

The U.S. Department of Justice Releases Updated Guidelines to Help Evaluate Corporate Compliance Programs



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The U.S. Department of Justice (DOJ) has issued an update to the “Evaluation of Corporate Compliance Programs” released by the Fraud Section in 2017. The new guidance documents detail how the DOJ will evaluate the effectiveness of corporate compliance programs to prevent fraud and misconduct going forward. The update can be downloaded [here](#).

The document “is meant to assist prosecutors in making informed decision as to whether, and to what extent, the corporation’s compliance program was effective at the time of the offense...” The DOJ plans to utilize this guidance to determine the appropriate form of resolution (or prosecution), monetary penalties and whether continued monitorships or reporting is warranted.

Given that there are no rigid formulas that exist in evaluating corporate compliance programs, the updated guidance provides case studies to address real-life scenarios. The tone set by top corporate executives, training for staff and existence of confidential tip lines remain important items the Government will consider. Earlier this year in February, the Government [declined to prosecute](#) an outsourcing operations company accused of paying bribes in India citing the “existence and

effectiveness of the company's pre-existing compliance program".

The DOJ's updated guidance should be helpful for companies proactively seeking to improve their compliance programs.

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