

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

FILED

March 18, 2025

ARDC CLERK

In the Matter of:

DREW MICHAEL HARWICK,

Attorney-Respondent,

No. 3128559.

Commission No. 2024PR00065

REPORT AND RECOMMENDATION OF THE HEARING BOARD

DEFAULT PROCEEDING

The hearing in this matter was held by videoconference on March 12, 2025, before a Hearing Board Panel consisting of Carl (Carlo) E. Poli, Chair, Rachel C. Steiner, and Brian B. Duff. Richard C. Gleason II appeared on behalf of the Administrator. Respondent did not appear. The Administrator requested that Respondent be suspended for 60 days and until further order of the Court. We agree with the Administrator's request and recommend that Respondent be suspended for 60 days and until further order of the Court.

We have considered the Administrator's single-count Complaint, filed on October 28, 2024, a copy of which is attached as Exhibit 1, as well as the Order entered on February 6, 2024, 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 Administrator's Complaint Admitted Pursuant to Commission Rule 236. He also did not participate in any pre-hearing conferences or appear at his disciplinary hearing.

The allegations deemed admitted establish that Respondent revealed information relating to the representation of a client without the client's informed consent by describing details of his

client's criminal case and disclosing his client's identity in internet posts. Based upon that conduct, in December 2021, Respondent entered into a deferral agreement pursuant to Commission Rule 108 in which he admitted the misconduct and agreed to certain conditions, including continuing with mental health treatment, complying with the treatment recommendations of his mental health professionals, and providing quarterly reports from his mental health professionals relating to his continuing care and treatment. Beginning in December 2022, Respondent ceased providing the quarterly reports that he was required to provide to the Commission. Throughout 2023, Commission employees contacted Respondent or his counsel on at least eight occasions about Respondent's failure to comply with the requirements of Commission Rule 108, but Respondent did not resume providing the required quarterly reports. Thus, Respondent also knowingly failed to respond to a lawful demand for information from a disciplinary authority by failing to respond to ARDC employees' demands that he submit reports from his treating mental health providers relating to their care and treatment of him.

By the foregoing conduct, Respondent violated Illinois Rules of Professional Conduct 1.6(a) and 8.1(b). In mitigation, Respondent has not been previously disciplined. In aggravation, after agreeing to service of the Complaint by email, Respondent failed to participate at all in his disciplinary proceedings. Of most concern to this panel is that Respondent, who was diagnosed with a serious mental health issue, has not demonstrated that he is receiving treatment for the issue, which leaves us unable to assess whether he is currently fit to practice law. Consequently, we agree with the Administrator that a suspension that continues until further order of the Court is necessary to protect the interests of the public, the profession, and Respondent himself by requiring Respondent to establish in a reinstatement proceeding that he is fit to practice law before he is permitted to practice law again.

Exhibit 1

BEFORE THE HEARING BOARD
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ILLINOIS ATTORNEY REGISTRATION
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In the Matter of:

DREW MICHAEL HARWICK,
Attorney-Respondent,
No. 3128559.

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COMPLAINT

Lea S. Gutierrez, Administrator of the Attorney Registration and Disciplinary Commission, by her attorney, Richard Gleason, pursuant to Supreme Court Rule 753(b), complains of Respondent, Drew Michael Harwick (“Respondent”), who was licensed to practice law in Illinois on October 29, 1980, and alleges that Respondent has engaged in the following conduct, which subjects him to discipline pursuant to Supreme Court Rule 770:

(Revealing client information involving J.O.)

1. At all times alleged in this complaint, Respondent was a sole practitioner in Schaumburg with a practice focused on family law and criminal defense.
2. On or about January 3, 2013, Respondent consulted with J.O., who was seeking an attorney to represent him in a Cook County case in which J.O. was charged with the misdemeanor offense of battery (“the battery case”).
3. Following the consultation described in paragraph two, above, Respondent and J.O. agreed that Respondent would represent J.O. in the battery case. Respondent and J.O. further agreed that J.O. would pay Respondent a retainer fee of \$500, which would be deposited in Respondent’s client trust account, and against which Respondent would bill J.O. for legal fees. Respondent and J.O. further agreed that J.O. would pay Respondent \$180 per court appearance, and \$1,200 for Respondent’s representation of J.O. if the battery case was resolved after a jury

trial. In total over the course of Respondent's representation of J.O., J.O. paid Respondent \$2,500.

