

Frequently Asked Questions

Civil Division

Will the State of Delaware Department of Justice (“DDOJ”) provide me private legal representation?

By law, DDOJ may not represent private citizens in civil legal disputes or provide legal advice or other legal services to members of the public. The Delaware Lawyer Referral Service may be able to assist you in retaining a Delaware attorney with expertise relevant to your situation. The Lawyer Referral Service can be reached at (302) 478-8850.



Does DDOJ oversee private attorneys?

No. The State of Delaware’s Office of Disciplinary Counsel assists our courts in the regulation of the practice of law in Delaware. If you have a complaint about the actions of an attorney, contact the Office of Disciplinary Counsel at (302) 651-3931.

I have a question about the Freedom of Information Act (“FOIA”). Does DDOJ help the public with these questions?

Yes. Please review Frequently Asked Questions regarding FOIA [HERE](#), our Brochure [HERE](#), and in addition, you may review our FOIA Policy Manual [HERE](#).

I have a complaint about a state agency. Can DDOJ take action against it?

Possibly. By law, the Civil Division of DDOJ is charged with representing and defending state agencies, their officers, and employees. The policies, procedures and actions of state agencies are not subject to direction by DDOJ. Many agencies have ombudsmen or complaint resolution procedures available to Delaware citizens. Ultimate oversight of state agencies is maintained by the Office of the Governor and the Delaware General Assembly. If you believe that your civil rights are being violated, you may complete an online complaint form [HERE](#). If you believe that the State of Delaware, its agencies or employees are causing you any form of injury, you should also seek private legal counsel to investigate your concerns and advise you.

Who can enact or change state laws? How can I contact them?

The Delaware Constitution provides the Delaware General Assembly with sole authority to pass, and amend, the statutes that comprise the Delaware Code. You should contact your state representative and state senator with your concerns and suggestions.

Where can I find copies of state and federal laws?

You can access the Delaware Code at <http://delcode.delaware.gov>. For additional information about Delaware statutes, you may wish to contact or visit the Legislative Library. The Library, which houses all state and federal codes and statutes, can be reached at (302) 744-4308 or via the internet [HERE](#).

What is an Attorney General's Opinion?

While the vast majority of legal advice generated by the Civil Division is privileged pursuant to the Attorney-Client Privilege or may otherwise be entitled to other forms of confidentiality, the law of Delaware permits DDOJ the ability to issue public legal opinions to “administrative offices, agencies, departments, boards, commissions, and officers” of Delaware government. An Attorney General’s Opinion is a public legal opinion. The decision to provide an Attorney General’s Opinion is entirely discretionary and only those specifically listed in the statute are permitted

to request such an opinion. *See 29 Del. C. §§ 2504 (2) and 2512 (c)*; you may view these statutes [HERE](#). In addition to discretionary Attorney General's Opinions, the Freedom of Information Act requires the issuance of Attorney General's Opinions in response to appeals.

How can I receive a copy of an Attorney General's Opinion?

Attorney General's Opinions are published on our website [HERE](#).

What is the Criminal Nuisance Abatement Act and how can I seek DDOJ's assistance in addressing a nuisance property in my neighborhood?

Delaware law permits DDOJ the ability to file civil suit to end certain forms of illegal conduct (such as drug dealing, use, or the promotion of these and other criminal behaviors) at business and residential locations. You may read the Criminal Nuisance Abatement Act [HERE](#). If you believe a specific criminal nuisance exists and you'd like DDOJ to review the matter, please fill out the online form [here \(need to build function\)](#) or provide DDOJ with a confidential report by calling (302) 577-8500 or by emailing criminal.nuisance@state.de.us.

What is the Delaware Civil False Claims Act and how can I report fraudulent conduct affecting the State's funds?

Patterned after a nearly identical federal law, this important tool allows the State and/or a whistleblower to bring civil suit to end certain types of fraudulent conduct that affects the expenditure of public funds. You may read the Delaware False Claims and Reporting Act [HERE](#). If you are aware of a potential violation of the Delaware False Claims and Reporting Act and you'd like DDOJ to review the matter, please fill out the online form [here \(need to build function\)](#) or contact _____.

Is there a State agency that I can contact if I think I have been discriminated against in housing or in places of public accommodation?

If you believe you have been discriminated on the basis of race, age, marital status, creed, color, sex, handicap, sexual orientation, gender identity, or national origin in matters pertaining to housing, or to the provision of goods, services or facilities in a place of public accommodation, you can file a complaint with the Division of Human Relations. You may review the Delaware statutes relating to Equal Accommodations and the Fair Housing Act through the following links:

[Equal Accommodations](#)

[Fair Housing](#)

Is there a State agency that I can contact if I think I have been the victim of unlawful employment practices?

If you think you have been discriminated against in an employment matter, you can contact the Delaware Department of Labor or the federal Equal Employment Opportunity Commission to get information about filing charge of discrimination. If your question pertains to other employment practices, you should contact the Delaware Department of Labor's Office of Anti-Discrimination Frequently Asked Questions website [HERE](#). If you are a Merit employee you may access the Human Resources Management website [HERE](#) to access the Merit Rules and Merit Appeal Form.