

NATIONAL ASSOCIATION OF LEGAL INVESTIGATORS

CERTIFIED LEGAL INVESTIGATOR PROGRAM

Elevating the Standards of the Profession



**WITHOUT THE TRUE FACTS
THERE CAN BE NO JUSTICE!**

Certified

THE LEGAL INVESTIGATOR

Legal investigators are licensed private investigators or law firm staff investigators who specialize in preparing cases for trial for attorneys. Their job is to gather information and evidence which advance legal theories to benefit the client's case. The legal investigator must possess knowledge of statutory and case law, local rules of court, civil procedure, forensic sciences, techniques of evidence collection, and its preservation and admissibility.

Legal investigators assist attorneys by reviewing police reports and discovery materials, analyzing and photographing crime or accident scenes, interviewing parties and witnesses, performing background investigations, preparing documentary and demonstrative evidence, recommending experts, and testifying in court. Legal investigators must exhibit the highest standards of professional and ethical conduct.

The National Association of Legal Investigators, Inc. sets national certification standards for legal investigators and confers the designation **Certified Legal Investigator®** upon those who meet professional requirements and who successfully pass stringent written and oral examinations. For this reason, the designation **Certified Legal Investigator®** is a most honored and sought-after credential. Once conferred, Certified Legal Investigators must advance their professional careers by earning continuing education credits and by maintaining the high standards of the **Certified Legal Investigator® Program**.

You are encouraged to read the following requirements and to submit an application to become a **Certified Legal Investigator®**.

THE NALI CERTIFICATION PROGRAM

The National Association of Legal Investigators, Inc. offers a **Certified Legal Investigator® (CLI)** program which certifies that qualified investigators possess superior knowledge in the field of legal investigation. The criteria to become a **Certified Legal Investigator®** are as follows:

1. Applicants must devote the majority of their practice to negligence investigations for the plaintiff, and/or criminal defense, and be employed by either a law firm or an investigative firm.
2. Applicants must be licensed, if required, by the state in which he/she is practicing or employed.
3. Applicants for the CLI designation must have a minimum five years verifiable work experience as a full-time negligence investigator for plaintiffs, and/or as a criminal defense investigator. Applicants may substitute successful completion of at least 60 semester hours or 90 quarter hours of course work at an accredited college or university for one year of work experience.
4. Applicants must write a minimum 1,000 word research "white paper" on any investigative subject. The research paper does not have to accompany the application and fee, but the original and two copies must be submitted to the

5. Applicants must submit the application for examination and the appropriate fees to the CLI Chairperson at least 30 days prior to the established test date. The Chairperson of the CLI Committee shall complete a confidential background investigation of each candidate and determine his/her eligibility to take the CLI examination.

6. CLI tests will be administered by the CLI Chairperson annually at the Mid-winter and National Conferences. Regional testing will be made available where there are five eligible candidates to sit for the CLI examination and/or at the discretion of the CLI Chairperson.

7. The applicant must receive a minimum passing score of 70 % in each examination section including the white paper, the written examination, and the oral examination in order to receive the designation of **Certified Legal Investigator®**.

8. Should the candidate fail one or more sections of the CLI test, the candidate must re-take and pass any failed section in order to obtain the CLI designation. It is not necessary to re-take any section that has previously been passed by the candidate. The candidate may re-take any failed section, but must successfully complete all portions of the exam within three years of the date the candidate submits his/her application.

9. There is no certification in any specialty field of investigation.

10. The application fee is \$200 for members of NALI and \$300 for non-members. Payment of the application fee or re-test fee (one-third of the application fee **per section re-taken**) must be received by the CLI Committee Chairperson at least 30 days prior to the established test date.

11. The CLI test scores and white paper scoring shall be destroyed by the CLI Committee Chairperson immediately upon confirmation of the designation of the candidate as a **Certified Legal Investigator®**. The CLI Chairperson shall retain the tests and scoring for any candidate who failed any portion of the test for a period of three years from the date of the candidate's original application.

12. No scores will be made public.

13. **Certified Legal Investigators®** must adhere to the Code of Ethics established by the National Association of Legal Investigators, Inc. Complaints concerning Certified Legal Investigator® who are members of the National Association of Legal Investigators shall be investigated by NALI's Disciplinary Committee. A complainant will have the opportunity to file a complaint with the Certified Legal Investigator Committee following the Disciplinary Committee's investigation and final resolution. Complaints concerning a **Certified Legal Investigator®** who is not a member of the National Association of Legal Investigators shall be filed with, investigated, and decided by the Certified Legal Investigator Committee.

