The 5 Stages of Preparing Your Title IX Investigative Report

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Learning Outcome

After participating, you will be able to apply a five-stage process to prepare and write your final investigative report.
Section 1
Regulations & Reports: An Introduction

New Regulations, New Report Considerations

(ii) Require an objective evaluation of all relevant evidence — including both inculpatory and exculpatory evidence — and provide the credibility determinations may not be based on a person’s status as a complainant, respondent, or witness;

§ 106.45(b)(1)(ii)

Definition of inculpatory
: implying or imputing guilt : tending to incriminate or inculpate

// an inculpatory statement

Definition of exculpate
transitive verb
: to clear from alleged fault or guilt
New Regulations, New Report Considerations pt.2

(iii) Require that any individual designated by a recipient as a Title IX Coordinator, investigator, decision-maker, or any person designated by a recipient to facilitate an informal resolution process, not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

§ 106.45(b)(1)(iii)

New Regulations, New Report Considerations pt.3

investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment in § 106.30, the scope of the recipient’s education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

§ 106.45(b)(1)(iii)
New Regulations, New Report Considerations pt.4

A recipient also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

§ 106.45(b)(1)(iii)

Relevance

FRE 401 – Evidence is relevant if:

(a) it has any tendency to make a fact more or less probable than it would be without the evidence; and
(b) the fact is of consequence in determining the action.

REGS – layperson applying logic and common sense* - decision-maker looking for plausibility and consistency without prejudging

FRE 401 – low threshold for admissibility

REGS - permit a wide universe of evidence that may be “relevant” (and thus not subject to exclusion)
Rape Shield Exceptions

§ 106.45(b)(6)(i) -
Sexual behavior questions and evidence are IRRELEVANT except:

1. are offered to prove that someone other than the respondent committed the conduct alleged by the complainant;
2. if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.

New Regulations, New Report Considerations

Pt. 1
(iv) Include a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process;
(vii) State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard.

§ 106.45(b)(1)(iv), (vii)
New Regulations, New Report Considerations
Pt. 2

(ii) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

§ 106.45(b)(5)(ii)

New Regulations, New Report Considerations
Pt. 3

Prior to completion of the investigative report, the recipient must send to each party and the party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

§ 106.45(b)(5)(vi)

(vii) Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party’s advisor, if any, the investigative report in an electronic format or a hard copy, for the review and written response.

§ 106.45(b)(5)(vii)
The Report Audience

• Who do you write for?
• What are your goals in drafting the report for the audience(s)?

How to Approach the Report
Section 1 Takeaways

• New regulations emphasize:
  • Unbiased investigator/report
  • Consideration of all relevant evidence
  • Input from parties

• Reports targeted to:
  • Hearing panel
  • Potential future litigation
Section 2
Activity: What Makes a Good Report?

Activity 1
Review the report provided, answer the following questions:

1. What sections in the report are appropriately included?
2. What information is not included that should be there?
3. Is the report easy to follow?
4. What policy violations are at issue in this report?
   a. What information in the report relates to violation 1 (whichever violation you identify first)?
   b. What information in the report relates to violation 2 (whichever violation you identify second, if any)?
5. How did the investigation proceed?
6. What is the result of the investigation?
Section 3
Elements and Format of a Report (and Appendices)

Report Format
Poll 1

What is the longest report (page length) you’ve ever written on an investigation?

Report Format Pt. 1

Table of Contents

• Include all the usual report headings
• ALSO INCLUDE: contested issues and all corroborating and conflicting information about it
• Easy to create a TOC when you use Styles in Microsoft Word
Report Format Pt. 2

- Executive Summary
- Background
  - General Background
  - Complaint
  - Investigation
  - Evidence Collection
- Evidence
  - Subheadings depend on events in your case
- Analysis

Executive Summary Example

JH is a female first year student who filed a reporting indicating that SC, a male third year student, made deliberate sexual contact with her without her consent on three occasions. As reported, the first was in JH’s dorm room, the second was in a hallway in the STEM building, and the third was at a party in the middle of a group of dancers.
Executive Summary Example Continued

JH and SC are tenure track professors in the underwater basket-weaving department, which currently has no tenured professors due to faculty retirements. SC is a year ahead of JH in tenure track and is the department chair. JH alleged that SC removed responsibilities from him and changed department policies to his disadvantage in retaliation for a prior report by JH that SC engaged in unprofessional conduct, an allegation that was substantiated in a prior investigation.

