

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE SOCIAL WORKER SECTION  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING  
AND SOCIAL WORK EXAMINING BOARD

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
ALISON SUE LABUY, : FINAL DECISION AND ORDER  
RESPONDENT. : LS0710311SOC

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Division of Enforcement Case # 07 SOC 043

The parties to this action for the purposes of Wis. Stat. § 227.53 are:

Alison Sue Labuy  
W1124 Mary Street  
Green Lake, WI 54941

Division of Enforcement  
Department of Regulation and Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

Social Worker Section  
Marriage and Family Therapy, Professional Counseling  
and Social Work Examining Board  
Department of Regulation & Licensing  
1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board. The Section has reviewed the attached Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Alison Sue Labuy, (DOB 11/04/1970) is duly certified as a Social Worker in the State of Wisconsin (certificate #120-6092). This certificate was first granted on May 8, 1996.
2. Respondent's most recent address on file with the Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board is W1124 Mary Street, Green Lake, WI 54941.
3. At all relevant times, Respondent worked as a Social Worker at Fox Lake Correctional Institution in Fox Lake, Wisconsin.

4. Beginning on or about May 4, 2007, Respondent developed and maintained a personal and sexual relationship with a prisoner under her care.

### CONCLUSIONS OF LAW

1. The Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board has jurisdiction to act in this matter, pursuant to Wis. Stat. § 457.26, and is authorized to enter into the attached Stipulation and Order, pursuant to Wis. Stat. § 227.44(5).

2. The conduct described in paragraph 4 above constitutes a violation of Wisconsin Administrative Code § MPSW 20.02(11) and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26(2)(f).

### ORDER

IT IS ORDERED:

1. The stipulation of the parties is approved.

2. The Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board accepts the surrender of the certificate of Alison Sue Labuy (certificate # 120-6092), to practice as a Social Worker in the State of Wisconsin.

3. In the event that Ms. Labuy applies for a Wisconsin credential as a Social Worker in the future, the Section may issue an order denying such application without further notice or hearing.

4. This Order shall become effective upon the date of its signing.

Dated at Madison, Wisconsin this 31<sup>st</sup> day of October, 2007.

Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board

By: Mary Jo Walsh  
A Member of the Section

10/31/07  
Date

STATE OF WISCONSIN  
BEFORE THE SOCIAL WORKER SECTION  
MARRIAGE AND FAMILY THERAPY, PROFESSIONAL COUNSELING  
AND SOCIAL WORK EXAMINING BOARD

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IN THE MATTER OF :  
DISCIPLINARY PROCEEDINGS AGAINST :  
 : STIPULATION  
ALISON SUE LABUY, : LS# \_\_\_\_\_  
RESPONDENT. :

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Division of Enforcement Case # 07 SOC 043

Alison Sue Labuy, personally on her own behalf; and Jeanette Lytle, attorney for the Department of Regulation and Licensing, Division of Enforcement, stipulate:

1. This Stipulation is entered into as a result of a pending investigation of Respondent's Social Worker certification by the Division of Enforcement (case # 07 SOC 043). Respondent consents to the resolution of this investigation by stipulation.

2. Respondent understands that by signing this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify herself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.

3. Respondent has been provided an opportunity to obtain the advice of legal counsel prior to signing this stipulation.

4. Respondent agrees to voluntarily surrender her certificate to practice as a Social Worker in the State of Wisconsin. Respondent agrees that she will not apply for a Wisconsin credential as a Social Worker at any time in the future. In the event that Respondent does in fact apply for a Wisconsin credential as a Social Worker, the Section may deny the application based upon this stipulation, without further notice or hearing, and Respondent hereby expressly waives all rights to hearing on any such denial or limitation.

5. Respondent agrees to the adoption of the attached Final Decision and Order by the Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Section's order, if adopted in the form as attached.

6. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Section, the parties agree not to contend that the Section has been prejudiced or biased in any manner by consideration of this attempted resolution.

7. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Social Worker Section of the Marriage and Family Therapy, Professional Counseling and Social Work Examining Board ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of the Respondent or her attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with the Section's deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept this Stipulation and issue the attached Final

Decision and Order.

8. Respondent is informed that should the Section adopt this Stipulation, the Section's final decision and order is a public record and will be published in accordance with standard Department procedure.

9. Respondent is further informed that should the Section adopt this Stipulation, the Board's Final Decision and Order would constitute an agency finding within the meaning of Wis. Stats. §§ 48.685 and 50.065. Should Respondent wish to work in a Wisconsin DHFS-licensed facility, she will need to pass a Rehabilitation Review through DHFS prior to commencement of such employment.

10. The Division of Enforcement joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.

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Alison Sue Labuy  
W1124 Mary Street  
Green Lake, WI 54941

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Date

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Jeanette Lytle, Attorney  
Division of Enforcement  
Wisconsin Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935

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Date