4. Between January 2, 2013 and May 28, 2013, Respondent met with J.O. on at least two occasions and obtained information from J.O. concerning the incident giving rise to the battery case. Further, as part of his representation of J.O., Respondent reviewed the police report generated by the arresting agency and J.O.'s criminal history.

5. On or about May 28, 2013, Respondent represented J.O. in a jury trial, which resulted in verdict of guilty against J.O.. Shortly thereafter, J.O. terminated Respondent's representation of him. J.O. subsequently moved to have the guilty verdict set aside, alleging ineffective assistance of counsel. The judge presiding over the matter granted J.O.'s motion, and thereafter expunged J.O.'s battery charge.

6. On or about October 23, 2013, J.O. posted a client review of Respondent's services on the website <http://LisTwins.com>, in which he discussed his dissatisfaction with Respondent's services. In the posting, J.O. stated:

this guy practices law just as bad as he looks. After you lose, his excuse is 'you got what you paid for.' Do yourself a favor, when you see his ad [...] FLAG IT – the untalented barrister, Drew Harwick, needs to advertise his services elsewhere.

7. On October 24, 2014, J.O. posted another client review of Respondent, this time on the legal referral website www.AVVO.com, in which he discussed his dissatisfaction with Respondent's services. In the posting, J.O. stated:

I hired Mr. Harwick to represent me for a simple misdemeanor battery charge. After my jury conviction I filed an appeal. Last week the trial judge vacated the jury verdict and granted me my new trial due to Mr. Harwick's ineffective assistance. I find it hard to believe I'm the only one who has a negative review of Mr. Harwick's ability to practice law.

8. In or in about December, 2014, Respondent, on his own website with the address

<http://drewharwickaffordableillinoisdivorcelawyer.info>, posted a reply to J.O.'s 2014 client reviews, described in paragraphs six and seven, above. In his response, Respondent stated:

This is Drew Harwick, Attorney's response to the negative review on the internet. To my clients: please look at the other articles under Google, Bing, and Yahoo to learn about my experience and background. This particular article is solely a response to a negative review (rant) by a rotten, mean-spirited convicted criminal bully named [J.]. ([J.] writes like a "jailhouse lawyer wannabe," a soap opera magazine trash writer), subverting "the truth" into "the tooth"(a clown)(takes over 60 hours to write (Wacko)(a clown) for a minor simple battery case over two years ago (double Wacko)(a clown) and steals my name to use in his own url or domain name (Triple Wacko)(a clown) [...]

9. Respondent further stated:

[...] [J.] received no jail time. (The judge wanted to put [J.] in jail, but I convinced the judge not to) (at the sentencing, [J.] stated to the judge that he had done jail time before.)

10. Respondent further stated:

[...] [J.] (bully) poked an old man (victim) while swearing at work, the old man jolted backwards. The old man (victim and co-worker) and an independent eye witness testified against [J.] at the trial. (The witness witnessed the bullying and swearing, she also testified that [J.] also came up to her and aggressively verbally bothered her). The police indicated [J.] had a reputation at the company he worked at of being a bully. I eventually called the company and the man who answered the phone indicated "they have cut ties" with [J.].

11. Respondent further stated:

[...] [J.] called me a year after the case was over. He used a fake name and pretended he had a legitimate reason to call. I said "This is [J.]" *sic* He denied it. I asked him what he did for work. He said he is heavily into military activities. [J.] is a veteran over 55 years old.

12. Respondent further stated:

By the way, does [J.] ever show any remorse for committing the crime of battery or for having committed the crimes of dui *sic* and driving on a suspended license? No, with [J.] it is always "what in it

for me”? [sic] “Let’s manipulate the justice system so that I can get away with the fact that I am a bully and I have hassled [sic] people at work and I have gotten drunk and driven and I was physically abusive to an old man at work” [sic] What about that old man who received the battery? Do you think he had a nice day at work that day? [J.] is just a loser.[...]

13. Respondent further stated:

“Finally, [J.] is just a high school graduate. My advice to [J.] is to go to college for four years and law school for three years. Then, pass the Illinois bar exam. By that time, he will be 66 years old.”

