

## “Investigating Alleged Board Member Misconduct”

A company's board of directors has a duty of care to respond to and investigate allegations of wrongdoing by officers and employees of the company. But what happens when the board member is the one in the investigatory hot seat? Do the same investigative rules and techniques apply when, for instance, a director has been accused of trading on insider information or leaking confidential information? And what are the best practices companies should consider proactively implementing so they are best-positioned to effectively investigate alleged board member misconduct? This article provides some time-tested, commonsense — but often overlooked — guidance to help you prepare for these not-so-uncommon eventualities.

### Authors



### [T. Markus Funk Ph.D.](#)

Partner

[MFunk@perkinscoie.com](mailto:MFunk@perkinscoie.com) [303.291.2371](tel:303.291.2371)