

Form 700 Instructions for Department of Justice Filers

Please carefully review the following instructions for filing a Fair Political Practices Commission (FPPC) Form 700 with the Department of Justice (DOJ). A Form 700 that is incomplete or contains errors may be rejected.

1. **Access DOJ Conflict of Interest Code:** Open the DOJ Conflict of Interest Code, which is available on the DOJ Intranet at <https://mydoj.int.doj.ca.gov/for-the-job/administrative-services/form-700-statement-economic-interests> and online at <https://oag.ca.gov/conflict-interest/form700>.
2. **Identify Your Disclosure Category:** Go to Appendix A in the Conflict of Interest Code and look for your division, section, and job classification in the Designated Positions list – your Disclosure Category number will be to the right.

Please note that your Disclosure Category depends on the division/section/unit you are assigned to, not just your job title. For example, there are over six different Disclosure Categories for DOJ Auditors, and over six different Disclosure Categories for Deputy Attorneys General.

3. **Review Your Disclosure Requirements:** Go to Appendix B in the Conflict of Interest Code and review your Disclosure Category – this will describe what you are required to report on your Form 700.
 - a. Please note that any Form 700 instructions or guidance written by the FPPC is generic material designed for use by all state agencies. Your DOJ Disclosure Category may exempt you from reporting interests described in the generic FPPC material. For example, if you are in Disclosure Category 2, 3, 4, 7, 8, 9, 11, 12, 13, 14, 15, 17, 18, or 19, you do not need to complete Part 4 of Schedule A-2, or any part of Schedule B, because you are not required to report real property interests.
 - b. If you are in Disclosure Category 3 or 6 (Licensing Section; Health Quality Enforcement (HQE) Section; Health, Education and Welfare (HEW) Section; Employment and Administrative Mandate (EAM) Section; Cannabis Control Section; and Land Use and Conservation Section), the Conflict of Interest Code Client List for your section is available on the DOJ Intranet at <https://mydoj.int.doj.ca.gov/for-the-job/administrative-services/form-700-statement-economic-interests> and online at <https://oag.ca.gov/conflict-interest/form700>.
4. **Access Form 700:** The Form 700 is attached to the notice e-mail you received from the DOJ Form 700 team and is also available on the DOJ Intranet at <https://mydoj.int.doj.ca.gov/for-the-job/administrative-services/form-700-statement-economic-interests> and online at <https://oag.ca.gov/conflict-interest/form700>. If you download the Form 700 from the DOJ Intranet or online, you must open it with Adobe Acrobat, and not a web browser, in order to complete and digitally sign it.

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Please carefully review the instructions included in the Form 700 and the additional guidance on the DOJ Intranet at <https://mydoj.int.doj.ca.gov/for-the-job/administrative-services/form-700-statement-economic-interests> and online at <https://oag.ca.gov/conflict-interest/form700>. **This material contains answers to many common Form 700 questions.**

5. **Complete Your Form 700:** Complete the Cover Page plus any applicable Schedules.

Your Form 700 is legally a public document. You may choose to list your work addresses and phone number in Section 5 (Verification) of the Cover Page instead of your personal addresses and phone number.

6. **File Your Form 700**

- a. Complete the Cover Page plus any applicable Schedules using the Form 700 attached to your notice e-mail. This is the current version of the FPPC Form 700. Do not use a prior version.
- b. **Digitally sign** the bottom of the Cover Page using your DOJ Adobe digital signature, for example:

Signature Jane Doe Digitally signed by Jane Doe
Date: 2023.02.10 13:03:35 -0800*
(File the originally signed paper statement with your filing official.)

- c. Send your digitally signed Form 700 to Form700Submission@doj.ca.gov from the same address where you received your filing notice.

Your Form 700 will not comply with FPPC regulations and thus will be rejected if your submission does not meet these requirements. If you are unable to submit your Form 700 using this procedure, please contact Form700FilingOfficer@doj.ca.gov for alternate instructions.

7. **Filing Deadline:** Failure to file your Form 700 by the deadline specified in your notice e-mail could result in a \$100 late penalty from DOJ and an additional \$5,000 fine from the FPPC.

8. **Important Reminders**

- a. Even if you have no reportable interests, you must still file a Form 700 Cover Page. In Section 4 (Schedule Summary) of the Cover Page, check the “None” box to confirm you have no reportable interests on any schedule.
- b. List the total number of pages (Cover Page plus Schedules, if any) you are filing in the “Total number of pages including this cover page” blank in Section 4 (Schedule Summary) of the Cover Page.

