

OSWMFTB

2008 DEC 29 P 12

**CONSENT AGREEMENT  
BETWEEN  
BYRON SWIFT  
AND THE  
STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND  
FAMILY THERAPIST BOARD**

This CONSENT AGREEMENT is entered into by and between BYRON SWIFT, hereinafter, "**SWIFT**", and the STATE OF OHIO COUNSELOR, SOCIAL WORKER, MARRIAGE AND FAMILY THERAPIST BOARD, hereinafter "**BOARD**", the state agency charged with enforcing Chapter 4757 of the Ohio Revised Code and all rules promulgated therein.

**SWIFT** hereby acknowledges that he has read and understands this CONSENT AGREEMENT and has voluntarily entered into it without threat or promise by the **BOARD** or any of its members, employees or agents.

**SWIFT** is fully aware of his rights, including his right to be advised by counsel and his right to a hearing pursuant to Chapter 119 of the Ohio Revised Code on the issues which are the subject of this CONSENT AGREEMENT.

This CONSENT AGREEMENT contains the entire agreement between the parties, based on the Board's investigation, there being no other agreement of any kind, verbal or otherwise, which varies the terms of this CONSENT AGREEMENT.

This CONSENT AGREEMENT is entered into on the basis of the following stipulations, admissions and understandings:

1. **SWIFT** is a social worker (S-0028850) licensed to practice social work in the State of Ohio, and is subject to the laws and rules of Ohio regulating the practice of social work as outlined in Ohio Revised Code Chapter 4757 and Ohio Administrative Code Chapter 4757. **SWIFT** received his social work license on July 20, 2001.
2. On or about October 20, 2008, **SWIFT** was convicted of Theft, a fifth degree felony in violation of ORC 2913.02(A)(1) in the Court of Common Pleas, Lake County, Ohio. Receiving a felony conviction constitutes a violation of Ohio Revised Code Section 4757.36(A)(5).
3. **SWIFT** admits the allegations referenced in paragraph 2 above.

Wherefore, in consideration of the foregoing and mutual promises hereinafter set forth, and in lieu of any other formal disciplinary proceedings, **SWIFT** knowingly and voluntarily agrees with the **BOARD** to the following terms and conditions:

1. **SWIFT'S** license to practice social work S-0028850 is hereby **REPRIMANDED**.

It is hereby agreed by and between both parties that this **CONSENT AGREEMENT** hereby settles all issues concerning this matter.

By his signature on this **CONSENT AGREEMENT**, **SWIFT** acknowledges that in the event the **BOARD**, in its discretion, does not approve this **CONSENT AGREEMENT**, this settlement offer is withdrawn and shall be of no evidentiary value and shall not be relied upon or introduced in any disciplinary action or appeal by either party. **SWIFT** agrees that should the **BOARD** reject this **CONSENT AGREEMENT** and if this case proceeds to hearing, he will assert no claim that the **BOARD** was prejudiced by its review and discussion of this **CONSENT AGREEMENT** or of any information relating thereto.

**SWIFT** hereby releases the members of the **BOARD**, its officers and employees, jointly and severally, from any and all liability arising from the matter within.

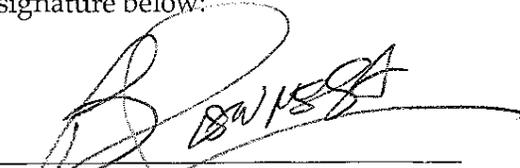
This **CONSENT AGREEMENT** shall be considered a public record as that term is used in Section 149.43 of the Ohio Revised Code. Pursuant to 42 USC Section 132a-73(b), 5 USC Section 552a, 45 CFR part 61, and Ohio Revised Code 3123.41 et seq., the **BOARD** may be required to provide **SWIFT'S** social security number to requesting governmental agencies.

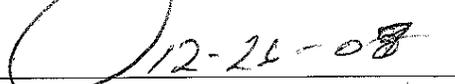
The **BOARD** shall incorporate this **CONSENT AGREEMENT** into a formal journal entry at its January, 2009, meeting.

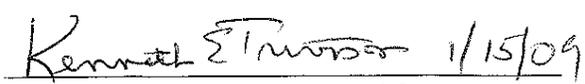
Consent Agreement between Byron Swift and the State of Ohio Counselor, Social Worker, Marriage and Family  
Therapist Board

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This CONSENT AGREEMENT shall take effect upon the date of the Board Chair's signature below:

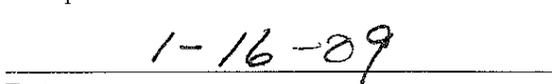
  
Byron Swift, LSW

  
Date

  
Kenneth E. Trivison, IMFT, PCC  
Chair, Counselor, Social Worker, Marriage and  
Family Therapist Board

  
Date

  
Melissa Wilburn, Esq.  
Assistant Attorney General  
Counselor, Social Worker, Marriage and Family  
Therapist Board

  
Date