Order deeming the allegations and charges of the Complaint admitted, this Panel finds that Respondent committed the misconduct charged in the Complaint.

4. Given Respondent's misconduct, the serious aggravating factors present, the absence of any mitigating evidence, and relevant case law, we recommend that Respondent be suspended for six months and until further order of the Court.

5. The Panel has concluded that this report format will adequately and appropriately communicate its recommendation to the Court.

Respectfully submitted,

Nicole C. Mueller

Bianca B. Brown

Brian B. Duff

### **CERTIFICATION**

I, Michelle M. Thome, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, hereby certifies that the foregoing is a true copy of the Report and Recommendation of the Hearing Board, approved by each Panel member, entered in the above entitled cause of record filed in my office on November 14, 2023.

/s/ Michelle M. Thome

Michelle M. Thome, Clerk of the  
Attorney Registration and Disciplinary  
Commission of the Supreme Court of Illinois

# **Exhibit 1**

BEFORE THE HEARING BOARD  
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AND  
DISCIPLINARY COMMISSION

FILED  
6/23/2023 9:34 AM  
ARDC Clerk

In the Matter of:

ROBERT EDWARD LEWIN,  
  
Attorney-Respondent,  
  
No. 1646710.

Commission No. 2023PR00042

COMPLAINT

Jerome Larkin, Administrator of the Attorney Registration and Disciplinary Commission, by his attorneys, Matthew D. Lango and Evette L. Ocasio, pursuant to Supreme Court Rule 753(b), complains of Respondent, Robert E. Lewin, who was licensed to practice law in Illinois on October 31, 1974, and alleges that Respondent has engaged in the following conduct which subjects Respondent to discipline pursuant to Supreme Court Rule 770:

COUNT I

*(Conduct Prejudicial to the Administration of Justice -  
Harassment of Will County Courthouse Staff)*

1. At all times related to this complaint, Respondent was a sole practitioner at the Law Office of Robert E. Lewin, a law firm owned and managed by the Respondent located in Skokie. Respondent focuses his practice primarily on criminal defense matters. Most of Respondent's clients are individuals charged with criminal matters in Will County.

2. On March 30, 2021, the Will County Courthouse's Trial Court Administrator, Roger Holland, and Deputy Trial Court Administrator, Thaddeus Zito, received a written complaint from an employee at the Will County Courthouse which detailed allegations of sexual harassment and other inappropriate behavior by Respondent towards women employees of the

Courthouse dating back to 2016. This included, among other things, Respondent telling women who worked at the courthouse that they “smell really good,” “look good enough to eat,” as well as asking employees out on dates and offering to show women employees “a good time.”

3. In response to this complaint, Mr. Zito opened an investigation and conducted interviews with several employees of the Chief Judge’s office and other staff within the Courthouse. During the course of this investigation, several individuals informed Mr. Zito of incidents in which Respondent behaved inappropriately towards Courthouse staff.

Unwanted Physical Contact with Law Library Employee (“H.M.”)<sup>1</sup>

4. In 2020 and 2021, Respondent frequently would spend time in the Will County Courthouse’s law library, often doing work for long periods of time. Respondent also regularly would speak to the employees of the law library, often in a social manner and asking them for assistance in matters such as e-filing of documents. With one employee, H.M., in addition to seeking her assistance with technological matters, Respondent would speak to her about his personal life and would leave candy at her workstation.

5. On one occasion, in March 2021, while H.M. was walking through the Courthouse security entrance at the beginning of the day, she began talking briefly to Sheriff’s Deputy James O’Halloran. At that time, Respondent came up behind H.M. and patted her head and place his hand in her hair. When Deputy O’Halloran observed Respondent touch H.M., he immediately told Respondent, “Don’t ever let me see you do anything like that again!” Respondent then walked away.

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<sup>1</sup> The employees who were subjected to Respondent’s harassing and inappropriate behavior are referred to throughout this complaint by their initials.

### Respondent's Warning About Inappropriate Behavior

6. On April 26, 2021, Mr. Holland and Mr. Zito met with Respondent to discuss allegations of harassment and inappropriate behavior made against him, including the incident involving H.M. described above. During the meeting, Mr. Holland and Mr. Zito discussed the issue of “personal space” and Respondent’s understanding of the term. Respondent agreed that it may be unwanted and inappropriate to go up to a person he was only casually acquainted with and touch them in a particular way. Respondent also agreed that touching a person on their head could be inappropriate.

7. During the April 26, 2021, meeting, Mr. Holland and Mr. Zito discussed the issue of “sexual harassment” and Respondent’s understanding of the term. Respondent stated that sexual harassment included offensive conduct or engaging in acts of a sexual nature with another person. Respondent also stated that if someone ever told him to stop doing something, he would not do it again.

8. During the April 26, 2021, meeting Mr. Holland and Mr. Zito asked Respondent about other allegations of inappropriate behavior, some of which Respondent admitted, though he could not recall specific dates or individuals involved. For example, Mr. Holland and Mr. Zito asked Respondent if he had ever told female opposing counsel something similar to, “Will I get a better deal for my client if I argue or flirt with you?” Respondent replied that he sometimes asked female opposing counsel, “Will begging or flirting be more effective?”

