

A PROGRAM AND SERVICE OF  
THE NATIONAL CATHOLIC RISK RETENTION GROUP, INC.



Home My Diocese

Home

Adrian Alarcon

Archdiocese of Los Angeles - San Pedro Region ▼

Message Center

## Reference Checks, Part I: Your Best Defense

(posted January 13, 2003)

Litigation is an unpleasant reality these days—and a growing one, at that. Naturally, when faced with a lawsuit, an organization expends a significant amount of time and money trying to establish a legal defense to avoid liability—or at least to avoid a huge verdict, let alone all of the other “costs” of litigation.

However, the *best* defense is readily available and inexpensive. And, it is designed not only to prevent litigation, but also to prevent wrongdoing in the first place. Indeed, every organization has an obligation to protect its members—and, at least to a certain extent, members of the public at large—from wrongdoing and harm.

When managing people, your best defense truly is the “reference check.” Among the many steps you must take when hiring an employee, enlisting a volunteer, or even retaining an outside vendor or other independent party, the reference check is *unique* in its ability to allow you to defend against a wide range of risks. Simply stated: to conduct a reference check, you contact an applicant’s references—usually by telephone or in writing—to learn about the applicant’s strengths, weaknesses, past performance, reliability, and other *qualitative and subjective* characteristics, including any risky, unsafe, or unacceptable behavior.

Again, the reference check is only one of several important steps that you must take. For example, background screening is essential. Background screening tools include criminal background checks, education verification, credit checks, social security number checks, drug screening, motor vehicle records, theft database searches, and many other techniques. These, however, are vastly different from reference checks, which are an equally important, if not more important, part of the screening and placement process.

As a practical matter, your entire internal process is critical—everything from the job application to the interview to orientation and, eventually, your protocol for managing and supervising those in your organization.

But when you check references, you have the opportunity to obtain information not directly provided by the applicant while you maintain a high degree of control over the information-gathering process. At its most basic level, a reference check is a *professional investigation* that, when done properly, can provide you with invaluable information to protect your organization and your community from wrongdoing and, more importantly, from wrongdoers.

There is little economic cost—whether conducted professionally or in-house—to the reference-checking process, especially in comparison to the injuries and other losses that tend to arise when you do not check references. Even so, many organizations neglect to check references, typically because they lack the time, fail to appreciate the benefits of

### Author:

**Jeff Chasen, J.D.**

- View Personal Bio

### Other articles by this author:

Is Child Sexual Abuse Really a Crisis?

Reference Checks, Part II: Maximizing the Benefits

Legal Standards for the Protection of Children

The Key to Managing E-Liability Risks

the process, or simply have not been able to develop their own programs.

Ironically, proper reference checks actually *save time* in many ways. For example, even a few minutes of investigation might help you find the right person for a job (or other important responsibility), thereby increasing productivity and decreasing turnover. Additionally, those few minutes of prevention can help you avoid hours and hours—sometimes, literally years of misery—dealing with the effects of wrongdoing. And a reference check today might well keep you out of court tomorrow—and for many days after that!

Rather than looking at reference checks simply as a “defense,” perhaps it is more accurate to consider them your best *protection*—protection against wrongdoing and injury, loss of productivity, and litigation and liability. And, even if all else fails, you and your organization will be in a much better position as a result of a professional process. Put simply, reference checking is a best practice. But, in most cases, it is *the* best practice.

*Next week, we'll take a look at some specific best practices techniques to help you maximize the reference checking process.*

---

Article Posted on: 2003-01-13 12:18:36.0 - It has been viewed 124 times

Copyright © 1999 - 2022 by National Catholic Services, LLC. All rights reserved.

[\(Acceptable Use Policy\)](#)

3901462  
MO21

LV={ts '2022-12-17 08:56:39'}

LO=/virtus/index.cfm