

Dear Mr. Kearns:

The State Ethics Commission has received your E-mail sent on April 24, 2001, wherein you request an advisory under the Public Official and Employee Ethics Act, 65 Pa.C.S. §1101 et seq. This is to advise that the Commission will not docket a request submitted by e-mail, due to the Commission's concern about unauthorized and third party advisory requests.

Pursuant to Sections 1107(10) and (11) of the Ethics Act, only the following may request an advisory: (1) the person whose conduct is in question or his authorized representative; (2) the appointing authority of the person whose conduct is in question through majority action; or (3) the present employer of the person whose conduct is in question. Additionally, an advisory may only be given as to future conduct.

E-mail presents a risk that unauthorized or third party requests will go undetected. Therefore, for the protection of those whose proposed conduct would be reviewed, all advisory requests must be submitted via conventional mail/delivery methods.

Since a court reporter is not a public official/public employee under the Ethics Law, we have no jurisdiction as to the matter you pose. I would suggest that you contact your local District Attorney or the Office of Attorney General.

Very truly yours,

Vincent J. Dopko
Chief Counsel