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STATE OF WISCONSIN
BEFORE THE SOCIAL WORKER SECTION

EXAMINING BOARD OF SOCIAL WORKERS, MARRIAGE AND FAMILY THERAPISTS AND PROFESSIONAL COUNSELORS

IN THE MATTER OF THE DISCIPLINARY

PROCEEDINGS AGAINST :

ALFRED J. JANKE, CSW

FINAL DECISION AND ORDER

RESPONDENT

LS0008094SOC

The parties to this action for the purposes of § 227.53, Stats., are:

Alfred J. Janke

814 Martin St.

Menasha, WI 54952

Social Worker Section

Wisconsin Examining Board of Social Workers,

Marriage & Family Therapists and Professional Counselors

PO Box 8935

Madison, WI 53708-8935

Department of Regulation and Licensing

Division of Enforcement

PO Box 8935

Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision in this matter, subject to the approval of the Section. The Section has reviewed this Stipulation and considers it acceptable.

Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Alfred J. Janke, Respondent, date of birth November 30, 1949, was certified by the Social Worker Section as a social worker in the state of Wisconsin, pursuant to certificate number 2106, which was first granted November 24, 1993.
2. Respondent was granted certification pursuant to the grand-parenting provisions of 1991 Act 160, §21(2)(a)2, based upon his having been employed as a social worker at some time between May 1, 1992 and April 30, 1993. Respondent received a bachelors degree from the University of Wisconsin-Oshkosh in 1986.
3. Respondent's last address reported to the Department of Regulation and Licensing is 814 Martin St., Menasha, WI 54952.
4. Respondent was employed as a social worker by Winnebago County Department of Human Services, Division of

Children, Youth and Families (WCDHS), which until January 1, 2000 was known as by Winnebago County Department of Family Services. On April 6, 2000, WCDHS terminated Respondent's employment because of the following:

- a. During 1999, while Respondent was providing social worker services to a 16 year old boy Respondent entered into a personal-sexual relationship with the boy's mother, Ms. A, who was in the process of obtaining a divorce from the boy's father. All members of the family were considered client's of WCDHS.
- b. In May 1999, Respondent requested a loan from Ms. B, who was a client of WCDHS. Ms. B referred Respondent to her boyfriend, who loaned Respondent \$2,000, to be paid back within 90 days. Respondent has not repaid any of the loan. Respondent also called Ms. B at her place of employment, at least five times, seeking additional loans.
- c. In March 1999 Respondent requested and obtained a loan of \$1500 from Ms. C, who provided foster care to clients of WCDHS, including a child to whom Respondent was providing social work services. The loan was to be repaid in 90 days, but Respondent has not paid back any of the loan. Later in 1999 and through March 2000, Respondent made numerous attempts to contact Ms. Buss to request loans. The calls for loans even included four or five the morning of her wedding.
- d. In 1999, Respondent requested and obtained a loan of \$600 from Ms. D, a WCDHS vendor (daycare provider). At the time, Ms. D's son was receiving social work services from Respondent. Respondent has not paid back the loan.

CONCLUSIONS OF LAW

- 1. The Social Worker Section has jurisdiction over this matter pursuant to § 457.26, Stats.
- 2. The Social Worker Section has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.
- 3. Respondent, by engaging in the conduct with Ms. A has committed unprofessional conduct as defined by the following subsections of Wis. Adm. Code §SFC 20.02:
 - (11) Engaging in sexual contact, sexual conduct, or any other behavior with a client which could reasonably be construed as seductive. For purposes of this rule, a person shall continue to be a client for 2 years after the termination of professional services.
 - (13) Failing to avoid dual relationships or relationships that may impair the credentialed person's objectivity or create a conflict of interest.
 - (22) Gross negligence in practice in a single instance, and negligence in practice in more than one instance.
- 4. Respondent, by engaging in the conduct with Ms. B has committed unprofessional conduct as defined by the following subsections of Wis. Adm. Code §SFC 20.02:
 - (13) Failing to avoid dual relationships (13) or relationships that may impair the credentialed person's objectivity or create a conflict of interest.
 - (22) Gross negligence in practice in a single instance.
- 5. Respondent, by engaging in the conduct with Ms. C has committed unprofessional conduct as defined by the following subsections of Wis. Adm. Code §SFC 20.02:
 - (13) Failing to avoid dual relationships or relationships that may impair the credentialed person's objectivity or create a conflict of interest.
 - (22) Gross negligence in practice in a single instance.
- 6. Respondent, by engaging in the conduct with Ms. D has committed unprofessional conduct as defined by the following subsections of Wis. Adm. Code §SFC 20.02:
 - (13) Failing to avoid dual relationships or relationships that may impair the credentialed person's objectivity or create a conflict of interest.
 - (22) Gross negligence in practice in a single instance.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That the certification as a social worker in the state of Wisconsin of Alfred J Janke is hereby REVOKED, effective immediately.

The rights of a party aggrieved by this Decision to petition the Section for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

Dated at Madison, Wisconsin this 9th day of August, 2000.

Cornelia Gordon-Hempe

Chairperson

Social Worker Section