

Enforcement Case Management

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Introduction

- Current Case Management Approach
- Proposed Case Management Approach
- Approach Comparison Chart

Current Case Management Approach

- Case reported, validated, scored and prioritized
- Cases scoring 60+ are “priority” cases, cases scoring under 60 are “nonpriority”
- Priority cases are immediately activated
- New nonpriority cases enter queue and are not pursued until capacity allows activation and resolution

Current Case Management Approach

- Majority of cases are resolved at staff level with Regulation 11386 (standardized fines).
 - Site visit typically precedes letter issuance
 - After letter issuance, contact with the violator
- Cases are elevated to the EC via formal enforcement proceeding when:
 - Administrative civil penalties reach the maximum of \$30K/violation
 - Respondent is unresponsive

Main Elements of the Proposed Case Management Approach

- Report Intake and Prioritization
- Case Assignment
- Enforcement Plan for Each Case
- Case Management Tool
- Strategy for Low Priority Cases

Report Intake and Prioritization

- Upon receipt:
 - Staff verifies allegation and determines whether enough evidence of a violation and whether the allegation is subject to BCDC enforcement
 - Substantiated allegations will be assigned a file number and forwarded to the manager for review
 - Unsubstantiated allegations will not be pursued
- Manager will review each new file and determine whether it constitutes high or low enforcement priority
 - High priority cases will be assigned to an analyst
 - Low priority files will be filed for future follow-up, TBD

Enforcement Plan

- Upon assignment, the analyst will create an enforcement plan for review and approval by the manager
- Plan will include the following case milestones:
 - Date of notice of violation to responsible party
 - Date by which the violation should be resolved and fines paid (where applicable)
 - Date by which failure to resolve violation at the staff level should trigger a formal enforcement action (where applicable)
 - Proposed date to begin pursuit of an enforcement hearing
- Manager approval required to alter enforcement plan

Case Management Tool

- To increase work efficiency and alleviate administrative burden, templates will be used for notices and reports
- In the absence of an integrative, agency-wide client relationship management tool, staff will pursue a tool to manage metadata, enforcement plans, a fine calculator, correspondence, reports, lists, and other pertinent records for each case.

Proposed Strategy for Low Priority Cases

- Low priority allegation reports will be investigated and prosecuted as capacity allows
- The strategy will encourage staff to devote a limited amount of time to low priority cases
- Uninvestigated reports older than 1 year will be designated as high priority and assigned to an analyst for resolution

Current Approach vs. Proposed Approach

Element	Current Approach	Proposed Approach
Intake and Prioritization	Staff drives intake and prioritization	Staff conducts intake, mgr. prioritizes
Enforcement Plan	Informal, ad hoc	Formalized upon assignment, mgr. approval required to alter
Case Management Tool	None comparable to what is proposed	Formal tool to manage all data, correspondence, and records (e.g., a “workbook”)
Low Priority case management strategy	Generally address as capacity allows	Address as capacity allows, converts to high priority if older than 1 year