Background Section
General Background and Complaint Examples

• Background
  • General Background
    • Who’s who in re: the complaint itself (major players, not all witnesses)
• Complaint
  • Summarize what the complaint said
  • Summarize any related complaints
  • Include timing
  • Investigation (detail coming up)
  • Evidence Collection (detail coming up)
Background Section
Investigation Example

- Background
  - General Background (covered)
  - Complaint (covered)
- Investigation
  - Who was interviewed, when, who they are, if they haven’t already been introduced
  - Did they provide you any hard evidence (e.g., video, emails, text messages, etc.)?
  - Were interviews recorded? Transcribed?
- Evidence Collection (detail coming up)

Background Section
Evidence Collection Example

- Background
  - General Background/Complaint/Investigation (covered)
- Evidence Collections and References
  - Where is the evidence obtained from different sources?
  - How is it organized?
  - How is it referenced in the report?
    - Audio: (JH [date of interview], 1:41)
    - Memo (JH Memo, at p. 2)
    - Memo (JH Memo, at ¶ 3)
  - Is there a transcript of any recorded audio?
  - Are there memoranda of interviews and, if so, where do they live? When and how were they produced?
Poll 2

Where do you include your interview summaries?

Evidence Section
Introductory Material Example

“Unless otherwise noted, the facts stated herein were reported in material ways consistently among the witnesses and by reference to the evidence. Where, however, a material fact was presented differently by different witnesses, I provide an overview of the evidence obtained, both corroborative of and contradictory to the underlying allegation.”
Evidence Section
Best Practices for Subheadings

- Evidence
  - Start from the beginning
    - Chronology or Chronological?
    - Can start with some background if that is relevant.
      - “JH and SC have a shared, 150-person class, but otherwise did not know each other before the first incident reported.”
  - Use subheadings to guide the reader through the events
    - Pre-incident Interactions Between JH and SC
    - The First Reported Incident: Unwanted Touching on X Date

Evidence Section
Striking the Right Tone

- Evidence
  - Set forth in neutral, narrative form
  - Acknowledge conflicts in the varying accounts
    - “JH stated that she and SC had never met before the first incident.”
    - “By contrast, SC indicates he and JH sat next to each other in their shared class and regularly chatted before and after class. On one occasion a week before the reported incident, SC said he and JH got coffee at Insight Roasters.”
Analysis Section

Write Like a Lawyer

- IRAC (law school)
- IRF (Title IX Investigation Report)
  - Issue
  - Rule
  - Facts relating to Issue & Specific Rule by Element
    - Where all versions of events materially agree, NBD
    - Where they diverge, address contradictory and corroborative evidence
Write Like a Lawyer Continued

What is the Issue in this case?

Analysis Section
Include the Rule for the Case

• What is the rule in this case?
  • Stalking is the repeated following, watching or harassing of a specific person that would cause a reasonable person to (a) fear for their safety or the safety of others, or (b) suffer substantial emotional distress. [Cite to policy.]
Analysis Section  
Explain how the Facts Relate to the Rule

• How do the facts in this case relate to the rule in this case?
  • Stalking is the repeated following, watching or harassing of a specific person...
  • Facts supporting or contradicting this, with references to evidence
  • ...that would cause a reasonable person to (a) fear for their safety or the safety of others, or (b) suffer substantial emotional distress.
  • Facts supporting or contradicting this

Key Point

Don’t make your reader search out key information. If a piece of tangible evidence is key, put it right in the report.
Highlighting Key Evidence Example

Jane alleged that Eliza doctored a photograph taken while on vacation to make Jane appear haggard and unwell, using that photograph on social media to malign Jane. A copy of the social media post photograph provided by a witness is on the left, and the original photograph, retrieved from Jane's phone is on the right.

