

ESG Risk and Investigations

Overview

Companies and their stakeholders are becoming increasingly attuned to the importance of environmental, social and governance (ESG) issues in a company's operations and investments. ESG initiatives focus on adopting environmental and social policies that promote sustainability and mitigate risk while also creating long-term value for investors. Katten's ESG Risk and Investigations team helps companies identify their ESG-related risks, establish the necessary policies and procedures to establish or enhance their ESG program, and provides in-depth, independent assessments of their impact on, among other things, diversity, racial equity, civil rights, human rights, workplace culture and gender pay parity. Through these assessments, Katten partners with companies to identify areas for growth, implement enhancements to their practices and counsel on any needed remedial steps. Katten's ESG Risk and Investigations team is well-equipped to address the myriad of white collar, compliance, corporate and insolvency needs public and private companies have in the United States and abroad.

A history of advising on ESG-related compliance and risk management

Katten's ESG Risk and Investigations team has advised clients on a number of environmental, social impact and related governance issues, including creating ESG programs; ensuring proper board composition; creating diversity, equity and inclusion (DEI) programs; bolstering those programs; remediating ESG-related shortcomings; and resolving ESG-related litigation. Our team has worked with companies at various stages of the ESG lifecycle and we meet each client where they are and help them to grow to their desired end goal.

Racial equity audits, civil rights audits, human rights audits and DEI reviews are powerful tools that enable companies to meet (and exceed) their social responsibility goals. Our attorneys are experienced at conducting complex audits involving sensitive matters and counseling companies on the myriad of issues that may stem from those audits. We understand that every audit in this area must be tailored to the company undergoing the audit, and thus, we look closely at a wide range of areas with respect to racial equity, human rights, workplace culture, gender pay parity and civil rights. At the conclusion of our audits, clients get a snapshot of how their processes fit within the market with the advantage of benchmarking to inform actionable next steps. Additionally, our team can conduct compliance reviews needed for investments and other transactions.

The ESG Risk and Investigations team is highly experienced in assessing these issues and providing sound counsel that is informative and actionable for the company. Having resources and information at the ready is critical, whether a public company is facing shareholder activism or a private company is looking to advance its strategic ESG goals or wants assistance with ESG-related diligence for, among other things, acquisitions, social impact litigation or regulatory risks. Katten operates at the forefront in this space and we understand the positive business implications for companies committed to making social responsibility a core element of their operations.

A strong team backed by diverse experience

The ESG Risk and Investigations team at its core draws on a robust background in compliance and criminal and internal investigations. This investigatory prowess and policy experience enables us to provide efficient and effective counsel. Our multidisciplinary team includes ESG-certified attorneys, a former federal prosecutor and senior DOJ official, former senior counsel in the SEC Enforcement Division, in addition to several partners with vast DEI experience. With a deep bench that includes White Collar and Internal Investigations, Employment Litigation and Counseling, and ESG attorneys, Katten is well-positioned to help clients address ESG policy concerns and mitigate ESG-related risks.

Additionally, our attorneys have deep experience in working with and responding to government regulators. While government regulators have generally focused on the environmental component of ESG, it is clear that regulators in the United States and abroad have the social and governance components of ESG on their radars. Katten is closely monitoring regulatory and enforcement trends and can support companies by ensuring the proper protocols and disclosures are in place for compliance, as well as helping respond to government inquiries or related litigation.

Key Contacts



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