

2020 Financial Disclosure Statement

Frequently Asked Questions

Local Government Officers FAQs

Q1. Am I required to file a financial disclosure statement (FDS)?

A. If your local government entity has determined that you are a “local government officer,” a classification that is defined in the Local Government Ethics Law, you must annually file a financial disclosure statement. More information concerning which elected and appointed positions may be subject to the annual filing requirement is contained in [Local Finance Notice 2020-03](#).

Q2. I believe that my local government entity incorrectly classified me as a local government officer. What should I do?

A. First, review the guidance provided in [Local Finance Notice #2020-03](#) to understand which positions are required to file. If you have any further questions as to your status, you should then contact your local government entity representative (LGE Representative) directly (e.g., municipal clerk, county clerk, etc.) to resolve any issues. Local Finance Board staff is unable to make changes to a roster and does not make specific assessments as to which locally appointed individuals are deemed local government officers. Subject to the guidance provided in [Local Finance Notice 2020-03](#), the classification process is a local function.

Q3. Are there any exemptions to the filing requirement if I am designated as a local government officer?

A. No. If you are classified as a “local government officer,” you must annually satisfy the filing requirement.

Q4. Are there any exemptions for law enforcement officers?

A. No. Any law enforcement officer who is classified as a local government officer must complete an annual financial disclosure statement. However, law enforcement officers shall mark the designated checkboxes in the real property section of the form (Section E) and the home address will be redacted from the public forms.

Q5. I file an FDS for the School Ethics Commission and/or State Ethics Commission. Do I still have to file the form from the Local Finance Board?

A. Yes, if you are classified as a local government officer you must file the form designated by the Local Finance Board, available at www.fds.nj.gov, in addition to other financial disclosure statements that you are required to file for other positions.

Q6. Can I file a paper copy of the FDS?

A. Since 2013, the FDS filing system has been an electronic system only. There are no paper forms of the FDS.

Q7. When I go to register, I receive an error message that says “First Name, Last Name or PIN did not match. Please verify and try again.” What does this mean?

A. The name entered on the roster by the LGE Representative must match the name you use to register. For example, if the LGE Representative listed you on the roster as “Robert Doe,” you

would have to register with Robert Doe and not Bob Doe, Robert Doe, Esq., etc. Please verify with your LGE Representative how they listed your name on the roster and, additionally, if he or she spelled your name correctly.

Q8. When I go to register, I receive an error message that says “user id is already in use.” What does this mean?

A. An e-mail address can only be registered once. If you receive the error message that says “user id is already in use, “this means that you have previously registered using that e-mail address. Instead, login with that e-mail address and password that you previously established. If you have any additional PINs, go to the “Manage Positions” section and add the new PINs.

Q9. When I validated my PIN# and created a login ID, I used an email address for my login ID that I would now like to change. However, I don’t see a way to change the login ID.

A. At this time, you cannot change the e-mail address used as your login ID. Your Clerk/LGE Rep can change the login ID e-mail address for you.

Q10. I forgot my password. What should I do?

A. On the login page, under the login button, you will see a “forgot password” button. Click on the forgot password button and enter your e-mail address. Your password will be e-mailed to you. Be sure to check your spam and junk folders. Your LGE Representative can also reset your password.

Q11. The term limit on my FDS is wrong. How can I edit it?

A. Only the LGE Representative (i.e. municipal clerk) can edit the “term expires” section on the FDS, as it is a field the LGE Representative fills out when entering the LGO on the roster. Please contact your LGE Representative to have it changed.

Q12. I serve as the municipal attorney for a municipality, but I have assigned one of my law firm’s associate attorneys to attend meetings and provide day-to-day legal services to the municipality. I understand that I am required to file an FDS, but does my associate also have to file an FDS?

A. The attorney appointed to represent the local government entity and any other attorneys within the law firm who regularly provide law related services to the entity must file an FDS. The typical scenario is one where a partner is appointed by the client to serve as municipal attorney, but the account is assigned to an associate who attends meetings, takes phone calls, provides legal opinions, and performs other law related services for the client. In contrast, other attorneys within the law firm who provide no services to the client would not be required to file an FDS.

