

FILED 11/21/2014 (Date)

IFLSB

BEFORE THE ENGINEERING AND LAND SURVEYING EXAMINING BOARD OF THE STATE OF IOWA

Robert E. George
Signature, Executive Officer

IN THE MATTER OF:)

Douglas P. Judge, PE)
#14839)

Respondent.)

CASE NO. 14--07

COMBINED STATEMENT OF
CHARGES AND CONSENT ORDER
IN A DISCIPLINARY CASE

A. STATEMENT OF CHARGES

1. The Iowa Engineering and Land Surveying Examining Board ("Board") has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 542B, and 272C (2013).

2. Respondent is a licensed professional engineer in Iowa. The Board issued Respondent his license as a professional engineer on July 15, 1999. Respondent's license lapsed on December 31, 2012 and was reinstated on February 18, 2014. His license will expire December 31, 2014.

3. During the period of lapse, Respondent performed professional engineering services that required licensure in Iowa. He also sealed and certified engineering documents for Iowa projects. Respondent, upon the Board's request, has already recertified the engineering documents after he was reinstated and has done so in compliance with Iowa laws and rules.

4. The Board charges Respondent with practicing on a lapsed license in violation of Iowa Code sections 272C.10(3), 542B.16, 542B.21(3), and 193C IAC 3.4(5) and 6.1.

5. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Order.

6. This Consent Order constitutes discipline against the Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10 and 193 Iowa Administrative Code 7.4. Respondent acknowledges that he had an opportunity to consult with legal counsel before signing this Consent Order.

7. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.

8. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations.

9. This Combined Statement of Charges and Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter 22 (2013).

10. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2013). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

11. This Order is subject to approval of the Board: (a) If the Board fails to approve this Order, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter. (b) If the Board approves this Order, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

A. Reprimand

The Respondent is reprimanded for practicing on a lapsed license.

B. Civil Penalty

The Respondent shall pay a civil penalty of \$500.00 to the Board office within 30 days of the date this Consent Order is signed by all parties.

C. Future Compliance

Respondent shall in the future adhere to all statutes and administrative rules governing his practice as a professional engineer in Iowa and shall not in the future perform any professional engineering projects in Iowa or for Iowa projects unless properly licensed to do so.

AGREED AND ACCEPTED:

The Respondent

Doug Judge
Douglas P. Judge, PE

10/9/14
Date

**The Iowa Engineering and Land
Surveying Examining Board**

Jerry Shellberg
By: Jerry Shellberg, PE, PLS, Chair

11/21/14
Date