14. On or about August 6, 2018, Respondent created a website with a web address that included J.O.’s full name, nickname, occupation, and the town in which he lived. On or about July 18, 2019, Respondent posted the following comment on the website:

Notice: [J.O.], a 62 year old insurance adjuster, insurance agent who works at [J.O.’s office address] is a cyber-bully.... I had a small business transaction with [J.O.] about 6 years ago.... In 2013, after my business transaction with [J.] was over, he made a fake phone call to me denying he was [J.], I asked him what he did for work. He said that he is working deep in the military.

15. By naming J.O. in his 2019 post on the website Respondent created, described in paragraph 14, above, including J.O.’s full office address and the name of the town in which J.O. lived, by describing J.O. as a veteran whom Respondent had represented in 2013, and by stating that J.O. had made a phone call to Respondent during which J.O. denied his identity, Respondent disclosed information that could reasonably lead to the discovery by third persons that J.O. was the same individual Respondent described in his 2014 post, described in paragraphs eight through 13, above.

16. In his December 2014 statements posted on his own website, described in paragraphs eight through 13, above, Respondent revealed information relating to his representation of J.O. when he described details of J.O.’s battery case and criminal history. Respondent did not

obtain J.O.'s informed consent prior to posting the information described in paragraphs eight through 13, above.

17. Respondent's statements in the postings described in paragraphs eight through 14 were designed to intimidate and embarrass J.O. and to keep him from posting additional information about Respondent on the website www.AVVO.com and the website www.LisTwins.com.

18. On December 3, 2021, Respondent entered into an agreement pursuant to Commission Rule 108, in which he admitted the misconduct described above. As further part of that agreement, Respondent agreed to comply with the requirements of the Illinois Rules of Professional Conduct; agreed to complete the ARDC Professionalism Seminar within 180 days; agreed to attend meetings as scheduled by the Commission probation officer; agreed to submit quarterly written reports to the Commission probation officer concerning his compliance with the conditions of probation; agreed to continue with mental health treatment to be provided by mental health professionals Respondent designated; agreed to comply with the treatment recommendations of those mental health professionals; and agreed to provide quarterly reports from his mental health professionals relating to his continuing care and treatment.

19. Respondent failed to submit his December 2022, March 2023, or September 2023 quarterly reports to the Commission concerning his compliance with mental health treatment. In addition, since June of 2023, Respondent has failed to submit reports from his treating mental health professionals relating to their care and treatment of Respondent.

20. Between January 1, 2023 and November 14, 2023, Commission employees telephoned or wrote to Respondent or his counsel on at least eight occasions concerning Respondent's failure to comply with the requirements of the Commission Rule 108 deferral of

prosecution, including the filing of quarterly reports and the submission of reports from his treating mental health professionals, described in paragraph 19, above.

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

- a. revealing information relating to the representation of a client without the client's informed consent, by conduct including describing details of J.O.'s battery case and J.O.'s identity in Respondent's internet posts, in violation of Rule 1.6(a) of the Illinois Rules of Professional Conduct (2010); and
- b. knowingly failing to respond to a lawful demand for information from a disciplinary authority, by conduct including failing to respond to Commission employees' demands that Respondent submit reports from his treating mental health professionals relating to their care and treatment of Respondent.

WHEREFORE, the Administrator 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

Lea S. Gutierrez, Administrator
Attorney Registration and
Disciplinary Commission

By: /s/ Richard Gleason
Richard Gleason

Richard Gleason
Counsel for the Administrator
130 East Randolph Drive, Suite 1500
Chicago, Illinois 60601
Telephone: (312) 565-2600
Email: rgleason@iadc.org
Email: ARDCeService@iadc.org

Exhibit 2

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

In the Matter of:

DREW MICHAEL HARWICK,

Attorney-Respondent,

No. 3128559.

Commission No. 2024PR00065

ORDER

The Chair having considered the Administrator's Motion to Deem All Allegations and Disciplinary Charges of the Complaint Admitted Pursuant to Commission Rule 236 (Motion) and Respondent having filed no response,

IT IS ORDERED:

1. The Administrator's Motion is granted due to Respondent's failure to file an answer and participate in this matter. No further proof of the allegations and disciplinary charges is required. At hearing, the parties shall be limited to presenting evidence of aggravating and mitigating factors and argument regarding the form and amount of discipline to be imposed;

2. A prehearing conference in this matter is scheduled for February 11, 2025, at 10:00 a.m. Counsel for the Administrator and Respondent shall be available at that time and are responsible for calling in to the pre-hearing conference. The Clerk of the Commission shall provide the parties with the call-in information; and

3. The Clerk of the Commission is directed to serve Respondent by email at drewharwick@gmail.com.

FILED

February 06, 2025

ARDC CLERK

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 February 6, 2025.

