

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

FILED  
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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

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