

**WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES  
DIVISION OF LEGAL SERVICES AND COMPLIANCE**

**Consumer Protection Investigator III  
Position Description**

The Division of Legal Services and Compliance (DLSC) is responsible for enforcing Wisconsin Statutes and Administrative Codes pertaining to business and health care industry professionals credentialed by the regulatory authorities attached to the Wisconsin Department of Safety and Professional Services. The Consumer Protection Investigator 3 conducts and/or coordinates complex investigations to secure testimony and physical evidence to support effective enforcement actions by the division. The outcome of these investigations can result in setting the standards of practice in the professions affected, on a statewide basis. The position involves state-wide travel.

**GOALS & WORKER ACTIVITY:**

- 45% A. In consultation with the assigned attorney, lead attorney and paralegal, plan, initiate, coordinate and conduct investigations relating to unprofessional conduct, impairment and other alleged violations of rules or statutes, with emphasis on those activities which pose the greatest danger to public health and safety to ensure consumer protection.**
- A1. In consultation with the team leader, assigned attorney and paralegal, plan, organize and formulate an investigative strategy incorporating applicable legal theories, sources of information and appropriate investigative methodologies.
  - A2. Conduct investigations involving violations of statutes, administrative codes and standards of conduct of the professions regulated.
  - A3. Identify investigative leads and follow up on determining the underlying facts.
  - A4. Coordinate and cooperate with other local, state and federal agencies and attorneys as necessary.
  - A5. Interview witnesses to obtain relevant evidence pertaining to allegations of violations and responsible parties.
  - A6. Prepare accurate, detailed and concise reports, statements or affidavits of interviews of respondents, witnesses and collateral contacts.
  - A7. Identify, collect, examine and preserve physical evidence and document to maintain an accurate chain of custody. Where necessary, prepare evidence for forensic examination and analysis, utilizing forensic evidence collection techniques including the use of photography, handwriting exemplars, audio, video and computer technologies. Contact appropriate individuals and prepare evidence using appropriate procedure for referral to State Crime Lab and other private or government laboratories as needed.
  - A8. Prepare questionnaires, subpoenas or search warrants, in collaboration with the assigned attorney and, where applicable, outside law enforcement personnel.
  - A9. Use legal covert/undercover methods to obtain information and evidence, as pre-approved by the Legal Manager.

- A10. Work in collaboration with case advisor, attorneys and supervisors.
- A11. Implement Bio-hazardous evidence collection and preservation techniques when appropriate.
- A12. Serve as lead investigator in cases requiring additional investigators.
- A13. Serve as staff resource person for local, state and federal authorities in areas of expertise, and participate in training investigative staff and other employees in those areas as needed.
- A14. Serve civil process as necessary.
- A15. Conduct health and safety inspections (sanitation inspections) as assigned.

**45% B. Legal Support Work.**

- B1. Prepare and meticulously organize case file for review by assigned attorney and case advisor using standard tabulation and formatting as per Division policy and practice.
- B2. Confer with the Case Advisor for a recommendation on standard of care.
- B3. Review investigative results for completeness and accuracy, ensuring all aspects of the case have been addressed.
- B4. Produce comprehensive written case summaries, including statistical data, analytical charts, evidence, photographs, and statements of witnesses and respondents/suspects using standard templates, styles and formatting as per Division policy and practice.
- B5. Analyze and compile all facts and evidence in completed investigations in succinct and chronological order, one fact per paragraph, standard font and limited cutting and pasting articulating the results of the investigation and evidence obtained to support or refute the allegations of violations of statutes or administrative codes. All assigned cases must have a case summary.
- B6. Prepare exhibits and organize case files for staff or credentialing authority. Identify each statement, picture or documentary evidence as an Exhibit and attach it to the case summary using an exhibit tab.
- B7. Coordinate the legal basis for case closures with Board Counsel at least one week prior to each scheduled board meeting, and be prepared for board meetings to answer board member questions regarding cases recommended for closure before the appropriate credentialing authority.
- B8. Input relevant date into templates and assist in drafting legal documents including Stipulations, Orders, Complaints, and Administrative Warnings.
- B9. Provide evaluations and statement summaries of prospective witnesses for assigned attorney or paralegal.

- B10. Prepare, coordinate and assist witnesses at formal proceedings.
- B11. Assist assigned attorney and testify at hearings and trials or by depositions as necessary.

**10% C. Perform record keeping, administrative and other duties as assigned.**

- C1. Maintain complete, accurate and current files on assigned cases.
- C2. Perform other miscellaneous duties and tasks as assigned, including those related to management of the caseload or successful performance of the team.

**KNOWLEDGE AND SKILLS REQUIRED BY THE POSITION**

- Extensive knowledge of statutes and rules relating to the professions regulated by the Department including but not limited to Chapter 440 of the Wisconsin Statutes.
- Extensive knowledge of investigative methods, techniques and procedures.
- Extensive knowledge of procedures and practices for the admission of evidence and presentation of testimony in administrative hearings and court cases.
- Extensive knowledge of state, federal and independent consumer protection agencies and their programs and procedures (Department of Agriculture, Department of Justice), including but not limited to open meetings and public records law.
- Extensive skill in applying investigation methods, techniques and procedures to develop evidence and compile information from records, personal interviews and inspections.
- Extensive skill in prioritizing, organizing, presenting and interpreting complex information and oral and written communication.
- Ability to establish and maintain effective cooperative relationships with co-workers, the general public, department personnel, and local, state federal and private officials, associations and organizations.
- Computer skills, including but not limited to ability to use Word Office Suite, Lexis/Nexis and other databases.
- Physical agility to bend, stretch, squat, kneel, and crawl to perform necessary inspections.
- Operation a vehicle under all lighting, weather and road conditions.
- Ability to work outdoors in cold or inclement weather.
- Complaint handling by phone and in person may subject employee to aggressive, critical, or hostile people. Position may require overnight stays.
- The employee's personal safety can be in potential jeopardy and exposed to harm or assault in certain situations, such as performing undercover investigations, serving legal documents or conducting an interview of an unknown and/or hostile field contact.

- Ability to represent the agency in a positive and professional manner and to participate enthusiastically and consistently in the implementation and enforcement of division and department directives, policies and procedures.
- Professional and courteous demeanor with supervisors, staff and stakeholders with a dedication to teamwork and professional collaboration to achieve team, division and agency objectives.

### **SPECIAL NOTE**

Productivity with respect to these goals will be measured by production metrics for DLSC paralegals, which include but are not limited to:

- Informal closures obtained (expectation of 40 closures per investigator per year);
- Formal closures obtained (expectation of 50 formals per investigator per year);
- Number of cases behind timeline (expectation is 0 per year);
- Length of times from opening to closing cases informally or putting them in OLA (expectation is no more than four months);
- Work quality (expectation that case summary templates are used, that case summaries are complete, accurate, and error-free, and files are organized and tabbed prior to submission to the attorney);
- Adherence to deadlines (internal and external) (zero tolerance for missed deadlines)
- Hours billed (expectation is 65% of time billed);
- Professionalism;
- Attendance;
- Flexibility; and
- Turn-around time on requests for additional work for cases in OLA (expectation is one month).