

Corporate Compliance & Foreign Corrupt Practices Act (FCPA)

<http://english.ktslaw.com.cn/practice-areas/corporate-and-compliance/foreign-corrupt-practices-act-fcpa/>

Our firm has several high-profile lawyers experienced in anti-corruption, FCPA and special investigations. These lawyers have extensive trial and appellate experience and have represented individuals and corporate entities in a wide range of criminal defense matters. They have successfully represented individuals and corporations in complex internal investigations and in related criminal, civil and regulatory proceedings.

The Asia practice team has experience in advising clients on business and compliance issues throughout Asia. Our U.S. team consists of members with backgrounds ranging from former government officials to a former military judge to leaders in the corporate governance arena and veterans of significant internal investigations. Together, this group is highly-skilled in conducting complex, factual investigations of all kinds and in advising clients on criminal, civil, regulatory and corporate governance repercussions of the inquiry. Additionally, the team has extensive experience aiding clients in enhancing and strengthening their compliance programs throughout the world, helping clients build stronger internal controls, providing appropriate training for all relevant stakeholders and conducting comprehensive but tailored due diligence on risks.

The Plan for Strengthening Your FCPA Compliance Program & Responding to Allegations

[FCPA RISK ASSESSMENT FOR HIGH RISK COUNTRIES](#) ^[1]

Kilpatrick Townsend will conduct an assessment that will involve understanding your company's operations in high-risk countries, including the use of third-party agents and vendors, and determining ways to minimize risks. The risk assessment typically includes reviewing documents concerning expenses and operations, as well as contracts with vendors and agents, and a small number of targeted interviews to further understand the risk of any FCPA exposure.

[FCPA POLICY & CERTIFICATIONS](#) ^[2]

Kilpatrick Townsend will assist in enhancing your FCPA policy and aid in creating a certification program for employees.

[INTERNAL FCPA TRAINING & COMMUNICATIONS](#) ^[3]

Kilpatrick Townsend will draft a tailored FCPA presentation for the company's key stakeholders in order for them to understand the risks for them individually as well as the company for any FCPA violations. For other clients, Kilpatrick Townsend has drafted and presented anti-corruption and FCPA training presentations all over the world to executive officers, legal, finance, audit and sales departments, franchisees, vendors, as well as Boards of Directors and committees.

[THIRD-PARTY FCPA PROGRAM](#) ^[4]

Kilpatrick Townsend will develop a certification, due diligence and training program for third-party

vendors and agents, including a disciplinary schedule. Kilpatrick Townsend has experience in implementing such programs to help protect companies from the actions of third-party agents.

[CRISIS MANAGEMENT PROTOCOL & REACTING TO FCPA ALLEGATIONS](#) ^[5]

Kilpatrick Townsend will develop and institute a tailored protocol, based on your company's resources and culture, to review and screen allegations of FCPA and corruption violations. If the allegations appear to have enough merit to deserve further investigation, Kilpatrick Townsend will conduct an internal investigation to determine the facts as well as the scope of any criminal or civil exposure, and advise on whether the company should disclose any issues or facts to the U.S. Government.