

SEIs



Statements of
Economic
Interest
("SEIs")
for Judges

The Good News...

- Online filing 1/1/11.
- Online education 1/1/11.
- Removal of notarization requirement.
- Form redesign.



Form Redesign Prototype

A screenshot of a 'PERSONAL FINANCE DISCLOSURE STATEMENT' form. The form is titled 'STATE OF NORTH CAROLINA' and 'PERSONAL FINANCE DISCLOSURE STATEMENT'. It contains various sections for personal information, financial assets, and liabilities. The form is presented as a prototype with a light gray background.

The Bad News...

Everyone files a
“Long-Form” in
2011!



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And More Bad News...



- Two new questions related to campaign contributions and campaign-related activities.

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And More Good News...

- The new questions apply to very few of you!



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The Basics



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General Reminders

- You must use the current-year form.
- Forms cannot be faxed or emailed; must be mailed, delivered, or filed through our website.
- An SEI must be filed annually, generally by April 15.
- Candidate filing deadlines are tied to SBOE deadlines.

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What are we looking for?

- Complete answers for every single question.



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What is the Deadline?

Generally your form is due every year on

APRIL 15

Please keep a copy!



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General Principle

- It is always better to *overdisclose* than to *underdisclose*!
- Err on the side of too much info rather than not enough.



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Frequently Asked Questions



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FAQ – Immediate Family

- Immediate Family
 - Only list those living in your household.
 - Adult children at college? List them if you claim them as dependents on your Income Tax Return.



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FAQ – Stocks, IRAs, Mutual Funds



- These types of assets do not have to be listed because you exercise no control over the specific stocks purchased.
- You do have to list *income* from such assets, if over \$5,000, in another question.

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FAQ – Business-owned assets

- If you are a partner in a company that owns real estate, you do not list the company's real estate holdings on the real estate question; it only requires disclosure of real estate owned directly by you or your immediate family.



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FAQ – Business-owned assets



- You do, however, have to answer other questions about your business interests, such as whether you are a partner, LLC member, etc., whether the entity does business with the State, on another question.

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FAQ – Second Mortgage

- A second mortgage is another form of “debt on primary residence” and is not reportable.



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FAQ – Vacation Home



- Debt on a vacation home or other secondary residence is reportable.

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FAQ - Organizations

Do not list those of which you are a mere member or donor!

Indicate the office you hold.

Do not list “State” boards – those covered by the State Government Ethics Act and others.



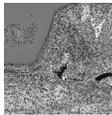
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FAQ – Judges in Multiple Roles

- Example: If you are appointed to serve on the Domestic Violence Commission, as a member of that body, you must answer all SEI questions, even those you did not answer when filing as a judge.



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FAQ – Judges in Multiple Roles

- Even though you do not respond to certain SEI questions because of your judicial role, you must respond to those questions when completing the form in the role of a public servant (e.g. board member).
- Request and complete a “Multiple Coverage Supplement” for your secondary role.

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FAQ – Judges in Multiple Roles

- The Multiple Coverage Statement is a short form (3 questions) which addresses the relationship, if any, between your day-to-day life, and your role as a public servant.
- Do you have a connection with the board you serve on? Do they regulate your profession? Are you an officer in a related entity over which this board has jurisdiction?

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FAQ – Judges in Multiple Roles

- Example: If you are on the Board of Directors of the Shelter for Women, which receives funds from the Domestic Violence Commission, that would need to be disclosed, because it is a potential conflict of interest.



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Questions N/A to judges



Are you or members of your immediate family licensed or regulated by or do you have a business relationship with your state board or employing entity?

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Questions N/A to judges

- Are you or members of your immediate family a director, officer or gov board member of any society, org or advocacy group which has an interest in issues over which your agency or board may have jurisdiction?



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Questions N/A to judges

- Have you accepted a scholarship (grant in aid) to attend a conference, meeting or similar event, from a donor outside NC, that was related to your public position?



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New for 2011 – Certain Campaign Contributions

- Were you appointed to boards covered by the SGEA by a Council of State member (generally the Governor)?



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New for 2011 – Certain Campaign Contributions

- If so, in the preceding calendar year, did you (not immediate family) make contributions with a cumulative total of more than \$1,000 to the Council of State member who appointed you?



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“Contribution”

- N.C.G.S. 163-278.6(6): include, but are not limited to “any advance, conveyance, deposit, distribution, transfer of funds, loan, payment, gift, pledge or subscription of money or *anything of value whatsoever.*”

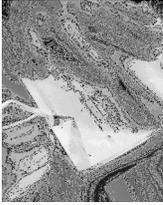


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New for 2011 – Certain Campaign Contributions



- If so, you must list all such contributions, by date, amount and beneficiary.

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New for 2011 – Certain Campaign Fundraising

- Are you now, or a prospect to be:
 - The head of a principal state dept (e.g. cabinet) appointed by the Gov;
 - A Supreme Court Justice, Ct App, Superior or District Court Judge or

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New for 2011 – Certain Campaign Fundraising

- A member of any of the following boards:
 - ABC Comm
 - Coastal Resources Comm
 - State Board of Education
 - State Board of Elections
 - Employment Security Comm
 - Enviro Management Comm
 - Industrial Comm
 - State Personnel Comm
 - Rules Review Comm
 - Board of Transportation
 - UNC Board of Governors
 - Utilities Commission
 - Wildlife Resources Comm

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New for 2011 – Certain Campaign Fundraising

- If so, were you appointed to, or are you being considered for appointment to your public position by a Council of State member?
- If so, you must indicate whether during the preceding calendar year you (not immediate family) engaged in any of the following activities re the candidate or committee of the person who appointed you:

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New for 2011 – Certain Campaign Fundraising

- Collected contributions from multiple contributors, took possession of same, transferred or delivered same to candidate or committee?
 - Yes or no response only



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New for 2011 – Certain Campaign Fundraising



- Hosted a fundraiser at your residence or place of business?
 - Yes or no response only
- Volunteered for campaign-related activities, including phone banks, event assistance, mailings, etc.?
 - Yes or no response only

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Danger Zone

Gifts

Gift rules are very complicated. Some gifts fall under exceptions – you may receive them – however, reporting may be required. If in doubt, call us!



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Catchall Question

- (Previously #19.)
Optional question.
Purpose – anything that looks bad on the Internet? Think about what a reasonable person might think is “fishy.”
Disclose it and let us comment on it. It is unlikely to prevent you from serving.



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No-Change Form

- Who can file a no-change form? If we have a long-form on file for you, and none of your responses will differ, you may use this form.
- You do not have to inform us of things you could remove from your answers.
- You do not have to inform us of a drop in stock values.

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No-Change Form

- We do need to know, for example, if you are elected as an officer of an organization, have new contact info, have a change in who lives with you, a new income source, lobbyist registration...



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Call us!



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email: ethics.commission@doa.nc.gov

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