Analysis Section Example Analysis Structure for Reports

• Analysis Structure in Report
  • Issue (e.g., stalking)
    • Rule overview
      • Rule, first element
        • Facts relating to Rule, first element
      • Rule, second element
        • Facts relating to Rule, second element
Section 3 Takeaways

• Have a defined structure for all reports
  • Simplify, if needed, in a less complex case
  • Add, if needed, in a more complex case
• Keep the bulk of the evidence collected out of the report, but easily located with a reference system
• Structure the analysis by the elements of the policy/policies that have been implicated by the complaint
Section 4
Outlining the Corroborations & Contradictions in Evidence

The Regulation

(ii) Require an objective evaluation of all relevant evidence — including both inculpatory and exculpatory evidence — and provide that credibility determinations may not be based on a person’s status as a complainant, respondent, or witness;

§ 106.45(b)(1)(ii)
Must Have Structure

Where do you get a disciplined approach to determining whether the information you’ve obtained is accurate? Complete?

Every Court System Has a Credibility Instruction

The trick is to apply the structure consistently.

• Every time
• To all evidence
• Without bias

And to look to how issues are illuminated by the contradictions and corroborations of all evidence obtained.
Ninth Cir. Jury Instruction 1.14

In considering the testimony of any witness, you may take into account:
1) the opportunity and ability of the witness to see or hear or know the things testified to;
2) the witness's memory;
3) the witness's manner while testifying;
4) the witness's interest in the outcome of the case, if any;
5) the witness's bias or prejudice, if any;
6) whether other evidence contradicted the witness’s testimony;
7) the reasonableness of the witness’s testimony in light of all the evidence; and
8) any other factors that bear on believability.

Ninth Cir. Jury Instruction 1.14 Part 2

Sometimes a witness may say something that is not consistent with something else he or she said. Sometimes different witnesses will give different versions of what happened. People often forget things or make mistakes in what they remember. Also, two people may see the same event but remember it differently. You may consider these differences, but do not decide that testimony is untrue just because it differs from other testimony.
Ninth Cir. Jury Instruction 1.14 Part 3

However, if you decide that a witness has deliberately testified untruthfully about something important, you may choose not to believe anything that witness said. On the other hand, if you think the witness testified untruthfully about some things but told the truth about others, you may accept the part you think is true and ignore the rest.

The weight of the evidence as to a fact does not necessarily depend on the number of witnesses who testify. What is important is how believable the witnesses were, and how much weight you think their testimony deserves.

What Aspect of Credibility?

• Oath — How seriously are they taking their role in investigation?
• Perception
• Recollection
• Communication
• Bias/Interest/Motive
• Consistency Over Time

What are we missing in this corroboration and contradiction analysis?
Credibility of Non-Witness Evidence

- Primary evidence
  - Authentic, relevant, tangible evidence
  - Firsthand, uninvolved, unimpaired witness reports
  - Surveillance video
- Secondary or tertiary
  - Secondhand reports (rumors)
  - Relevant, tangible evidence that can’t be authenticated
- “Anti-evidence”
  - Fabricated or tainted evidence

Testimony + Non-Testimony Evidence = Credibility

Consider things like:
- Complainant statement
- Witness 1 bias
- Text between parties
- Witness 2 testimony
- Complainant’s post-incident behavior
- ER records
- Complaint
- Social media posts
- Witness 2 inebriation
Poll 3

Is circumstantial evidence less credible than direct evidence?

Circumstantial Evidence

Evidence may be direct or circumstantial. Direct evidence is direct proof of a fact, such as testimony by a witness about what that witness personally saw or heard or did. Circumstantial evidence is indirect evidence, that is, it is proof of one or more facts from which one can find another fact.

You are to consider both direct and circumstantial evidence. Either can be used to prove any fact. The law makes no distinction between the weight to be given to either direct or circumstantial evidence. It is for you to decide how much weight to give to any evidence.
Putting it Together

Factual Issue:
1. What did person 1 say about the issue?
   a. Assess person 1’s testimony with evidence received from that person over time (testimony or ‘hard’ evidence).
   b. Assess person 1’s testimony with testimony from others (consistent/inconsistent?).
   c. Assess person 1’s testimony with evidence received from others (e.g., video, documents, etc.).
2. Repeat with all witnesses or parties who addressed the issue.

