

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Regulation and Licensing is shown on the Department's Web Site under "License Lookup." The status of an appeal may be found on court access websites at: <http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>.
- Records not open to public inspection by statute are not contained on this website.

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FILE COPY

STATE OF WISCONSIN  
BEFORE THE BOARD OF ARCHITECTS,  
LANDSCAPE ARCHITECTS, PROFESSIONAL  
GEOLOGISTS, PROFESSIONAL ENGINEERS,  
DESIGNERS AND LAND SURVEYORS

-----  
IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :

JOSEPH L. GODKIN,  
RESPONDENT :

FINAL DECISION AND ORDER  
94 ARC 006  
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The parties to this action for the purposes of section 227.53 of the Wisconsin statutes are:

Joseph L. Godkin  
936 S. Jackson  
Green Bay, WI 54301

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 of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

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

FINDINGS OF FACT

1. Joseph L. Godkin (DOB 05-30-30) is duly licensed as an architect in the state of Wisconsin (license number 3248). This license was first granted on October 16, 1970.

2. Mr. Godkin's most recent address on file with the Wisconsin Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors is 936 S. Jackson, Green Bay, Wisconsin 54301.

3. On November 4, 1994, Mr. Godkin and the New Mexico Board of Examiners for Architects entered into a Settlement Agreement and Release. The Settlement Agreement was in resolution of Mr. Godkin's repeated violations of the use of the term "architect and or "AIA" when Mr. Godkin was not registered to practice architecture in New Mexico. A true and correct

copy of the Settlement Agreement and Release is attached to this Order as Exhibit A. Exhibit A is incorporated by reference into this document.

4. In resolution of this matter, Mr. Godkin consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

Joseph L. Godkin, by the conduct described above, has violated sec. 443.11(3), Stats. and Wisconsin Administrative Code § A-E 8.03(2)(a).

#### ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that Joseph L. Godkin, is **REPRIMANDED**.

**IT IS FURTHER ORDERED** that within thirty (30) days from the date of this order, Mr. Godkin shall pay the partial costs of this proceeding in the amount of ONE HUNDRED SEVENTY-FIVE dollars (\$175.00). Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Michelle Neverman, Department Monitor  
Division of Enforcement  
Post Office Box 8935  
Madison, Wisconsin 53708-8935.

**IT IS FURTHER ORDERED** that in the event Respondent Joseph L. Godkin fails to timely comply with the terms of this Order, his architect license (#3248) SHALL BE SUSPENDED, without further notice or hearing, until Mr. Godkin has complied with the terms of this Order.

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

ARCHITECTS SECTION

By: *Dennis G. Brown*  
A member of the Board

9/11/96  
Date

## SETTLEMENT AGREEMENT AND RELEASE

This SETTLEMENT AGREEMENT is made and entered into by and between the New Mexico Board of Examiners for Architects (the "Board") and Joseph Leo Godkin ("Godkin").

### RECITALS

A. In 1992, Godkin used the term "architect" on the title block of residential plans he submitted in connection with obtaining a building permit from the City of Albuquerque. In lieu of prosecuting Godkin for this violation of the New Mexico Architectural Act, N.M. Stat. Ann. §§61-15-1 through 61-15-33 (Repl.Pamp. 1992) (the "Act"), the Board accepted a letter agreement from Godkin stating that he would voluntarily comply with the Act.

B. In 1993, Godkin used the terms "architect" and "AIA" in certain correspondence and agreements with residential clients wherein Godkin agreed to design plans for an addition to a residence and act as the construction assistant for the project.

C. The Board notified Godkin that use of the terms "architect" and "AIA" was a violation of the Act, unless Godkin was duly registered to practice architecture in New Mexico.

D. Godkin is not registered to practice architecture in New Mexico.

E. Godkin admits that he is guilty of the above-stated violations and wishes to comply with the Architectural Act and the Board's Rules and Regulations, and the Board wishes to ensure that

all persons practicing architecture in New Mexico comply with the requirements of the Architectural Act.

THEREFORE, in consideration of the mutual terms and conditions contained herein, the parties agree as follows:

1. Recitals. The above-stated recitals are hereby incorporated and made a part of this Agreement.

2. Fine. Godkin shall pay to the Board the sum of one thousand 00/100 dollars (\$1,000.00).

3. Representation. Godkin shall not represent to the public that he is registered or otherwise qualified to practice architecture, unless and until he becomes duly registered to practice architecture, in accordance with the New Mexico Architectural Act, N.M. Stat. Ann. §§61-15-1 through 61-15-33 (Repl.Pamp. 1993).

