

# Helpful Hints when the Enforcement Process Comes Knocking at your Door

How to stay engaged and avoid pitfalls

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# Enforcement process: Beginning steps

- **Complaint is filed**
  - Member of the public
  - Agency complaint
  - Inter-agency complaint
- **Investigation begins**
  - Document collection
  - Interviews
- **Attorney Review**
  - Closes case
  - Issues violation letter



# Investigative stage: Helpful Tips

- **Ask for a copy of the complaint**
  - Can give you a road map for what the investigator may be looking for
- **Provide the investigator with a copy of the documents/records requested**
  - Likely will be produced in discovery, so save some time
  - Could help to disprove the allegations
- **Be timely with your responses**
  - Investigators have a lot cases



# Attorney Review: Helpful Tips

- **Read the Agency Statute/Rules/Procedures**
  - Are there ISC provisions?
  - Is there a penalty matrix?
  - Complaint procedure manual online?
- **Bring solutions/options to the table**
  - Look for a win/win scenario
- **Request a Hearing**
  - Always in you letter of rep ask for that hearing



# Common Pitfalls to Avoid

- **Not communicating**
  - Failure to engage with the agency
- **Not understanding the process**
  - Failure to read agency procedures
  - Failure to request ISC/Hearing
- **Unwillingness to compromise**
  - Client refuses to budge or admit wrongdoing



# Conclusion

- 4 tips to ensure a successful outcome
  - Stay engaged
  - Communicate
  - Look for Solutions
  - Advocate for client

