Department of Justice Evaluation of Corporate Compliance Programs Checklist

The U.S. Department of Justice (DOJ) released its third iteration of the Evaluation of Corporate Compliance Programs in June 2020. This guidance outlines the questions DOJ investigators will ask when assessing the effectiveness of compliance programs. It also, therefore, represents a critical roadmap for risk and compliance professionals to help design, update and improve their programs.

Use this 20-point checklist to begin aligning your compliance program with the latest DOJ guidance.

		Need Support	In Progress	Complete
1	Set a schedule for periodic risk assessments and program audits utilizing both internal and external measures to develop regular reports of "lessons learned." Make and document changes to your compliance policies, procedures and practices based on lessons learned.			
2	Track policy changes over time. Keep a record of all changes you have made, as well as the reasoning for them. Demonstrate that you have responded to specific failures.			
3	Review the impact of foreign law on your compliance program. Keep a record of legal interpretations and any changes made to your program, noting how you have addressed any potential conflicts			
4	Make sure that you have continuous access to operational data and information across functions. Translate access into action by updating your policies, procedures and controls based on the information received.			
5	Develop a policy for designing and implementing updates to your existing policies.			
6	Ensure your policy & procedure solution offers employees and relevant third parties the ability to search for specific policies. Make sure your solution tracks access (and record what policies are attracting attention).			
7	Add microlearning to your training plan.			
8	Add Q&A functionality to your E&C Training program.			

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9	Institute methods to measure the impact of E&C training on behavior and operations.			
10	Create awareness campaigns to publicize your company's hotline and incident reporting to third parties that complement your employee awareness efforts.			
11	Implement measures to test hotline awareness and comfort amongst employees.			
12	Test your compliance hotline's performance through multiple measures including case closure times, report volume, substantiated reports, report intake methods, and reports by category.			
13	Develop and record a rationale for every third-party relationship. Conduct a risk analysis of all third parties.			
14	Utilize a risk management solution that enables continuous monitoring of third parties.			
15	Develop and implement processes for post-acquisition integration of acquired entities into your compliance program structures and internal controls.			
16	Benchmark your program to determine whether it is under-resourced or under-empowered. Actively pursue efforts to increase funding and authority.			
17	Require E&C training on compliance issues and ethical leadership for leadership at all levels, including and especially middle management. Test and monitor middle managers to measure training program performance.			
18	Document the rationale behind all compliance program structural decisions.			
19	Invest in training and development of compliance personnel.			
20	Implement processes to monitor investigations for consistent application of disciplinary actions.			

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