Q13. I forgot to include on my FDS a vacation property that my wife and I own in Cape May County. Can I amend my FDS?

A. Yes, you may amend a filed FDS by logging in again, select “amend,” and click through each FDS screen until you get to the screen you would like to amend. Once the additional information is added, continue through each screen and submit the FDS again. The original FDS will remain on file for public viewing as a record must be kept of each filing.

Q14. Am I required to disclose my timeshare ownership in Section II, part E. of the FDS, where I would list the address and a brief description of all real property in the State of New Jersey in which an interest was held?

A. The answer depends on the nature of the timeshare interest under the New Jersey Real Estate Timeshare Act (N.J.S.A. 45:15-16.50, et seq.). Your timeshare interest may qualify as an interest in real property if your timeshare interest is a “timeshare estate.” Relevant questions to ask yourself include: Was your interest conveyed by deed? Does the timeshare interest pertain to a single timeshare property or does the timeshare plan include multiple sites? Please consult your personal attorney for additional guidance.

Q15. What is considered income for the Sources of Income section “Section II. Financial Information, Subsection A”?

A. Per N.J.S.A. 40A:9-22.6 (a)(1), “each source of income, earned or unearned, exceeding \$2,000 received by the local government officer or a member of his immediate family during the preceding calendar year” should be reported on the FDS in Section II. Financial Information, Subsection A.

Sources of income could include, but are not limited to:

- Salaries
- Social Security
- Pension
- Unemployment
- Rental Income (i.e. income received from rental properties)

Q16. Should I list my stocks under the Sources of Income section?

A. If a publicly traded security is the source of income, the security need not be reported unless the local government officer or member of his immediate family has an interest in the business organization. Per N.J.S.A. 40A:9-22.3(d), “interest” means the ownership or control of more than 10% of the profits, assets or stock of a business organization but shall not include the control of assets in a nonprofit entity or labor union.

Q17. I am self-employed. What do I put in the section for Source of Income?

A. List the name of the business. The names of individual clients are not required. Do not state self or spouse as a source of income; you must state from where (i.e. the name of the company) the income is derived.

Q18. Do I have to list my spouse’s source of income?

A. Yes. You must list the sources of income for yourself and any members of your immediate family, including spouse and dependent children residing in the same household, during the preceding calendar year.

Q19. I am a Councilmember and receive a salary from my municipality. Do I have to list the name of the municipality as a source of income?

A. Per N.J.S.A. 40A:9-22.6 (1), LGOs are required to list each source of income, earned or unearned, exceeding \$2,000 received by the local government officer or a member of his immediate family during the preceding calendar year. If you received over \$2,000 annually from

any sources, including from the local government which requires your filing, you need to list the name of the local government on your FDS in Section II.

Q20. I receive Social Security payments. What address do I list?

A. The most common unearned income payments are received from Social Security, State of New Jersey, and federal pensions. You may use these addresses for those organizations:

US Social Security Administration
2100 M Street
Washington, DC 20037

NJ Division of Pensions and Benefits
P.O. Box 295
Trenton, NJ 08625

Office of Personnel Management (for federal pensions)
1900 E Street
Washington, DC 20415

Q21. I serve as an elected official in my town, and I also serve as a commissioner with our joint insurance fund. What is the procedure for registering my LGO user account?

A. In this scenario, you are considered a local government officer by two distinct local government entities (municipal government and joint insurance fund). Each entity will assign you a unique PIN#; however, you will create a single LGO profile/account. You simply validate one of the PIN#,s, create your LGO profile/account, and then validate any additional PIN#,s assigned to you using the “Manage Positions” button. The FDS system electronically handles the process of linking your FDS to all of the rosters on which your name appears as an LGO. More detailed instructions and a brief LGO training video are available at www.fds.nj.gov.

Q22. I am unable to review my FDS on my screen when I click the “review” button.

A. Your computer must be enabled to allow “pop-ups” while completing the FDS. Instructions to change the “pop-up blocker” setting differ depending on the Internet browser being used (e.g., Explorer, Firefox, or Safari). Local Finance Board staff is unable to provide specific instructions on your computer system.

Q23. Can the FDS be filed or the FDS system accessed overseas?

A. The FDS website cannot be accessed outside the United States.