

BEFORE THE ALABAMA STATE BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER)

ROBIN MICHELLE PHILLIPS, LICSW-PIP)

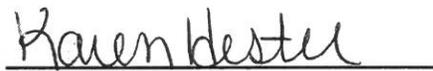
Respondent.)

Case No.: 17-2129C-01

ORDER

The Board met on January 12, 2018, and considered the recommendation of the hearing officer. The Board accepted the recommendation of the hearing officer to revoke your license but declines to assess costs of the hearing against you.

Done this the 11th day of April 2018.



Karen Hester
Acting Executive Director
For the Board of Social Work Examiners

cc: Ellen Leonard
Board Attorney

**BEFORE THE ALABAMA
STATE BOARD OF SOCIAL WORK EXAMINERS**

IN THE MATTER OF)	
)	
ROBIN MICHELLE PHILLIPS,)	Case No.: 17-2129C-01
LICSW-PIP,)	
)	
RESPONDENT)	

RECOMMENDATION OF THE HEARING OFFICER

I. Procedural Posture

Robin Michelle Phillips (hereinafter “Respondent”), was duly licensed to practice as a social worker by the Alabama Board of Social Work Examiners (hereinafter “Board”). Respondent, at all times in the Board’s Complaint, was and is subject to the Board’s jurisdiction.

Respondent was notified of a formal hearing to be held on October 24, 2017.¹ The Complaint and Amended Order of Formal Hearing were sent to Respondent at her address of record in the Board’s files by certified mail and by regular mail through the United States Postal Service. The regular mail notice was not returned to the Board. The certified mail was delivered on September 22, 2017.² Both notices were sent to Respondent at 459 Barcelona Drive, Satsuma, Alabama 36572, the

¹ Board Exhibit 1.

² Board Exhibit 2.

Respondent's address in the Board's files. Respondent appeared for the hearing scheduled for 10:00 a.m. on October 24, 2017.

Respondent did not file an answer to the Board's Complaint as required by ALA. ADMIN. CODE 850-X-10-.05(4), which provides in pertinent part: "Failure to file an answer within the time permitted by this rule without good cause shall be construed as an admission that the factual averments contained in the complaint are true."

The Board engaged James Jerry Wood to act as a hearing officer in this matter, pursuant to ALA. ADMIN. CODE r. 850-X-10-.06(4). The undersigned conducted the hearing on October 24, 2017. A quorum of the Board was present. Ellen Leonard, Esq., represented the Board. Respondent appeared *pro se*. Board Exhibits 1-7 were admitted without objection.³ Respondent Exhibit 1 was admitted. The Board called James Dupree, Jr. ("Dupree"), its contract investigator, as a witness. The Board's Amended Order of Formal Hearing and Complaint against Respondent was admitted into evidence.⁴

Dupree testified that he investigated complaints against Respondent. Dupree talked with Jody Loudermilk, a complainant against Respondent, on September 12,

³ Board Exhibit 5 was withdrawn by counsel for the Board during the hearing.

⁴ Board Exhibit 1.

2017.⁵ Mr. Loudermilk and Jamie Calloway filed a complaint with the Board against Respondent on October 10, 2016.⁶ Dupree and the Board did not receive promised e-mail attachments and information from the Respondent.⁷ Respondent testified that she had to use a computer in the public library because she did not have computer capability from an office or home. Neither Dupree nor the Board's Executive Director had satisfactory communication exchanges with Respondent.

II. Findings of Fact

Respondent did not file an answer to the Board's Complaint. The testimony of Dupree indicates Respondent failed to properly and timely complete a home study contracted by Mr. Loudermilk and Ms. Callaway and did not return any of the fees she was paid.⁸ Thereafter, Respondent failed to return repeated e-mails and phone calls regarding the Loudermilk/Callaway home study contract. Respondent denies that she failed to complete the home study. Clearly during 2016, Respondent was not timely in discharging her duties to clients and the courts.⁹

Respondent wants to remain licensed. However, her pattern of behavior and performance during the period of time covered in the Board's Complaint make her

⁵ Board Exhibit 3.

⁶ Board Exhibit 3.

⁷ Board Exhibit 4.

⁸ Testimony of Phillips.

⁹ Board Exhibits 4 and 6-7.

continued licensure problematic. Clients and courts have complained about Respondent's untimely completion of contracted tasks. The Board presented evidence of four home studies that Respondent did not timely complete. It is difficult to imagine that Respondent can meet her ethical, confidential, and professional obligations if she has to use a computer in the public library for her reports, home studies, etc. Respondent's inability to effectively communicate with the Board and Dupree raises further concern about Respondent's continued licensure and her dealing with the public. Respondent's testimony concerning the ultimate resolution of the Loudermilk/Callaway matter was that she did not know where or if the adoption was finalized. She testified it was not in Mobile County. The Respondent's interactions and communications with the Board adversely implicate the Respondent's ability and capacity to properly perform as a licensed social worker serving private practice clients.

III. Conclusions of Law

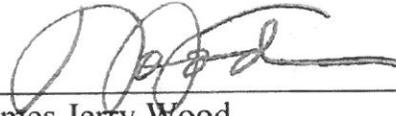
Based on the testimony and documentary evidence, by a preponderance of the evidence, it is clear the Respondent violated ALA. CODE § 34-30-4(6) (1975), as amended. Respondent further violated ALA. ADMIN. CODE r. 850-X-9-.01(1)(a)2 and 850-X-9-.01(2)(a)1, 16 and 17.

The testimonial and documentary evidence clearly establishes, by a preponderance of the evidence, that Respondent engaged in behavior that disqualifies her from being a licensed social worker in Alabama. The Board's obligation to protect the public requires that it only license persons who qualify. The Board must abide by the extant statutory requirements for licensees.

IV. Recommendation

The undersigned recommends, pursuant to ALA. CODE § 34-30-4(6) (1975), that Respondent not be allowed to continue as a licensed social worker. The Board should tax the costs of this proceeding against Respondent and levy such fine as it may deem appropriate under the circumstances.

Respectfully submitted this 26th day of December, 2017.



James Jerry Wood
Administrative Law Judge
State of Alabama
Alabama State Personnel Department
64 North Union Street
Montgomery, Alabama 36130
Telephone: (334) 242-8353
Facsimile: (334) 353-9901

VIA CERTIFIED AND FIRST CLASS MAIL

Robin Michelle Phillips
459 Barcelona Drive
Satsuma, Alabama 36572

VIA FIRST CLASS MAIL

Karen Hester, Acting Executive Director
Alabama Board of Social Work Examiners
100 North Union Street, Suite 736
Montgomery, Alabama 36130-1620

Ellen Leonard, Esq.
Assistant Attorney General
501 Washington Avenue
Montgomery, Alabama 36130-0152