

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



### Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

#### Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- 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 Safety and Professional Services 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.

**By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.**

**Correcting information on the DSPS website:** An individual who believes that information on the website is inaccurate may contact [DSPS@wisconsin.gov](mailto:DSPS@wisconsin.gov)

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

---

IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: FINAL DECISION AND ORDER  
JANE K. KIRKWOOD, :  
RESPONDENT. : 0004089

---

Division of Legal Services and Compliance Case No. 14 SOC 082

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

Jane K. Kirkwood  
4341 N 81<sup>st</sup> St  
Milwaukee, WI 53222

Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional  
Counseling, and Social Work Examining Board  
P.O. Box 8366  
Madison, WI 53708-8366

Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190  
Madison, WI 53707-7190

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Worker Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Jane K. Kirkwood, (DOB February 3, 1957) is certified in the state of Wisconsin to practice social work, having certificate number 4912-120, first granted on May 12, 1995 and current through February 28, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 4341 North 81<sup>st</sup> Street, Milwaukee, Wisconsin 53222.

2. In 2013, the Department of Safety and Professional Services began an audit of compliance with the continuing education requirements for social workers for the 2011-2013 biennium.

3. Respondent's name was randomly selected as a subject of the audit.

4. Respondent failed to demonstrate compliance with continuing education requirements for the 2011-2013 biennium as follows:

- a. Respondent submitted evidence that she had completed 14 credits of continuing education within the biennium;
- b. 4 credits were not accepted because they did not have the proper approval;
- c. Respondent therefore completed 7 hours of 30 due in the 2011-2013 biennium.

5. As of the date of this Final Decision and Order, Respondent has complied with continuing education requirements for the 2011-2013 biennium.

6. In resolution of this matter, Respondent consents to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Social Worker Section of the Wisconsin 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 pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondent Jane K. Kirkwood violated Wis. Admin. Code § MPSW 8.02(1) by failing to complete thirty (30) continuing education hours in courses and programs for social work.

3. In violating Wis. Admin. Code § MPSW 8.02(1)(b), Respondent Jane K. Kirkwood has engaged in unprofessional conduct as defined by Wis. Admin. Code § MPSW 20.02(2).

4. As a result of the above violation(s), Jane K. Kirkwood is subject to discipline pursuant to Wis. Stat. §§ 457.26(2)(a) and (h).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent, Jane K. Kirkwood, certificate no. 4912-120, is hereby REPRIMANDED.

3. Courses taken by the Respondent on March 30, 2013, April 7, 2013, April 16, 2013, May 7, 2013, and May 1-June 5, 2014 were retroactively applied to the 2011-2013 biennium and may not be used to fulfill continuing education requirements for the 2013-2015 biennium.

4. Within 90 days from the date of this Order, Respondent Jane K. Kirkwood shall pay COSTS of this matter in the amount of \$95.00.


5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent by Respondent to the Department Monitor at the address below:

Department Monitor  
Division of Legal Services and Compliance  
Department of Safety and Professional Services  
P.O. Box 7190, Madison, WI 53707-7190  
Telephone (608) 267-3817; Fax (608) 266-2264  
DSPSMonitoring@wisconsin.gov

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to timely submit payment of costs as ordered, Respondent's certificate (4912-120) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the costs.

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

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

by: Nick Smith  
A Member of the Section 

6/17/15  
Date

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

---

IN THE MATTER OF THE DISCIPLINARY :  
PROCEEDINGS AGAINST :  
: STIPULATION  
JANE K. KIRKWOOD, :  
RESPONDENT. : 0004089

---

Division of Legal Services and Compliance Case No. 14 SOC 082

Respondent Jane K. Kirkwood, and the Division of Legal Services and Compliance, Department of Safety and Professional Services stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondent consents to the resolution of this investigation by Stipulation.

2. Respondent understands that by signing this Stipulation, Respondent voluntarily and knowingly waives the following rights:

- the right to a hearing on the allegations against Respondent, 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 Respondent;
- the right to call witnesses on Respondent's behalf and to compel their attendance by subpoena;
- the right to testify on Respondent's own behalf;
- 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 Respondent under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondent is aware of Respondent's right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

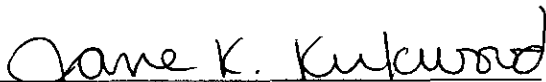
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Social Worker Section of the Wisconsin Marriage and Family Therapy, Professional Counseling, and Social Work Examining Board (Section). The parties to the Stipulation consent to the entry of the attached Final Decision 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 then be returned to the Division of Legal Services and Compliance for further proceedings. In the event that the 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 the consideration of this attempted resolution.

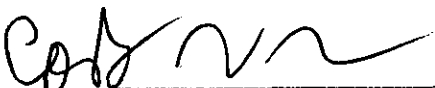
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session, without the presence of Respondent, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with 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.

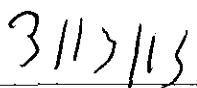
7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order.

  
Jane K. Kirkwood, Respondent  
4341 N 81<sup>st</sup> St  
Milwaukee, WI 53222  
Certificate no. 4912-120

  
Date

  
Cody Wagner, Attorney  
State Bar Number 1069666  
Department of Safety and Professional Services  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190  
Tel. (608) 261-0116  
Fax: (608) 266-2264  
EMAIL: cody.wagner@wi.gov

  
Date