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Attorney for the Alcohol and Drug
Counselor Committee of the New Jersey
State Board of Marriage and Family
Therapy Examiners

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FILED
1-5-05
STATE OF NEW JERSEY
BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS
ALCOHOL AND DRUG COUNSELOR COMMITTEE

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
ALCOHOL AND DRUG COUNSELOR COMMITTEE
OF THE STATE BOARD OF MARRIAGE AND
FAMILY THERAPY EXAMINERS

IN THE MATTER OF THE	:	
APPLICATION FOR LICENSURE OF:	:	Administrative Action
	:	
ERNEST POLITE	:	CONSENT ORDER GRANTING
	:	RESTRICTED LICENSURE TO
TO PRACTICE CLINICAL ALCOHOL	:	PRACTICE CLINICAL ALCOHOL
AND DRUG COUNSELING	:	AND DRUG COUNSELING
IN THE STATE OF NEW JERSEY	:	

This matter was opened before the Alcohol and Drug Counselor Committee of the New Jersey State Board of Marriage and Family Therapy Examiners (hereinafter "the Committee"), upon review of respondent's application for licensure. Respondent submitted an application for a license as a clinical alcohol and drug counselor on January 28, 2004 pursuant to the "Grandfather Provision", N.J.S.A. 45:2D-16. In respondent's application he failed to disclose his criminal record. Pursuant to a criminal history background check, several criminal convictions were revealed. Respondent was sent a copy of the criminal history summary and admitted that he had been convicted of possession of marijuana, shoplifting, burglary, trespassing and lewdness, however, he reported that all of the

convictions other than the conviction for lewdness were more than fifteen (15) years ago and prior to his rehabilitation. He further explained that he was misinformed by his attorney that the convictions had been expunged.

Respondent appeared pro se before the Committee on November 19, 2004 to discuss his criminal history and his qualifications for licensure as a clinical alcohol and drug counselor. He testified about his successful rehabilitation more than ten years ago and his career as an alcohol and drug counselor. He also provided letters of recommendation discussing the work he has performed over the past seven years. During his testimony he acknowledged that his failure to disclose his criminal history on the application for licensure was a mistake and that his failure was partially due to his lack of understanding of the criminal justice system. Respondent testified that his 1998 conviction for lewdness originated from changing his clothing in a public bathroom. Respondent discussed how his rehabilitation had changed his life and apologized for his misunderstanding.

The Committee having reviewed respondent's application, letters of recommendation, evidence of success in the field and documentation that all of his criminal convictions, other than the conviction for lewdness, were more than fifteen (15) years ago; and the Committee having considered that he acknowledges the errors in his past and has remorse regarding his failure to disclose his convictions; and the Committee finding that the following disposition of this matter is adequately protective of the public, and other good cause appearing;

IT IS THEREFORE ON THIS 5th DAY OF January 2004
ORDERED:

1. Respondent shall be granted a restricted license to practice clinical alcohol and drug counseling conditioned upon compliance with the terms of this Consent Order and all requirements for licensure as an alcohol and drug counselor.

2. Respondent shall be precluded from engaging in any independent or private practice for a minimum period of two (2) years from the filing of the within Consent Order.

3. Respondent shall be precluded from applying for an unrestricted clinical license as an alcohol and drug counselor for a period of two (2) years from the filing of the within Consent Order.

4. Respondent is reprimanded pursuant to N.J.S.A. 45:1-21(a) and (b) for misrepresentation or deception in failing to disclose his criminal history on an application for licensure.

5. Respondent shall begin a period of probation of two (2) years beginning with the date of the filing of this order and until receipt of written notification from the Committee stating that respondent has fully complied with the terms of this order. Periods of time during which respondent is not employed as a practicing alcohol and drug counselor shall be excluded from the computation of time to be served on probation. During the period of probation, respondent's clinical alcohol and drug counseling shall be supervised by a supervisor pre-approved by the Committee. The supervisor shall be provided with a copy of this order and shall provide the Committee with quarterly progress reports beginning three months following filing of the within Consent Order regarding his/her supervision of respondent and respondent's progress for a minimum of two (2) years and until further order of the Committee. At a minimum, respondent shall meet face-to-face with his supervisor for a one hour session

per week to review respondent's cases. An unfavorable report may be considered a violation of probation.

6. Within one year of the filing of this order, respondent shall fully attend and successfully complete a three credit course in criminal justice. Respondent shall submit the course description for approval by the Committee prior to registering for the course. Respondent shall provide the Committee with written documentation that he has fully attended and successfully completed the course.

7. Upon completion of the period of probation, respondent may submit to the Committee a request for an unrestricted license to practice clinical alcohol and drug counseling after demonstrating that respondent has complied with the conditions of probation set forth in this order. Respondent shall appear before the Committee, if so requested by the Committee, at which time the burden shall be on respondent to demonstrate that he is fit and competent to practice without supervision, is capable of discharging the functions of a licensed clinical alcohol and drug counselor in a manner consistent with the health, safety and welfare of the public and has complied with all of the terms of this Consent Order.

8. During the period of probation and continuing thereafter, respondent shall obey all of the laws of the State of New Jersey, the United States and their political subdivisions as well as all regulations, rules or laws pertaining to the practice of alcohol and drug counseling in this State or any other State.

9. During the period of probation, respondent shall inform all of his employers and supervisors of the terms of this order immediately upon beginning employment and provide them with a copy of the order. Respondent shall cause his employers and supervisors to acknowledge in writing that they have each received a copy of this

order. Respondent shall provide a copy of each such acknowledgment to the Board within ten (10) days of signature.

ALCOHOL AND DRUG COMMITTEE OF THE NEW
JERSEY STATE BOARD OF MARRIAGE AND
FAMILY THERAPY EXAMINERS

Edward Reading LCADC
Edward Reading, LCADC
Committee Chair

I have read the above order and I understand and agree to abide by its terms. Consent is hereby given to the Alcohol and Drug Committee of the State Board of Marriage and Family Therapy Examiners to enter this Order.

Mr. Ernest Polite
Ernest Polite

I have read the within Order. I agree to supervise Ernest Polite's clinical alcohol and drug counseling during face to face sessions, a minimum of once per week for one hour and to report to the Committee quarterly regarding his progress.

EDWARD KARRAN License # 37L C06027300
(Print name) Supervisor
Telephone # (201) 440-8342
(including area code and extension number)



RICHARD J. CODEY
Acting Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Marriage and Family Therapy Examiners
Alcohol and Drug Counselor Committee
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COPY

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January 6, 2005

Dear Ms. Kane-Cavaiola,

As per your request, enclosed is a consent order issued to an L.C.A.D.C. applicant, Ernest Polite on January 5, 2005 by the Alcohol and Drug Counselor Committee. The consent order grants Mr. Polite a restricted license to practice clinical alcohol and drug counseling.

Sincerely,

Elaine L. DeMars
Executive Director
Board Of Marriage And Family Therapy Examiners
Alcohol and Drug Counselor Committee