4. Withdrawal of Complaints. The Board shall withdraw its complaint with the State of Wisconsin Department of Regulation and Licensing, Bureau of Business and Design Professions, and shall not file an additional complaint with the American Institute of Architects with respect to the facts which form the basis of this Agreement.

5. Release. In consideration of the execution of this Agreement, Godkin, for himself, his personal representatives, executors, administrators, heirs and assigns, hereby releases the Board, the State of New Mexico and each of their officers, employees, agents, successors and assigns from any and all claims, demands, causes of action, judgments, and executions, whether known or unknown, that Godkin ever had or may have arising out of,

related to, or by reason of the subject matter of this Agreement. By executing this Agreement, Godkin acknowledges that it represents a full and complete release of any claim or right, and that he has had the opportunity to review this Agreement and consult with his attorney. Godkin further acknowledges that has entered into this Agreement freely and voluntarily accepted its terms.

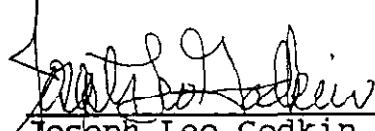
In consideration of the execution of this Agreement, the Board, for itself, its successors and assigns, hereby releases Godkin, his personal representatives, executors, administrators, heirs and assigns from any and all claims, demands, causes of action, judgments, and executions, whether known or unknown, that the Board ever had or may have arising out of, related to, or by reason of the subject matter of this Agreement.

6. Entire Agreement. This Agreement consists of four (4) pages and represents the entire agreement between the parties hereto with respect to its subject matter. Its terms are contractual and not mere recital, and it shall not be altered, modified or amended except by written instrument signed by the parties, nor shall it be construed as an admission of any wrongdoing or violation of law by either party.

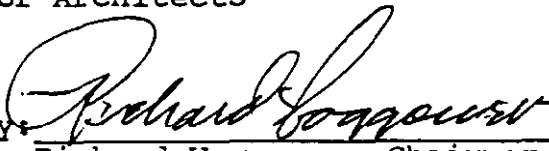
7. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New Mexico.

8. Effective Date. This Agreement shall become effective as of the date it is accepted by the Board, as evidenced by its execution.

IN WITNESS WHEREOF, the parties have executed this Agreement  
as of its effective date.

  
\_\_\_\_\_  
Joseph Leo Godkin

New Mexico Board of Examiners  
for Architects

By:   
\_\_\_\_\_  
Richard Waggoner, Chairman

Date: 22 August '94

11/4/94

STATE OF WISCONSIN  
BEFORE THE BOARD OF ARCHITECTS,  
LANDSCAPE ARCHITECTS, PROFESSIONAL  
GEOLOGISTS, PROFESSIONAL ENGINEERS,  
DESIGNERS AND LAND SURVEYORS

---

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	STIPULATION
JOSEPH L. GODKIN,	:	94 ARC 006
RESPONDENT	:	

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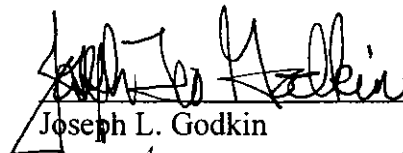
It is hereby stipulated between Joseph L. Godkin, and Steven M. Gloe, attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

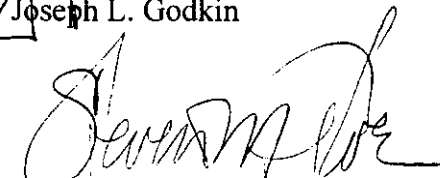
1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (94 ARC 006). Mr. Godkin consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. The respondent understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, 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 him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; 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 him under the United States Constitution, the Wisconsin Constitution, the Wisconsin statutes and the Wisconsin Administrative Code.
3. Respondent is aware of his right to seek legal representation and has been provided an opportunity to obtain legal advice prior to signing this stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors. 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 attached order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, 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 Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

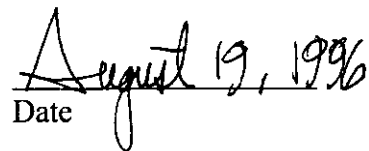


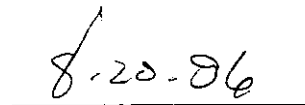
6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors assigned as an advisor in this investigation may appear before the Board for the purposes of speaking in support of this agreement and answering questions that the Board may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Joseph L. Godkin in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
\_\_\_\_\_  
Joseph L. Godkin

  
\_\_\_\_\_  
Steven M. Gloe, Attorney  
Division of Enforcement

  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Date

# Department of Regulation & Licensing

State of Wisconsin

P O. Box 8935, Madison, WI 53708-8935

(608)

TTY# (608) 267-2416, hearing or speech  
TRS# 1-800-947-3529, impaired only

## GUIDELINES FOR PAYMENT OF COSTS AND/OR FORFEITURES

On September 11, 1996, the Architects Section  
took disciplinary action against your license. Part of the discipline was an assessment of costs and/or a  
forfeiture.