/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, Andrea L. Watson, hereby certify that I served a copy of this Order on the Attorney-Respondent listed at the email address shown below on February 6, 2025, 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.

Drew Michael Harwick
Attorney-Respondent
drewharwick@gmail.com

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/ Andrea L. Watson
Andrea L. Watson

Exhibit 3

BEFORE THE HEARING BOARD
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FILED
11/12/2024 9:37 AM
ARDC Clerk

In the Matter of:

DREW MICHAEL HARWICK,

Attorney-Respondent,

No. 3128559.

Commission No. 2024PR00065

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

I, CHERYL BAUER (“Affiant”), an agent of the Attorney Registration and Disciplinary Commission who is over the age of 18, 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 a Senior 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 Tuesday, October 29, 2024, Affiant was asked to serve the Complaint Service Letter, Complaint, Notice of Complaint, Order Assigning Chairperson of the Hearing Panel, ARDC Defense Attorney List, Filings and Procedures Memorandum and Rules of the Attorney Registration and Disciplinary Commission upon Drew Michael Harwick (“Respondent”).

4. On Tuesday, October 29, 2024 at approximately 12:53 p.m., Affiant emailed Respondent at drewharwick@gmail.com, Respondent’s last registered email address on the Master Roll of Attorneys. In her email, Affiant asked Respondent to confirm if he would accept service of the Complaint via electronic mail or if he would prefer to conduct service in person.

5. On Friday, November 8, 2024, at approximately 9:07 a.m., Affiant called Respondent at 224-289-4750, Respondent’s last registered business and home telephone number listed on the

Master Roll of Attorneys. Affiant received an automated message that the telephone number is not in service.

6. On Friday, November 8, 2024, at approximately 9:08 a.m., Affiant called Respondent at 773-861-3033, Respondent's last registered toll-free number listed on the Master Roll of Attorneys. Affiant received an automated message that the telephone number has a mailbox that has not been set up. Affiant was unable to leave a message for Respondent.

7. On Friday, October 8, 2024, at approximately 9:15 a.m., Affiant ran an Accurint Report on Respondent to locate additional telephone numbers for Respondent. Affiant located the following additional telephone numbers registered to Respondent: 224-628-8108, 847-215-0396, 847-215-8093 and 847-459-9465.

8. On Friday, November 8, 2024, at approximately 3:01 p.m., Affiant attempted to call Respondent at 224-628-8108. Affiant received an automated message that the number is restricted and/or not in service.

9. On Friday, November 8, 2024, at approximately 3:03 p.m., Affiant attempted to call Respondent at 847-215-0396. The number has been disconnected.

10. On Friday, November 8, 2024, at approximately 3:07 p.m., Affiant attempted to call Respondent at 847-215-8093. The number has been disconnected.

11. On Friday, November 8, 2024, at approximately 3:09 p.m., Affiant attempted to call Respondent at 847-459-9465. The number has been disconnected.

12. On Friday, November 8, 2024, at approximately 3:12 p.m., Affiant sent a follow-up email to Respondent at drewharwick@gmail.com Respondent's last registered email address on the Master Roll of Attorneys as well as drewhklaw@att.net and drewhklaw@comcast.net; Respondent's two previously registered email addresses on the Master Roll of Attorneys.

13. On Sunday, November 10, 2024, at approximately 8:19 a.m., Affiant received a reply

email from Respondent from the email address drewharwick@gmail.com advising Affiant he will accept service.

14. On Monday, November 11, 2024, at approximately 11:59 a.m., Affiant emailed the Complaint Service Letter, Complaint, Notice of Complaint, Order Assigning Chairperson of the Hearing Panel, ARDC Defense Attorney List, Filings and Procedures Memorandum and Rules of the Attorney Registration and Disciplinary Commission to Respondent at drewharwick@gmail.com.

15. Further Affiant Sayeth not.

/s/ Cheryl Bauer
Cheryl Bauer
Senior 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 she verily believes the same to be true.

/s/ Cheryl Bauer
Cheryl Bauer

Dated: November 12, 2024