

**BEFORE THE MINNESOTA
BOARD OF PSYCHOLOGY
COMPLAINT RESOLUTION COMMITTEE**

In the Matter of the License
of Jane Kokesh, M.A., L.P.
License Number: 1804

**AGREEMENT FOR
CORRECTIVE ACTION**

This agreement is entered into by and between Jane Kokesh, M.A., L.P. ("Licensee") and the Complaint Resolution Committee of the Minnesota Board of Psychology ("Committee") pursuant to the authority of Minn. Stat. § 214.103, subd. 6(a) (2014). Licensee and the Committee hereby agree as follows:

FACTS

1. For the purpose of this agreement, the parties stipulate to the following:
 - a. On January 17, 2012, a district court judge ("Judge") ordered a couple, Client # 1 and Client # 2, who were involved in a contentious child custody dispute, to engage in "therapy for co-parenting skills" with Licensee.
 - b. On February 1, 2012, Licensee began co-parenting skills therapy sessions with the couple. During sessions, Licensee made statements regarding Client #1's motivations in the custody dispute and lack of commitment to therapy that made Client # 1 feel that Licensee was biased against Client #1.
 - c. On May 24, 2012, and July 12, 2012, Licensee sent letters to the Judge regarding information obtained during therapy sessions with the couple. On July 20, 2012, Licensee was subpoenaed by Client #2's attorney and testified in court regarding the investment and progress of the Clients in co-parenting, using information obtained during therapy sessions

with the couple. The information that Licensee provided to the Judge was generally positive toward Client #2 and negative toward Client #1.

d. Licensee received numerous e-mail and telephone messages from Client #2 and Client #2's attorney prior to Licensee's hearing testimony on July 20, 2012.

e. Upon motion of Client #1, the Judge ordered that Licensee's hearing testimony be stricken from the record due to contacts by Client #2 and Client #2's attorney with Licensee prior to the hearing, which the Judge ruled created the appearance of an impropriety and because the court had sufficient information to decide the case without the testimony of Licensee.

2. The Committee views Licensee's conduct described in Paragraph 1., above, to be a violation of Minn. Stat. § 148.941, subd. 2(a)(1) (2012) (violated a statute or rule the Board is empowered to enforce); Minn. Stat. § 148.941, subd. 2(a)(3) and Minn. R. 7200.5700 (unprofessional conduct). Without admitting any liability, Licensee agrees that the conduct described in paragraph 1. occurred and consents to the non-disciplinary agreement for corrective action described in paragraph 3. below.

CORRECTIVE ACTION

3. In an effort to resolve this matter, the Committee and Licensee agree to address the substance of paragraphs 1 and 2 with the following corrective actions:

a. ***Continuing Education Course.*** Licensee shall complete a continuing education and/or an individualized course or courses of no less than 4 hours in length on the topic of professionalism and bias in forensic psychology. Licensee shall submit a summary and description of the course and/or courses along with a summary of the instructor(s)'s credentials for pre-approval by the Committee within 30 days of the date this Agreement for Corrective

Action becomes effective. The Committee reserves the right to reject the course and/or courses proposed by Licensee. If the Committee rejects the course and/or courses proposed by Licensee, the Committee may require that Licensee submit additional courses, or the Committee may provide Licensee with approved courses. Licensee shall complete the course within 6 months of the date upon which Licensee is notified that the Committee has approved her proposed course(s).

b. ***Licensee's Report.*** At the conclusion of the course and/or courses, Licensee shall have 30 days to submit a report to the Board. The report shall provide and/or address:

- 1) A brief statement of the topics covered;
- 2) What Licensee has learned, including her own statement as to her comprehension and knowledge of the issues that gave rise to this Agreement for Corrective Action;
- 3) A statement as to how Licensee has changed or will change her practice as a result of the knowledge and skills obtained or honed through the course and/or courses;
- 4) Any other information Licensee believes would assist the Board in its ultimate review of this matter.

4. Licensee shall be responsible for all costs incurred as a result of compliance with this agreement.

5. If any due date required by the Agreement for Corrective Action is not met, the Committee may fine Licensee \$100 per violation. Licensee shall pay the fine and correct the violation within five days after service on Licensee of a demand for payment and correction. If

Licensee fails to do so, the Committee may impose additional fines not to exceed \$500 per violation. The total of all fines may not exceed \$5,000. Licensee waives the right to seek review of the imposition of these fines under the Administrative Procedure Act, by *writ of certiorari* under Minn. Stat. § 480A.06, by application to the Board, or otherwise. Neither the imposition of fines nor correction of the violation will deprive the Board of the right to impose additional discipline based on the violation.

6. No condition imposed as a remedy by this Agreement for Corrective Action shall be used as a continuing education activity for the purpose of renewal of Licensee's license to practice psychology, unless it is specifically stated in this Agreement for Corrective Action that the condition may be used for this purpose.

OTHER INFORMATION

7. The Committee and Licensee both acknowledge that this agreement does not constitute disciplinary action.

8. Upon Licensee's satisfactory completion of the corrective action referenced in paragraph 3, the Committee agrees to dismiss the complaint(s) referenced in paragraph 1. Licensee agrees that the Committee shall be the sole judge of satisfactory completion. Licensee understands and further agrees that if, after dismissal, the Committee receives additional complaints similar to the description in paragraph 1, the Committee may reopen the dismissed complaint(s).

9. If Licensee fails to complete the corrective action satisfactorily, or if the Committee receives additional complaints similar to the description in paragraph 1, the Committee may, at its discretion, reopen the investigation and proceed according to the Board's practice act and Minn. Stat. chs. 214 and 14. Licensee agrees that the Committee will be the sole

judge of satisfactory completion. Licensee agrees that failure to complete corrective action satisfactorily constitutes failure to cooperate under Minn. Stat. § 148.941, subd. 4, and may subject Licensee to disciplinary action by the Board.

10. Licensee is represented by David Wikoff, Esq., Cousineau McGuire Chartered. The Committee is represented by Nicholas Lienesch, Assistant Attorney General.

11. This agreement shall become effective upon execution by the Committee and shall remain in effect until the Committee dismisses the complaint, unless the Committee receives additional information that renders corrective action inappropriate. Upon receipt of such information, the Committee may, at its discretion, proceed according to the Board's practice act and Minn. Stat. chs. 214 and 14.

12. Licensee understands and acknowledges that this agreement and any letter of dismissal are classified as public data.

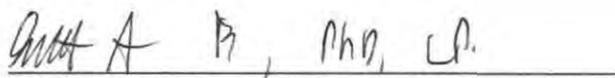
13. Licensee hereby acknowledges having read and understood this agreement and having voluntarily entered into it. This agreement contains the entire agreement between the Committee and Licensee, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this agreement.

LICENSEE

MINNESOTA BOARD OF PSYCHOLOGY
COMPLAINT RESOLUTION COMMITTEE


JANE KOKESH, M.A., L.P.

Dated: 12/17/15


For the Committee

Dated: 1/8/16