How does this affect your report?

As the investigator, you have a command of the facts that your decision-making panel can never approach.

You will never have all the pieces of the puzzle.

But your job is to put the pieces together in your report, connecting them as well as you are able.

Even without all the pieces, the picture may be clear.

Up to the panel to determine what the picture shows.
Question Break #3

Section 4 Takeaways

• Find a structure to evaluate evidence, including testimony
• Use a disciplined approach to apply that structure to each witness’s testimony and each piece of evidence
• Put it all together in your report clearly so the hearing panel can understand how everything fits together (or doesn’t)
Section 5
Relating Your Investigation to Your Report

Activity 2

In your breakout room, please reference the handout uploaded in the Chat:

1. Identify the elements of the policy violation.
2. Identify the facts available to you. Are they relevant?
3. Assess those facts versus your credibility structure.
4. Determine what else you need to put the whole credibility picture together.
Activity 3

Large Group Share Out and Discussion

Section 5 Takeaways

- Start assessing credibility early in your investigation
- Target missing information on credibility to ensure your investigation (and report) is complete
Question Break #4

Section 6
The Five Stages, Step 1: Beginning the Drafting Process
10-Step Investigation Model

1. Identify Violations and Elements
2. Gather Information
3. Determine Interview Logistics
4. Review and Outline
5. Developing Questions
6. Using Documents
7. Starting the Interview
8. Questioning
9. Wrapping It Up
10. Specific Techniques/Situations

WHEN DO YOU START YOUR REPORT?
WHEN DO YOU REVISE YOUR REPORT?

5 Stages of Investigation Report Drafting

1. During investigation (bulk of fact writing)
2. At end of investigation (bulk of analysis)
3. Internal review and revision
4. Managing party/advisor review
5. Editing and response to party comments
Example - Post Complaint/Pre Investigation Report Draft

Relevant Standards

the repeated following, watching or harassing

- RP in CP’s dorm (complaint)
- RP at dining hall (complaint)
- RP at (next location)

of a specific person

- all re CP (complaint)

that would cause a reasonable person to

(a) fear for their safety or the safety of others, or
(b) suffer substantial emotional distress

- confrontation at dining hall (complaint)

You’ve “Finished” Your Investigation, Now What?

Prior to completion of the investigative report, the recipient must send to each party and the party’s advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

§ 106.45(b)(5)(vi)
Post Investigation Report Draft Example

First Issue: Stalking

Relevant Standards

the repeated following, watching or harassing

• RP at dining hall (complaint)
• Date, dining hall, CP at cashier (CP int, RP int)
• RP appeared, reached around CP inserted her own access card, stated “I’m buying breakfast for my good friend today!” (CP into. RP agrees but contests sudden & tone, cashier corroborates sudden & tone/CP)
• CP shouted “What are you doing?!?” Why can’t you just leave me alone?” (CP into., RP into, cashier into.)
• RP shouted “ungrateful bitch! Why can’t we go back to the way we were? What do I have to do to make you understand I love you and I’m sorry?! Why are you torturing me?!?” (CP into, RP contests tone and profanity, cashier into corroborates CP)
• RP then left the hall rapidly, slamming the door open on her way out (CP into, RP into, cashier into.)

As you’re awaiting party comments, start converting your bullet points to English

Get a complete draft of all sections, except analysis.
As you’re awaiting party comments, start converting your bullet points to English Pt. 2

General principles:

1. Keep it simple.
2. Keep it direct.
3. Proceed chronologically.
4. Do not include every fact you’ve obtained, only all relevant facts.

Relevance

FRE 401 – Evidence is relevant if:

(a) it has any tendency to make a fact more or less probable than it would be without the evidence; and
(b) the fact is of consequence in determining the action.