14. **Decertification for Cause.** The CLI Chairperson may establish a decertification committee consisting of the chair and four other **Certified Legal Investigators®** in good standing. The CLI Decertification Committee shall have the authority to decertify a CLI, upon majority vote, if the committee determines the CLI under review:

1. presents a clear and present danger to the character, integrity, and welfare of the CLI Program, or;
2. engages in conduct and/or actions unbecoming a CLI and detrimental to the reputation of the CLI Program and other **Certified Legal Investigators®**, or;

Any CLI who has been decertified for cause shall be notified in writing. The decision of the CLI Decertification Committee is final. No CLI who has been decertified will be eligible to re-apply for the CLI Examination.

THE CLI RESEARCH PAPER, “WHITE PAPER”

The white paper must be an originally authored and unpublished paper of not less than 1,000 words written by the CLI applicant, specifically for the CLI examination. It may be written on any investigative subject, but is not to be a rehash of an investigated case. For examples of white papers, see past issues of *The Legal Investigator*, the official publication of the National Association of Legal Investigators, Inc. The white paper should be written in an article or thesis style format. The original and two copies must be submitted in typewritten form, double spaced, on regular size (8 1/2 x 11”) paper by mail and/or E-Mail attachment. References cited (if used) in the paper must be either footnoted and/or listed in a bibliography attached to the white paper. If the white paper is based on the investigator's own personal knowledge and/or his or her experience working in the field using no reference materials or publications, a bibliography and footnotes are not necessary. However, a white paper without footnotes and/or bibliography must contain a simple signed, written notation (on a separate page) that the white paper is based on personal knowledge and/or experience and is an independent work of the author.

The National Association of Legal Investigators, Inc. reserves the right to publish the white paper in its official journal, *The Legal Investigator*, and/or distribute it to its membership through any reasonable means which it deems appropriate.

THE CLI WRITTEN EXAMINATION

Written examination questions are derived from the following sources:

1. The CLI Committee recommended reading list.
2. Articles published in *The Legal Investigator*.
3. General information the Committee Chair has deemed should be known by a legal investigator.

The written test format includes definitions, true/false, multiple-choice, fill-in-the-blank, matching, and essay. The written examination has a three hour time limit.

THE CLI ORAL EXAMINATION

Candidates will be given a mock investigative assignment, with *either* a civil or criminal scenario. The candidate will interview a purported witness and obtain his/her handwritten statement under oath within a prescribed amount of time. This is followed by an oral/ethics examination. All testing is conducted by **Certified Legal Investigators®** and members of the CLI Committee.

The entire CLI oral examination section takes approximately three hours and includes the interview, statement, ethical questions, and those areas deemed

RECOMMENDED CLI STUDY MATERIALS/PUBLICATIONS

The CLI Committee recommends the following publications for study on investigation techniques and procedures:

Accident Investigation in the Private Sector

Jack Murray, CLI, CFE
Thomas Investigative Publications, Inc.
P.O. Box 33244
Austin, TX 78764
(512) 719-3595
www.thomaspub.com

Advanced Forensic Civil Investigations

Compiled by Paul J. Ciolino, CFE
Lawyers & Judges Publishing Company, Inc.
P.O. Box 30040
Tucson, AZ 85751-30040
(800) 209-7109 www.lawyersandjudges.com

Criminal Investigation for the Professional Investigator

Warren J. Sonne, CLI
CRC Press
270 Madison Avenue
New York, NY 10016
(917) 351-7100 www.crcpress.com

Code of Professional Conduct (2006 ed.)

Kitty Hailey, CLI
Lawyers and Judges Publishing Company
PO Box 30040
Tucson, AZ 85751
(800) 209-7109 www.lawyersandjudges.com

Fundamentals of Criminal Investigation (6th ed.)

Charles E. O'Hara and Gregory L. O'Hara
Charles C. Thomas—Publisher, LTD
2600 South First Street
Springfield, IL 62717
(800) 258-8980 www.ccthomas.com

The Legal Investigator

"The Official Journal of NALI"
National Association of Legal Investigators, Inc.
Editor@Nalionline.org

Practical Handbook for Professional Investigators

Rory J. McMahon, CLI, CFE
CRC Press
270 Madison Avenue
New York, NY 10016
(917) 351-7100 www.crcpress.com

Techniques of Legal Investigation (3rd ed.)

