

## *Fact Finding in the Field Office*

**By Ralph Gower\***

THE OBJECTIVE of much of our daily task in the field offices is clearly the establishment, through the operation of reasoning and judgment, of facts. Any action taken in the area or central office is based on these facts. If the field office function is primarily one of fact finding, of necessity we must take time out to appraise the significance of this function.

An interview with a claimant is, or should be, intensively directed toward establishing certain facts as to age, relationship, and employment. The account-number interview is designed to provide positive identification and establish any work history. Our handling of discrepancies in wage reports, particularly in controversial cases, necessitates a clear showing of the facts as to wages and periods of employment. Often less tangible factors in the realm of human relationships must be ascertained, such as the extent of control of one individual over another's activities. The fact-finding process is not confined to the field assistant, or claims interviewer, or wage record investigator. Everyone in a field office is concerned, directly or indirectly, with the evaluation of evidence in one form or another. In every instance, our job as well as our first responsibility is to adduce sufficient evidence so that we may readily distinguish the truth. Our work, however, does not stop there. No claim has yet been paid directly from a field office or a wage record set up and recorded there. The facts we have established must be presented to the area, central, or accounting operations offices in such a manner that there can be no doubt as to the appropriateness of the action which will follow.

If fact finding is admittedly our primary function how can it best be accomplished? At the outset, by approaching a given unit of work with the mental attitude characteristic of an unbiased, impartial, and thorough investigator. There must be a complete freedom from prejudice, insofar as it is humanly possible to attain it in dealing with people, and a passion for detail, insofar as the details are relevant and contribute to the chain of evidence. Keeness of mind, an insatiable curi-

osity about causes and effects, and an absorbing interest in human personality, character, actions, and motivations are invaluable.

Through such an approach, one can cut clearly and vigorously through the welter of opinions, half-truths, disguised motives, misrepresentations, and evasions. The resulting determination will merit application of this adage, "This we know of a certainty—this we have established, beyond any doubt, to be the truth."

Some time ago my attention was called to a note received from another field office, in an involved contested coverage case. "We hope," that office wrote, "you will be able to establish additional wages in this case." On its face, it is a perfectly harmless hope. But is it? It reflects an attitude which may be dangerous from the standpoint of preserving objectivity. I believe the field office meant to say, "We hope you will be able to *arrive at the facts* in this case, to determine whether additional wages can be established." Upon analysis, the two statements are miles apart. The former implies a prejudice in favor of the employee's point of view. Prejudice has no place in the administration of the law. The latter predicates an impartial investigation conducted in such a manner as to maintain the valid position of the field office. To be a fair, just, and disinterested medium through which the facts are made available for final determination must be its aim.

The evidence which we are expected to develop is either primary or secondary. It may be established either through testimony (statements made by witnesses under legal sanction) or by documents, or acquired by personal first-hand observation or examination. The rules of evidence are the maxims which the sagacity and experience of ages have established as the best means of discriminating truth from error, and of contracting as far as possible the dangerous power of judicial discretion. We recognize that, so far as possible, we should use the best evidence rule commonly applied by the court, which is, briefly, "The original document is the best evidence." Because we are not limited by rules of procedure established for court use, we are free to consider any fact however presented which may have the

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effect of inducing the inference that another fact does or does not exist. In a field office we are continually reviewing evidence and other facts which lead us to conclusions similar to those which a legal tribunal would draw from the same set of facts. However, the staff of the field office may consider all the facts and the inferences that may be drawn therefrom without questioning whether such facts would be barred or included under the accepted rules of evidence.

Several cautions can properly be given in connection with our work as a fact-finding office which uses the types of evidence just described. Statements made to an interviewer should invariably be examined for reasonableness and apparent truth. A critical faculty undisturbed by prejudices or bias, neither overly skeptical nor altogether credulous, should be developed. Judgment should be reserved until all other facts in the case have been assembled and studied so as to present an integrated picture. Documentary evidence is more readily adjudicated by its very nature as a tangible record of events or conditions. It should be carefully examined for possible inconsistencies or errors. Obviously, this type of evidence leads to conclusions more likely to have a factual basis than the testimony of parties whose memory or knowledge of the facts may be faulty.

Evidence based on first-hand, sensory perceptions should offer no difficulties in presentation. The observer should be very careful to confine

himself to what he saw or heard and not embellish his report with what he thought he saw or believed he heard.

The recognition that our work consists in large part of ascertaining certain facts does not imply that our job is on that account the more prosaic and uninteresting. A keen investigator enjoys a penetrating search after truths. The establishment of a fact as such, incontrovertible and beyond reasonable doubt, and its correlation with other facts can be a fascinating occupation. If the investigator cultivates such an attitude toward his job, the apparently colorless and run-of-the-mill case becomes an adventure in fact finding. His efficiency and worth to the organization will increase directly with his absorption in each detail of the job. There is still a broad field for the planner, the theorist, and the idealist. Nothing in these remarks is intended to reflect upon the worth of any plans, or theories, or ideas. I have simply tried to emphasize how the immediate and practical necessities of our work demand a fact-finding approach. The facts must be established in the multifarious cases which go over our desks. The mental discipline entailed in a fact-finding job is of immeasurable worth in our education and training. The asylums are full of individuals who are unable, or afraid, to face realities in their own lives. It should contribute to our own development to learn to search out and face realities in the details of our daily work.