

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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

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IN THE MATTER OF THE	:
APPLICATION OF	:
	:
GARRY LIBSTER	:
APPLICANT	:

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FINAL DECISION AND ORDER

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The parties in this matter under § 227.44, Wis. Stats. and s. RL 1.04, Wis. Admin. Code, and for purposes of review under § 227.53, Wis. Stats., are:

Garry Libster  
104 Steeplechase Drive  
Racine, WI 53402

Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board  
1400 East Washington Avenue  
Madison, WI 53703

**PROCEDURAL HISTORY**

Garry Libster filed an application for a training certificate and licensure as a professional counselor on March 11, 2005. The Professional Counselor Section reviewed his application at its meeting on May 2, 2005, and denied his request for a training certificate and licensure. A Notice of Denial was sent to Mr. Libster on or about June 1, 2005. Mr. Libster subsequently requested a hearing on his denial.

A hearing in the above-captioned matter was held on August 2, 2005, before the Professional Counseling Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board. Mr. Libster appeared in person, *pro se*.

The Professional Counseling Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board, having held a hearing on the application for a training certificate and for licensure as a professional counselor for Garry Libster, and having considered the entire record in this matter, makes the following Findings of Fact, Conclusions of Law, and Order.

**FINDINGS OF FACT**

1. Garry Libster applied for a training certificate and for licensure as a professional counselor on March 11, 2005.
2. One of the requirements for both the training certificate and licensure in Wisconsin as a professional counselor is the completion of a master's or doctoral degree in professional counseling or in an equivalent academic program, including at least three (3) semester hours or four (4) quarter hours academic credit in a counseling theory course, a three semester hour supervised counseling practicum, and coursework in group dynamics processing and counseling, and in lifestyle and career development.
3. Mr. Libster has not successfully completed the required counseling theory course. He has also not completed a three semester hour supervised counseling practicum, and coursework in group dynamics and counseling, and in lifestyle and career development.

## CONCLUSIONS OF LAW

1. The Professional Counseling Section of the Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board has jurisdiction in this matter pursuant to §§ 15.405 (7c) (c) and 457.10, Wis. Stats.
2. Mr. Libster, by not having completed the requirements as set forth in § MPSW 14.01, Wis. Admin. Code, has not met the criteria for licensure as a professional counselor or for a professional counselor training certificate.

## ORDER

**NOW THEREFORE IT IS HEREBY ORDERED** that the application of Garry Libster for a professional counselor license and a professional counselor training certificate shall be **DENIED**.

## OPINION

Section 457.12, Wis. Stats., sets forth the criteria for licensure as a professional counselor in Wisconsin. Among the requirements for licensure as found in s. 457.10 (2) (b), Wis. Stats., is that an applicant must have either received a master's or doctorate degree in professional counseling or its equivalent from a program approved by the Professional Counseling Section (Section). An academic program is the equivalent of a master's degree in professional counseling if it meets the criteria set forth in s. MPSW 14.01, Wis. Admin. Code, including at least three (3) semester hours or four (4) quarter hours academic credit in a counseling theory course. That same section also requires the completion of credits in a supervised counseling practicum and the completion of academic credits from a list of required subject areas. Additionally, under s. RL 1.08 (4), Wis. Admin. Code, an applicant has the burden of proof to show the credentialing authority, in this case, the Professional Counseling Section, that he has met the eligibility requirements for the credential.

Mr. Libster has failed to meet his burden. One of the requirements for obtaining either the professional counselor training certificate or a professional counselor license is the completion of a master's or doctoral degree in professional counseling or an acceptable equivalent program, which includes at least three (3) semester hours or four (4) quarter hours academic credit in a counseling theory course. Mr. Libster did not complete that requirement. In addition, he has not completed a three semester hour supervised counseling practicum, nor has he completed coursework in group dynamics and counseling, or in lifestyle and career development. In reviewing Mr. Libster's application again, the Section determined that he had not successfully met these criteria and, as a result, has not met the requirements for licensure as a professional counselor or for the professional counselor training certificate. His application for both licensure and the training certificate has therefore been denied.

## APPEAL INFORMATION

The applicant's right to request rehearing and for judicial review are set forth in the enclosed "Notice of Appeal Information".

Dated this 11<sup>th</sup> day of August, 2005, at Madison, Wisconsin.

STATE OF WISCONSIN  
PROFESSIONAL COUNSELING SECTION

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Susan Putra, P.C.  
Chairperson