

0-43-76

STATE OF NEW JERSEY
ELECTION LAW ENFORCEMENT
COMMISSION
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March 3, 1977

Marvin D. Perskie, Esq.
Messrs. Perskie & Callinan
3311 New Jersey Avenue
Wildwood, New Jersey 08260

Re: The New Jersey Campaign Contributions and Expenditures
Reporting Act, Chapter 83, Laws of 1973, as
Amended and Supplemented ("the Act")
Your Letter Dated November 5, 1976
Opinion #(0-43-76)

Dear Mr. Perskie:

This is in reply to your letter dated November 5, 1976. While the New Jersey Election Law Enforcement Commission ("the Commission") cannot issue a formal opinion without a request, I had discussed this question with you by telephone prior to the receipt of the request for opinion.

Expenditures incurred in the course of prosecution, either as plaintiff or defendant, of proceedings in court or before administrative agencies, do not constitute expenditures in respect of a public question in the circumstances described in your letter and the reasonable and necessary legal expenses attributable to such litigation are not subject to the reporting or other requirements of the Act.

Nothing herein contained should be construed to permit the non-disclosure of legal expenditures, as well as other expenditures, in aid or furtherance of a candidacy or in respect of a public question. The expenses involved in reviewing the Act on behalf of a committee or a candidate, or in assisting in preparation of reports required to be filed under the Act, are examples of expenditures which would be subject to the reporting and other requirements of the Act. In the event that reporting is required, the voluntary services of an attorney would not be subject to reporting, but an allocated proportion of the time of all salaried lawyers and non-lawyer personnel and the reasonable value of the use of duplicating and similar services would be required to be included within the report.

Yours very truly,
Edward J. Farrell
Edward J. Farrell
Legal Counsel

EJF:jj