9. During the April 26, 2021, meeting, Respondent was asked if he had ever told female staff or attorneys at the Will County Courthouse, “Nice dress, but it would look better on my floor.” Respondent replied, “I’ve told them they have a nice dress, but it would better if it was off.”

10. In May 2021, at the conclusion of Mr. Zito's investigation into the allegations of harassment by Respondent, Mr. Zito sent a letter to Respondent in which he stated, in part:

Please be advised that we expect you not to make physical contact with any of our staff. Next, we expect that you will not discuss your personal life with any of our staff, including any discussions concerning your marital status. We also expect that you will not proposition any of our staff members to join you in any personal meetings or out on dinner dates. We further expect that you will keep your opinions to yourself concerning your perception of your ability to flirt with women. We also expect you to not make inappropriate comments to our staff, especially our female staff members, which can include, but not be limited to, commenting on their hair, dress, or appearance. We also expect that you will conduct yourself in a professional manner when appearing in our courtrooms, to include being appropriately dressed and to avoid unprofessional outbursts.

11. Respondent received Mr. Zito's letter concerning his behavior in or about May 2021, and was on notice that he was prohibited from harassing, propositioning, or making personal advances towards Courthouse employees.

#### Respondent's Continued Harassment of Courthouse Employees and a Judicial Extern

12. On or about August 25, 2021, while in the Clerk's office of the Will County Courthouse, Respondent approached an employee, R.B., to ask for assistance in filing the appropriate documents to schedule a court appearance. When R.B. told Respondent that he needed to fill out additional forms in order to have a court date scheduled, Respondent became agitated and asked R.B. if he "has ever heard the phrase 'eat shit and die.'" In response, R.B. again explained to Respondent that he would have to fill out additional forms and file them electronically. Respondent then stated to R.B., "Eat shit and die," and walked away.

13. On or about November 9, 2021, while in the Clerk's office of the Will County Courthouse, Respondent approached an employee, A.S., and began talking to her about his personal life. In the course of that conversation, Respondent asked A.S. if she would have dinner



with him. A.S. told Respondent that she would not. Respondent asked A.S. to have dinner with him after receiving instructions from the Courthouse administrators not to do so.

14. On June 22, 2022, Respondent was in the Courthouse law library and approached a female law student who was serving as a judicial extern, C.S., at the Will County Courthouse. Respondent spoke to C.S. while she and other law students were working in an office connected to the law library. Respondent asked C.S. where she attended law school and she informed him she went to Loyola University Chicago School of Law. During the conversation, Respondent offered to pay C.S. to do research for him. C.S. thanked Respondent for the offer, and the conversation ended by Respondent leaving.

15. Later that afternoon, on June 22, 2022, Respondent returned to the office while C.S. was not there. Respondent spoke to the four other judicial externs who were present and asked about “the Loyola Law Student,” indicating C.S., and if they would pass her his business card. Respondent then made a comment to the four judicial externs to the effect of: “If I were 55 years younger, I would get with her.” One of the externs who was present at the time Respondent made this remark reported the matter to the Office of the Chief Judge.

16. Following the report of Respondent’s comment about the judicial extern described in paragraph 14 above, Mr. Zito and others from the Office of the Chief Judge conducted another investigation into Respondent’s behavior. In this investigation, Zito and others interviewed five witnesses to Respondent’s conduct, all of whom confirmed the behavior and comments by Respondent directed towards the judicial extern, C.S.

#### Respondent’s Restrictions at the Will County Courthouse

17. In July 2022, as a result of Respondent’s continued harassing and inappropriate conduct towards the staff of the Will County Courthouse, the Chief Judge ordered that

Respondent's presence in the Will County Courthouse be limited to the courtrooms where he was appearing on behalf of his clients and to the Circuit Clerk's Office to make payments and file documents on behalf of his clients.

18. As of the date of this complaint, the restrictions on Respondent's movement within the Will County Courthouse remain in effect and he is not permitted to enter the law library, cafeteria, or other areas of the Will County Courthouse.

19. As a result of the conduct set forth above, Respondent has engaged in the following misconduct:

- a. conduct that is prejudicial to the administration of justice, by conduct including, but not limited to, touching the head and hair of H.M., a Will County Courthouse law library employee, without her consent in March 2021; telling an employee of the Clerk's office to "eat shit and die;" asking a female employee of the Clerk's office to have dinner with him; and making a comment to the effect of "If I were 55 years younger, I would get with her," about C.S., a law student-judicial extern, to a group of judicial externs; resulting in disruption to Courthouse operations and necessitating the use of Courthouse resources to investigate Respondent's conduct and to place restrictions on Respondent's access to Courthouse facilities, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

WHEREFORE, the Administrator respectfully requests that this matter be assigned to a panel of the Hearing Board, that a hearing be held, and that the panel make findings of fact, conclusions of fact and law, and a recommendation for such discipline as is warranted.