REGS – layperson applying logic and common sense* - decision-maker looking for plausibility and consistency without prejudging

FRE 401 – low threshold for admissibility

REGS - permit a wide universe of evidence that may be “relevant” (and thus not subject to exclusion)
As you’re awaiting party comments, start converting your bullet points to English Pt. 3

Point of View

1. First Person: “I interviewed the Complainant on X date.”
   “Your investigator interviewed the Respondent on Y date.”

2. Second person: “You did X.”
   Not an effective writing technique generally – don’t try it outside of fiction.

3. Third person: “Complainant and Respondent went to a party at the Theta Beta house with a group of approximately 10 friends from the Psychology program (Cite to evidence).”

Rewrite the below to remove the investigator from the story, except where called for:

I asked Ruth if she had ever followed George to the dining hall. She responded she had. I asked her to tell me about each time. She told me on June 1, it was his birthday, and she wanted to surprise him. I asked her how she knew it was his birthday; she told me he texted her the date and how excited he was to celebrate.

I asked her to provide me that text and she said she would do so that day. I have never received the text, although I sent a follow-up request several days later.

Ruth acknowledged following George to the dining hall on June 1, indicating it was his birthday and she wanted to surprise him. She indicated George had texted her that June 1 was his birthday and that he was “excited to celebrate with her.”

I asked her to provide me that text and she said she would do so that day. I have never received the text, although I sent a follow-up request several days later.
As you’re awaiting party comments, start converting your bullet points to English Pt. 4

Passive voice

“The beer was consumed by the end of the evening.”

_The partygoers drank the entire keg that night._

“Clothing got torn.”

_Respondent grabbed Complainant’s clothing, which was torn during the struggle._

“Bruising occurred.”

_After the struggle, Respondent had a bruise where Complainant indicated she pushed him away._

As you’re awaiting party comments, start converting your bullet points to English Pt. 5

**Sentence structure - simple.**
Complainant went to the party. S/he had two beers. She did not feel intoxicated. She usually drank six or more beers before feeling intoxicated.

Respondent brought Complainant her third beer. She had “one or two pulls” from the bottle. She then felt “very woozy.” She does not remember anything else from that night. Her first recollection is waking up at 7 a.m.

**Sentence structure, varied.**
Complainant went to the party, where she had two beers. She did not feel intoxicated, reporting that it takes about six beers before she feels intoxicated.

Respondent brought Complainant her third beer and, immediately upon having “one or two pulls” from the bottle, she felt “very woozy.” She does not remember anything else until waking up at 7 a.m.
Provide a Transition to the Next Topic/Paragraph

**No transition**
... Complainant next remembered waking up at 7 a.m. She felt bruised and sore and extremely groggy. The doctor found torn skin on Complainant’s wrist and [etc.].

**Transition**
... Complainant next remembered waking up at 7 a.m. She felt bruised and sore and extremely groggy, and was so concerned she went straight to the emergency room for an examination. The doctor there found torn skin on Complainant’s wrist and [etc.].

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As you’re awaiting party comments, start converting your bullet points to English Pt. 6

- Define unfamiliar words or words used in a specific way
- State how you will name specific people with similar names
- Use titles if helpful to remind the reader who you’re talking about (e.g., Professor Hobler versus Ms. Hobler).
Question Break #5

Section 7
The Five Stages, Steps 2 & 3: Drafting and polishing the report for internal review, and internal review
Party Evidence Comments & Your Analysis

STAY THE COURSE

TRUST YOUR ANALYTIC STRUCTURE
Finalize Your OWN Analysis

- Respondent’s prior similar act
- Respondent’s ‘confession’ to professor
- Witness 1 testimony
- Schematic of incident location
- Video of incident
- Anonymous call in favor of respondent
- Respondent statement
- Falsified text message
- Complainant statement
- Witness 1 bias
- Text between parties
- Witness 2 testimony
- Complainant’s post-incident behavior
- ER records
- Complaint
- Social media posts
- Witness 2 inebriation

Complete Your Analysis Using All Corroborations & Contradictions in the Evidence

- Issue
- Rule
- Analysis
Example

The image to the right shows the Application of Issue, Rule and Analysis related to corroborations and contradictions collected during the investigation.

