



GUIDE TO HIRING PRIVATE INVESTIGATORS

M.A. Garza - GRI Consulting Group

INTRODUCTION:

This guide was developed to assist new and potential clients when hiring a private investigator (PI). It will give you an overview of what a PI does, how to hire a PI, how investigators charge and what to expect during and after your investigation.

UNDERSTANDING THE INDUSTRY:

Licensed private investigators are NOT sworn law enforcement officers. They don't have any special enforcement powers. PI's cannot use badges or give the impression they represent government agencies. They are considered civilians and have the same powers of arrest as any citizen. They only conduct private sector investigations.

Like physicians or attorneys, most investigators specialize in a few areas based on previous experience and their professional backgrounds. There are literally hundreds of specializations within the industry, however most attorneys and private parties hire investigators for their legal cases in areas such as criminal defense, civil investigations, and family law investigations. Within the specializations there are core areas that all PI's know how to handle such as background investigations, surveillance, person searches; locating and documenting witness statements; and the service of legal documents.

CHOOSING A PRIVATE INVESTIGATOR:

When you need an investigator, your attorney may refer you to a trusted investigator or you may need to find one on your own. As you search for investigators, make sure the PI is licensed through the proper government agency that regulates PI's. This is important because licensed investigators understand how to conduct investigations legally within the scope of state and federal laws, plus its illegal to conduct investigations without a license.

In California, the Bureau of Security and Investigative Services (BSIS), licenses and regulates private investigators. You can easily determine if someone is licensed by visiting the BSIS website under the "Verify a License" tab. As an example, the link below is for **GRI Consulting Group's** public licensing information on the BSIS website. Our private investigator's license number is 28059:

<https://search.dca.ca.gov/details/1260/PI/28059/eba6ca61725ce1e468aa801d11c46971>



FIRST CONTACT WITH THE INVESTIGATIVE AGENCY:

When you contact the PI, you'll be asked about the details of your case and investigative objectives. Based on the conversation, the PI will discuss an investigative strategy that best suits your needs and you will be given information on the fees and costs to complete your investigation. This would be a good time to ask for references and background information on the PI.

On the other side of the spectrum, a PI may choose not to work on your case if there are potential legal or ethical issues; or that simply your case is outside the scope of their expertise. I always recommend that you choose a PI based on their experience and expertise, not on prices.

Be aware of investigators that charge lower hourly rates than industry standards. Some are able to offer these rates because they work part-time as a PI or are new to the industry and want to gain experience by "practicing" on as many cases as they can. Remember, investigations are serious undertakings to develop evidence that can be used for LEGAL discovery. *Your case deserves the best investigative skills and expertise available to you, especially when you **need** actionable evidence for your legal case. Don't skimp in this area.*

"THE MEAT AND POTATOES" - HOW DO PI'S CHARGE?

Investigators charge a base hourly rate that covers their costs, expenses and profit. The average hourly rates in California range from **\$55.00** to **\$150.00** per hour depending on the type of investigation you require. This hourly rate is deducted from a *retainer* deposit. In addition, PI's normally charge extra for mileage, database fees, court appearances or depositions and other incidental fees associated with the investigation. All fees and costs are addressed in the investigative agreement.

A *retainer* is simply a deposit of funds; an advance payment to ensure that the PI will be paid for services rendered. This type of arrangement is very common for attorneys and other private sector service companies. The hourly rate is deducted from the retainer as work is completed on your case. Any unused portions of the retainer are refunded usually within 30 days at the end of your investigation. Retainers are used on cases where the exact investigative hours are unknown to complete an investigation such as criminal defense or civil litigation cases.

Some PI's offer fixed "ala carte" rates for criminal checks, person searches, background investigations, skip-tracing and process serving. For surveillance investigations, it's common for PI's to charge a fixed block of hours based on the investigative objective. On a side note, I would not recommend any surveillance investigation that requires less than 20 hours of services. In these cases, you are trying to obtain evidence of a pattern



of conduct, behavior, relationship or living situation. Under 20 hours will not necessarily prove a “pattern”, especially in co-habitation and other family law investigations.

At **GRI**, after our initial meeting or call, I usually send out a one-page written quote memorializing our conversation. The quote will have the scope of the requested services and fees associated with completing your investigation.

MOVING FORWARD WITH YOUR CASE:

Once you are ready to move forward with your case, you will be sent an investigative contract. The contract should outline the scope of services, the agreed upon fees and legal clauses associated with your case. Make sure you understand the legal disclaimers in the contract, especially the one that states the PI fees are not contingent on the outcome or results of the investigation.

In cases that involve or may involve litigation, the investigator may be issued a subpoena at a future date to testify about the investigation. Most investigators charge their hourly rate with a minimum of 4-6 hours when appearing in court or deposition. These fees are outlined in the investigative agreement.

Usually PI’s require payment upfront and will not start the case until the fees have cleared their financial institution. Mileage and other incidental fees are usually billed at the close of the investigation. If your investigation will be conducted over an extended period-of-time, you will be billed on a monthly billing cycle.

DURING THE INVESTIGATION:

Depending on the type of investigation, some PI’s may give you daily updates or only information at the end of the investigation. I usually give my clients weekly updates. At this point, I would keep the investigation confidential to prevent any potential issues or interference, especially in surveillance or family law investigations.

WRAPPING UP THE INVESTIGATION:

At the conclusion of the investigation, you will be briefed and given a final written report, usually in digital form and sent via email. If photographic or video evidence is required, you will be given a separate digital file or sent to you on DVD, a USB flash drive or memory card. After receiving your report, be sure to ask the investigator any questions you may have about the disposition of the investigation. You can submit the final report to your legal counsel. Your attorney may have the PI testify in court about the investigation or certain parts of the investigation in future court proceedings.

There are times when we may give a recommendation to continue the investigation to obtain further actionable evidence for your case.



SUMMARY:

- When looking for a private investigator, ask for referrals from attorneys, CPA's and other business professionals who regularly use PI's.
- If represented by an attorney, make sure your attorney agrees with hiring a private investigator for your case.
- Make sure you focus on experience levels and expertise, rather than prices. Your case deserves the best investigative skills and expertise available to you.
- Check out the reputation of the PI or agency online. Check and verify their license number on the Bureau of Security and Investigative Services (BSIS) website.
- Ask the PI for their professional references and ask to view their Curriculum Vitae (CV) or professional resume.
- Make sure you understand the investigative strategy of your case and the written contract. Ask questions about items that you don't understand.
- Investigators charge a base hourly rate that covers their costs, expenses and profit. The hourly rate is deducted from a retainer deposit, or you may pay a fixed rate or fixed block of hours.
- Understand that the PI fees are not contingent on the outcome or results of the investigation. This disclaimer is similar on attorney contracts and other service businesses.
- Keep your investigation confidential or on a "need to know basis".
- For more information about how GRI can assist with your legal or personal matter, please call **(888) 519-0555**. All calls are CONFIDENTIAL. You may also send us a message in the contact form on the website. (www.gripisd.com)