Anthony M. Golec, CLI
Charles C. Thomas—Publisher, LTD
2600 South First Street
Springfield, IL 62717
(800) 258-8980 www.ccthomas.com

The Elements of Style– Fourth Edition (guidance on writing usage, form & style)

William Strunk Jr. & E. B. White
Allyn & Bacon
Needham Heights, MA
Order from www.Amazon.com

* **Black's Law Dictionary** should be considered as another source for explanation of legal terms found in above publications. <http://west.thomson.com>

CLI CONTINUING EDUCATION REQUIREMENTS

To maintain the **Certified Legal Investigator®** status, an active (non retired) CLI must earn continuing education credits within each three year period and must certify that he/she maintains a majority of their practice to the disciplines of negligence investigations for the plaintiff, and/or criminal defense. The Continuing Education Chairperson publishes the "CLI CONTINUING EDUCATION CREDIT GUIDELINES." It is the responsibility of each CLI to obtain a copy of the guidelines and to file a Report of Compliance (ROC) with the Continuing Education Chairperson within the stated time period. Failure to do so will result in suspension and/or revocation of the CLI credential after appropriate notification and upon the recommendations of both the Continuing Education and CLI Chairpersons. Retirement of CLI status requires official approval from the CLI Committee after having received written request and explanation for retirement status from the retiring CLI. A retired CLI may display the CLI designation after their name as follows: CLI (Ret.).

NALI CODE OF ETHICS**CODE OF ETHICS PREAMBLE**

A legal investigator is dedicated to the search for truth and the furtherance of their employer's or client's interest consistent therewith. This search for truth makes possible the establishment of American ideals of fairness and justice for the benefit of the client in every case on which the investigator works. It should be the intention of every investigator to deal honestly, justly, and courteously with all whom he or she comes in contact and to practice their profession according to this **Code of Ethics**.

PROFESSIONAL RELATIONS

Section 1. The Legal Investigator will extend the effectiveness of the profession by cooperating with other investigators and related professions, and by the exchange of information and experience so long as the interests of the investigator's clients or employers are not violated.

Section 2. The Legal Investigator will not advertise work, skill, or merit in an unprofessional manner or in a dramatic, misleading, or exaggerated fashion, and will avoid all conduct or practice likely to discredit or do injury to the dignity and honor of this profession.

RELATIONS WITH THE PUBLIC

Section 3. The Legal Investigator will, when the appropriate opportunity presents itself, explain to the public the role of the profession in the furtherance of the administration of justice.

Section 4. The Legal Investigator will not knowingly violate any right or privilege of any individual citizen which may be guaranteed or provided by the United States Constitution, a State Constitution, or the laws of the State and Federal governments or any subdivision thereof.

Section 5. The Legal Investigator will make all reporting based upon truth and fact and will only express honest opinions based thereon.

Section 6. The Legal Investigator will not disclose or relate or betray in any fashion that trust of confidence placed in the investigator by either client, employer, or associate without the consent of the client, employer, or associate.

Section 7. The Legal Investigator will not suggest, condone, or participate in any fashion or degree, for any purpose whatsoever, in entrapment.

Section 8. The Legal Investigator shall refrain from accepting an assignment or employment if a personal conflict of interest lies therein.

Section 9. The Legal Investigator will deal fairly and equitably with clients or employers, and will clearly explain the duties and the basis for the charges in each undertaking.

Section 10. The Legal Investigator will guard against those techniques, or utilizing such equipment or devices, that may threaten the life, limb, or safety of another.

Section 11. The Legal Investigator will not accept commissions or allowances, directly or indirectly, from independent contractors or other parties dealing with the client, employer, or associate in connection with work for which the legal investigator is responsible.

Section 12. The Legal Investigator will not allow personal feelings or prejudices to interfere with factual and truthful disclosures on the assignments in which the legal investigator has been employed or consulted.

RELATIONS WITH INVESTIGATORS

Section 13. The Legal Investigator will endeavor to provide the opportunity, education, and skill for the professional development and advancement of investigators in the profession.

Section 14. The Legal Investigator will not directly or indirectly injure the professional reputation, prospects, or practice of another investigator. However, if the legal investigator considers that an investigator is guilty of unethical or unfair practice or designs, the legal investigator will represent the information to the proper authorities for action.

Section 15. The Legal Investigator will uphold, and never abuse, the principles of appropriate and adequate compensation for those engaged in investigative work.

Section 16. The Legal Investigator will not criticize another investigator's work except in the proper forum for technical discussion and criticism.

Section 17. The Legal Investigator will not compete illegally with other investigators in the solicitation of work.

Section 18. The Legal Investigator shall not engage in the unauthorized practice of law.

Section 19. The Legal Investigator shall not solicit any clientele for any attorney.

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