Inferences - don’t make them.
Lay the foundation for them.

**Inference:**
The witnesses said no one had more than two beers at the party, but they must have all been lying because the keg was empty by the end of the night.

**Foundation for inference:**
Although no witness admitted to drinking more than 2 beers, the keg was full at the beginning of the party and by the end of the evening it was empty. The average keg of beer contains approximately 15.5 gallons or 165 12-ounce servings of beer. Thus, a keg would empty with 82 to 83 persons present, each having 2 beers. There were 40 present, of whom approximately 10 were not drinking. That averages 5 and ¾ 12 ounce servings of beer per drinker to empty the keg by the end of the evening.
Final Edit Before Internal Review

Never give your report to someone else without:
1. Running a spell check
2. Running a grammar check
3. Printing it out and editing it on hard copy.
   a. Look for large blocks of unbroken text
   b. Look for headings/guideposts for the reader as to where they are in the document. Add if necessary.

Internal Review

• Your institution will have its own process
• Keep track of the version that went out
• Track the comments that come back
• Approach comments with an open mind – goal is best possible reflection of the facts and the investigation, not personal glory
• If you disagree with comments, best practice is to talk about them, not start an e-mail debate
• Consolidate all comments in a single, new version to disseminate to the parties for review/comment.
Question Break #6

Section 8
Activity: Draft a Contradiction / Corroboration Analysis
Activity 4

Draft four paragraphs of an analysis using “Issue, Rule, Analysis” structure, and illustrating the strengths and weaknesses of the allegations by focusing on witness testimony, tangible evidence, bias, contradictions and corroborations.

Use:
• The “report” provided earlier today
• Any of the case studies in session 8
• A case you have worked on or are working on BUT ANONYMOUSLY
• You can make things up, but do it on both sides of the issues

Send your FICTIONAL result to Jean in chat to share/for feedback

Chat

Large Group Share Out and Discussion
Party Review of Investigative Report

(vii) Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to a hearing (if a hearing is required under this section or otherwise provided) or other time of determination regarding responsibility, send to each party and the party’s advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

§ 106.45(b)(5)(vii)
Format of Review Version

7. Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.

8. Obstructing or intimidating witnesses, witnesses, or law enforcement officers, or interfering with their duties.

9. Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.

[depending on the issue, if the definitions are not explicitly clear in university policy, I would obtain and include case law on point.]

Analysis: First Issue: Stalking

Repealed following winning, or obtaining a judgment by a specific person.

The noxious or offensive information can be defined in the following terms: if the internet is the issue, then the internet is the same location as OP. Specifically, it is not restricted to email. In general, the OP needs to have been subjected to such behavior that has rendered it harmful to the person. The OP also needs to have been aware of the existence of such behavior.

Cf. to evidence: The defendant was not aware of the existence of such behavior.

First instance: O's "disability" to OP's email. OP contested that O sent the OP a disability, and OP was not aware of such behavior. Therefore, OP was not aware of such behavior.

Cf. to evidence: (a) O's awareness of the existence of such behavior. (b) O's awareness of the existence of such behavior. (c) O's awareness of the existence of such behavior.

[Other, factual stuff about what happened.]
How Line Numbers Assist Feedback

Section 10
The Five Stages, Step 5: Editing and Response to Party Comments
What to do With Party Comments?

Options
1. You decide to make no changes to the report
2. You decide to make some changes to the report, but they’re non-substantive
3. You decide to make substantive changes to the report
4. Some mix of the above

No Changes (or Not All Changes): When and How to Compose Your Response

• You can expect the hearing panel, or the parties, or both to want to know why you did not change your report in response to party comments.
• Come up with a policy/procedure of how to do this.
  • E-mail to your supervisor?
  • Response to party comments sent to both parties?
  • Internal memo for use at hearing when you are called to testify about it?
What about nitpicks?

When to Revise Substantively
Hybrid Model

You win some, you lose some

Question Break #7
Thank you!

Please remember to complete the *event evaluation*. Your comments will help us continually improve the quality of our programs.