Respectfully submitted,

Jerome Larkin, Administrator  
Attorney Registration and  
Disciplinary Commission

By: s/ Matthew D. Lango  
Matthew D. Lango

Matthew D. Lango  
Evette L. Ocasio  
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# **Exhibit 2**

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

In the Matter of:

**ROBERT EDWARD LEWIN,**

Attorney-Respondent,

No. 1646710.

Commission No. 2023PR00042

**ORDER**

A telephonic pre-hearing conference was held in this matter on September 13, 2023, at 10:00 a.m. Participating were Nicole C. Mueller, Chair; and Matthew D. Lango and Evette L. Ocasio, Counsel for the Administrator. The Clerk of the Commission provided call-in information to Respondent but he did not appear. Counsel for the Administrator advised the Chair of the status of the matter. Accordingly,

**IT IS ORDERED:**

1. The Clerk of the Commission having served Respondent by certified mail with a copy of the Administrator's Motion to Deem the Allegations of the Complaint Admitted Pursuant to Commission Rule 236 (Motion to Deem) and the August 30, 2023 Order stating that the Motion to Deem would be granted if Respondent did not file an answer on or before September 13, 2023, counsel for the Administrator having served Respondent by email with same, and no answer having been filed on or before that date, the Administrator's Motion to Deem is granted. No further proof of the allegations of the Complaint is required. The evidence presented at the hearing in this matter shall be limited to evidence of matters in aggravation and mitigation;

**FILED**

September 14, 2023

**ARDC CLERK**

2. The parties shall exchange any exhibits they propose to offer at hearing and lists of their proposed exhibits on or before October 10, 2023. Pursuant to Illinois Supreme Court Rule 138, each party is responsible for redacting personal identity information from that party's exhibits;

3. The default hearing in this matter is scheduled for October 17, 2023, commencing at 10:00 a.m., and will be held remotely via Webex videoconference. The Clerk of the Commission shall provide the parties with Webex access information; and

4. The parties shall prepare exhibits in conformance with Commission Rule 276 and the Clerk of the Commission's procedures regarding electronic exhibits.

**CERTIFICATION**

I, Michelle M. Thome, Clerk of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois and keeper of the records, certify that the foregoing is a true copy of the order, approved by the Hearing Board Chair, entered in the above entitled cause of record filed in my office on September 14, 2023.

/s/ Michelle M. Thome  
\_\_\_\_\_  
Michelle M. Thome,  
Clerk of the Attorney Registration and  
Disciplinary Commission of the  
Supreme Court of Illinois

**PROOF OF SERVICE**

I, Michelle M. Thome, hereby certify that I served a copy of this Order on the Attorney-Respondent listed at the address shown below by depositing it with proper postage prepaid, by causing the same to be deposited in the U.S. Mailbox at One Prudential Plaza, 130 East Randolph Drive, Chicago, Illinois 60601 on September 14, 2023, at or before 5:00 p.m. At the same time, a copy of this Order was sent to Counsel for the Administrator by e-mail service.

Robert Edward Lewin  
Attorney-Respondent  
Law Office of Robert E Lewin  
5225 Old Orchard Road, Suite 50  
Skokie, IL 60077-1027

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 she verily believes the same to be true.

\_\_\_\_\_  
/s/ Michelle M. Thome  
Michelle M. Thome

# **Exhibit 3**



BEFORE THE HEARING BOARD  
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DISCIPLINARY COMMISSION

In the Matter of:

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Attorney-Respondent,  
  
No. 1646710.

Commission No. 2023PR00042

**AMENDED - AFFIDAVIT OF AGREED SERVICE  
PURSUANT TO COMMISSION RULE 214(c)**

I, EDGAR LEON (“Affiant”), being duly sworn, hereby state:

1. Affiant possesses firsthand knowledge of the facts presented in this Affidavit and, if called as a witness, Affiant will testify to the truth of the facts as presented in this Affidavit.
2. Affiant is an Investigator for the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (“the Commission”) and, as such, is authorized to serve process.
3. On June 27, 2023, at 12:09 P.M., Affiant called Respondent at 312-217-6421, and asked if Respondent would accept service of the Complaint via email. Respondent agreed and directed Affiant to email the Complaint to [Robert\\_Lewin@hotmail.com](mailto:Robert_Lewin@hotmail.com).
4. On June 27, 2023, at 12:16 PM., Affiant served the Respondent with the Complaint via the email he provided.
5. On June 28, 2023, at 2:36 P.M., Affiant sent a text message to Respondent at 312-217-6421 inquiring if the Respondent received the Complaint sent via email. At 3:18 PM,

FILED  
6/29/2023 3:38 PM  
ARDC Clerk

Affiant received a text message from the Respondent indicating he had received the Complaint via email.

6. Further Affiant sayeth not.

/s/ Edgar Leon  
Edgar Leon, Investigator

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/ Edgar Leon  
Edgar Leon, Investigator

Dated: June 28, 2023