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- c. Digitally sign the bottom of the Cover Page in Section 5 (Verification).
- d. Make sure to disclose reportable interests for your spouse (or registered domestic partner) and dependent children. See pages 4-5 below for further information.

9. **Filing Assistance:** **Please carefully review the instructions and guidance documents** that are attached to your filing notice e-mail and available on the DOJ Intranet at <https://mydoj.int.doj.ca.gov/for-the-job/administrative-services/form-700-statement-economic-interests> and online at <https://oag.ca.gov/conflict-interest/form700>. **This material contains answers to many common Form 700 questions.**

If you would still like assistance after reviewing them, send an e-mail to Form700FilingOfficer@doj.ca.gov. If you have substantive questions about whether or how to report specific interests on your Form 700, you must include the following information:

1) Your DOJ division and unit/section, job classification, and Conflict of Interest Code Disclosure Category

and

2) Detailed information about the interest(s) you are inquiring about, including but not limited to the amount and source.

We cannot answer substantive questions without this information.

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Additional Tips on Family Interests and Gifts

Some of the most common misunderstandings about Form 700 reporting relate to family members' economic interests and gifts. Below are some informational tips on these issues.

Family Economic Interests

State law requires you to disclose certain economic interests held by your spouse (or registered domestic partner) or dependent children (children under 18 who can be claimed as dependents on your federal tax return).

Real Property and Investments

Your reportable economic interests can include real property and investments held by your spouse or dependent children. For example, if you, your spouse, and dependent children together own 10% or more of a business or trust, you may be required to report real property or investments held by that business or trust. This can be true even if your spouse's real property and investments are legally separate property rather than community property.

Income

The rule is different for income. You have no reportable interest in your spouse's income if it is legally separate property, or in the income of your dependent children. However, you may have a reportable interest in 50% of your spouse's income if it is community property.

Gifts to Family

Gifts to Family Members

Generally, your Form 700 must report a gift given to your spouse, registered domestic partner, or certain children (dependent children, as well as some older children if they are students living with you) when you: (a) receive a financial benefit from the gift, (b) use the gift (other than minimally), or (c) control the gift (e.g., tickets given to your family at your request).

This rule does not apply if all three of the following conditions are met: (1) the recipient of the gift has an independent established relationship with the donor, (2) the donor does not lobby DOJ, and (3) the donor is not involved in an action or governmental decision by DOJ in which you will participate or have participated during the 12-month period preceding the gift.

Gift Reporting and Calendar Year Limit

Your Form 700 must report gifts you receive from a source covered by your Disclosure Category if those gifts total \$50 or more during the reporting time period. State law also prohibits you from accepting gifts from a source covered by your Disclosure Category if the total value of

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those gifts equals or exceeds a certain amount in a calendar year. (The FPPC adjusts this calendar year gift limit for inflation every two years. The calendar year limit for 2023 and 2024 is \$590.)

There are no geographic exemptions to the gift reporting requirement or calendar year limit. For example, a meal from an out-of-state professional acquaintance or a ticket from a company not doing business in California is still reportable and subject to the calendar year limit if the source is covered by your Disclosure Category.

Example 1

If you are in Disclosure Category 1 or 2, all gifts are reportable and subject to the calendar year limit unless the source is exempt by law (e.g., various relatives; see FPPC Form 700 instructions for Schedule D). This means you cannot accept a \$595 round-trip airline ticket from a professional acquaintance to attend a wedding because it exceeds the calendar year gift limit, and the acquaintance is not an exempt source. You must either decline the ticket or reimburse the acquaintance at least enough to bring the value below the applicable calendar year gift limit. Gifts that are only partially reimbursed still count toward the \$50 gift reporting threshold and the calendar year limit on total gifts from that source.

Example 2

If you are in Disclosure Category 19, the gift reporting requirement and calendar year limit apply only to “healthcare entities.” This means that for you, airline tickets from professional acquaintances are not reportable as gifts or subject to the calendar year gift limit unless they are in the healthcare industry. By contrast, if a healthcare company gives you tickets to a concert, those are reportable as gifts and subject to the calendar year gift limit even if the company operates exclusively outside of California.