



NEW CASTLE COUNTY ETHICS COMMISSION

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Wilmington, Delaware 19850

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September 26, 2019

Barbara W. Lippincott  
Manager, Elections Unit  
Dept. of Elections, New Castle County Office  
820 N. French St, Suite 400  
Wilmington, DE 19801

RE: Financial Disclosure Filing for Candidates for New Castle County Office

Dear Ms. Lippincott:

The New Castle County Ethics Commission is requesting that you make all candidates for New Castle County elected office aware that *New Castle County Code* Section 2.03.106.B requires any candidate for elected office in New Castle County to file a Statement of Financial Interests (“SFI”) with the New Castle County Ethics Commission (“Commission”) within seven (7) calendar days after the last day for giving notice of candidacy per 15 *Del.C. Section 3106*.<sup>1</sup> If such a filing is not made, a successful candidate shall not be allowed to take the oath of office, enter upon duties of the office, or receive compensation from funds of New Castle County.<sup>2</sup>

If a Statement of Financial Interests is not timely filed or remains deficient after a ten (10) day corrective notice period, a civil penalty of ten dollars (\$10.00) per day may be imposed for each calendar day that the SFI remains delinquent or deficient. The candidate must pay such penalty before the Commission may accept the SFI filing from that candidate.<sup>3</sup>

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<sup>1</sup> *New Castle County Code* Section 2.03.106.B states: “Each candidate for County office shall file a statement of financial interests for the preceding calendar year with the Commission not later than seven (7) days after the last day for giving notice of candidacy pursuant to 15 Del. C. § 3106 (Filing of candidacy for nomination at a primary election).”

<sup>2</sup> *New Castle County Code* Section 2.03.106.D states, in pertinent part: “No County official, candidate for County office, or employee shall be allowed to take the oath of office or enter or continue upon his or her duties, nor shall he or she receive compensation from County funds, unless he or she has filed a statement of financial interests as required by this division.”

<sup>3</sup> See fn. 2, above. Further, *New Castle County Code* Section 2.03.106.D.1-3 states, in pertinent part:

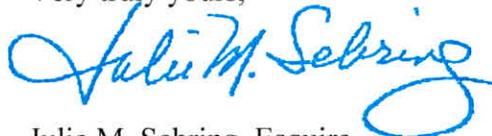
1. If the Commission determines that a filing has not been made or that a filing is deficient, the Commission shall provide a written notice to the individual required to file, identifying the deficiency or delinquency and reciting the penalties for failure to file.
2. The individual notified in accord with Subsection D.1. has ten (10) calendar days from the mailing date of the notice to correct the delinquency or deficiencies.
3. If the individual fails to file or correct the noted deficiencies by the conclusion of the ten (10) day period, the Commission may issue a notice by certified mail to the individual that a civil penalty of ten dollars (\$10.00) per day is being imposed for each calendar day the statement of financial interests remains

The Statement of Financial Interests and accompanying instructions are available from the Ethics Commission office or from the Commission's SFI filing website linked to [www.nccethics.org](http://www.nccethics.org). Electronic filing is mandatory unless permission is received in advance from the Commission to submit a hard copy SFI.<sup>4</sup> If a candidate is given permission to file a paper SFI,<sup>5</sup> the SFI must be mailed to the post office box listed in the letterhead or delivered to the Commission office, which is located near the New Castle County Government Center in the Gilliam Building, 77 Read's Way, New Castle, DE 19720. The Commission does not accept a faxed SFI. Should a candidate have any questions about the SFI, the candidate may contact Ms. Alison Lewis, the Confidential Assistant to the Ethics Commission, at the Commission office by calling (302) 395-5127, Tuesdays through Thursdays.

***For the 2020 election season, the New Castle County Ethics Commission is offering to any candidate for New Castle County office the opportunity to learn about the County Ethics Code. This 2-hour training will be offered free of charge. This training will cover Ethics Code issues which may be encountered while campaigning, during transition into office, and matters which may arise upon taking office and thereafter. The Ethics Commission anticipates that every New Castle County candidate will take advantage of this opportunity. For more information and scheduling of this training, contact the County Ethics Commission's Legal Counsel, Julie M. Sebring, Esq., at (302) 932-8719, or the Commission's Confidential Assistant, Ms. Alison Lewis, at (302) 395-5127.***

Thank you for your cooperation in this matter. Copies of a current Statement of Financial Interests and instructions are enclosed with this letter. If you require further information, please contact me.

Very truly yours,



Julie M. Sebring, Esquire  
Counsel to the Ethics Commission

Enc.

cc: Paula Jenkins-Massie, Chair

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delinquent or deficient beyond the ten-day period. The individual shall pay any such penalty before the Commission may accept a filing from the individual.

<sup>4</sup> *New Castle County Code* Section 2.03.107.B states, in pertinent part: "The statement of financial interest shall be filed by electronic means provided by the Commission. In such filings an electronic signature shall substitute for the requirement of a handwritten signature. Electronic filing and electronic signatures as provided by the Commission shall be interpreted and enforced in accord with the Delaware Uniform Electronic Transactions Act. 72 Del. Laws, c. 457, §1; 73 Del. Laws, c. 329, §8, which is hereby adopted by reference with the exception of the definition of the term "transaction" which shall be as defined in Section 2.03.102 of this Division. ..."

<sup>5</sup> *New Castle County Code* Section 2.03.107.B states, in pertinent part: "Upon request for good cause shown, the Commission may permit a filer to submit a signed paper version of the statement of financial interests for filing."