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August 11, 1997

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The Honorable Dan Morales
Office of the Attorney General
Attn: Opinion Committee
P.O. Box 12548
Austin, Texas 78711-2548

Opinion Committee

AUG 13 1997

GOVERNMENTAL INQUIRY
UNIT

RQ-980

FILE # ML-39721-97

I.D. # 39721

Dear General Morales:

I would like to request an attorney general opinion on the following:

A definition of the scope of the Private Investigators and Private Security Agencies Act as it pertains to services provided by licensed attorneys practicing in the State of Texas.

A company markets itself as a human resource "outsorce" to aide companies without employees experienced in employment and labor issues. The company portfolio includes consulting services, written programs [e.g. policy and procedure manuals], training services and comprehensive complaint investigations.

With respect to comprehensive complaint investigations; the objective is to limit a company's exposure to lawsuits and minimize excessive damages should a suit occur. This is accomplished through a properly conducted investigation performed by the outsource company personnel; predominately licensed attorneys. Outsource personnel are third party advocates that investigate a complaint from all perspectives and can therefore render unbiased analysis of a complaint. The outsource attorneys are a fact-finding conduit for the company and governed by the rules of conduct of the State Bar of Texas.

Therefore, is the outsource company obligated to file an application with the Texas Board of Private Investigators and Private Security Agencies?

Should further information be required, please contact Cindy Mitchell at 463-0110.

Sincerely,

Chris Harris

