

# 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	:	
	:	FINAL DECISION AND ORDER
JUDITH A. UTEVSKY, L.C.S.W.,	:	LS0901282SOC
RESPONDENT.	:	

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Division of Enforcement Case # 07 SOC 062

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

Judith A. Utevsky, L.C.S.W.  
c/o GHC  
675 W. Washington Ave.  
Madison, Wi 53703

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. Judith A. Utevsky, L.C.S.W., (DOB 07/07/1954) is duly licensed as a Licensed Clinical Social Worker in the State of Wisconsin (license # 123-2892). This license was first granted on August 10, 1994.

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 675 W. Washington Avenue, Madison, Wisconsin, 53703.

3. Respondent's license expired on July 10, 2007. She renewed her license on August 13, 2007. Respondent continued working as a social worker during the period in which her license was expired.

### 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 3 above constitutes a violation of Wis. Stat. § 457.04(4) and subjects Respondent to discipline pursuant to Wis. Stat. § 457.26(2)(h).

### ORDER

#### IT IS ORDERED:

1. Judith A. Utevsky, L.C.S.W., is REPRIMANDED.

2. Respondent shall, within ninety (90) days from the date of this Order, pay costs of this proceeding in the amount of One Hundred Dollars (\$ 100.00). Payment shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor  
Division of Enforcement  
Department of Regulation and Licensing  
P.O. Box 8935  
Madison, WI 53708-8935  
Telephone (608) 267-3817  
Fax (608) 266-2264

3. In the event Respondent fails to pay costs as ordered, Respondent's license (# 123-2892) SHALL BE SUSPENDED, without further notice or hearing, until Respondent has complied with the terms of this Order.

4. This Order is effective on the date of its signing.

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

By: George J. Kamps  
A Member of the Section

1/28/09  
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
JUDITH A. UTEVSKY, L.C.S.W.,	:	LS# _____
RESPONDENT.	:	

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Division of Enforcement Case # 07 SOC 062

Judith A. Utevsky, L.C.S.W., personally and by her attorney Amy F. Scholl; 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 licensure by the Division of Enforcement (case # 07 SOC 062). 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 obtained the advice of legal counsel prior to signing this stipulation.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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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Judith A. Utevsky, L.C.S.W.  
c/o GHC  
675 W. Washington Ave.  
Madison, WI 53703

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Date

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Amy F. Scholl  
Coyne, Schultz, Becker & Bauer, S.C.  
Attorneys for Judith Utevsky, L.C.S.W.  
150 E. Gilman St. Suite 1000  
Madison, WI 53703

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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