The amount of the costs assessed is: \$175.00 Case #: 94 ARC 006

The amount of the forfeiture is: \_\_\_\_\_ Case # \_\_\_\_\_

Please submit a check or a money order in the amount of \$ 175.00

The costs and/or forfeitures are due: October 11, 1996

NAME: Joseph L. Godkin LICENSE NUMBER: 3248

STREET ADDRESS: 936 South Jackson

CITY: Green Bay STATE: WI ZIP CODE: 54301

Check whether the payment is for costs or for a forfeiture or both:

X COSTS \_\_\_\_\_ FORFEITURE

Check whether the payment is for an individual license or an establishment license:

X INDIVIDUAL \_\_\_\_\_ ESTABLISHMENT

If a payment plan has been established, the amount due monthly is:

**For Receipting Use Only**

Make checks payable to:

**DEPARTMENT OF REGULATION AND LICENSING  
1400 E. WASHINGTON AVE., ROOM 141  
P.O. BOX 8935  
MADISON, WI 53708-8935**

#2145 (Rev. 9/96)  
Ch. 440.22, Stats.  
G:\BDLS\FM2145 DOC

Committed to Equal Opportunity in Employment and Licensing

BEFORE THE STATE OF WISCONSIN  
BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL GEOLOGISTS,  
PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE DISCIPLINARY  
PROCEEDINGS AGAINST

JOSEPH L. GODKIN,  
RESPONDENT.

AFFIDAVIT OF SERVICE

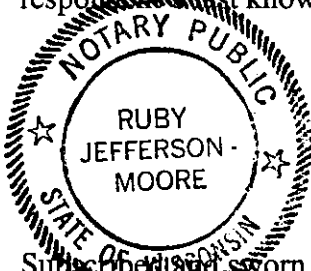
Katie Rotenberg, being first duly sworn on oath deposes and states that she is in the employ of the Department of Regulation and Licensing, and that on September 13, 1996, she served the following upon the respondent:

Final Decision and Order and Guidelines for Payment of Costs and/or Forfeitures dated September 11, 1996

by mailing a true and accurate copy of the above-described document, which is attached hereto, by certified mail with a return receipt requested in an envelope properly addressed to the above-named respondent at:

936 S. Jackson  
Green Bay, WI 54301  
Certified P 213 148 285

an address which appears in the files and records of the Board of Architects, Landscape Architects, Professional Geologists, Professional Engineers, Designers and Land Surveyors as the respondent's last known address.



Katie Rotenberg  
Katie Rotenberg  
Department of Regulation and Licensing

Subscribed and sworn to before me

this 13th day of September, 1996.

Ruby Jefferson-Moore  
Notary Public  
Dane County, Wisconsin  
My Commission is Permanent

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## NOTICE OF APPEAL INFORMATION

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**Notice Of Rights For Rehearing Or Judicial Review, The Times Allowed For Each. And The Identification Of The Party To Be Named As Respondent.**

**Serve Petition for Rehearing or Judicial Review on:**  
STATE OF WISCONSIN BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS,  
PROFESSIONAL GEOLOGISTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND  
SURVEYORS

1400 East Washington Avenue  
P.O. Box 8935  
Madison, WI 53708.

**The Date of Mailing this Decision is:**

September 13, 1996

### 1. REHEARING

Any person aggrieved by this order may file a written petition for rehearing within 20 days after service of this order, as provided in sec. 227.49 of the *Wisconsin Statutes*, a copy of which is reprinted on side two of this sheet. The 20 day period commences the day of personal service or mailing of this decision. (The date of mailing this decision is shown above.)

A petition for rehearing should name as respondent and be filed with the party identified in the box above.

A petition for rehearing is not a prerequisite for appeal or review.

### 2. JUDICIAL REVIEW.

Any person aggrieved by this decision may petition for judicial review as specified in sec. 227.53, *Wisconsin Statutes* a copy of which is reprinted on side two of this sheet. By law, a petition for review must be filed in circuit court and should name as the respondent the party listed in the box above. A copy of the petition for judicial review should be served upon the party listed in the box above.

A petition must be filed within 30 days after service of this decision if there is no petition for rehearing, or within 30 days after service of the order finally disposing of a petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30-day period for serving and filing a petition commences on the day after personal service or mailing of the decision by the agency, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing this decision is shown above.)