

**CONFLICT OF INTEREST CODE
FOR DESIGNATED EMPLOYEES
OF THE
SUPREME COURT OF CALIFORNIA
(Revised effective XXXX, 20XX)**

The Political Reform Act (Gov. Code, § 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, [California Code of Regulations, title 2, section 18730](#), which contains the terms of a standard conflict of interest code (“Standard Code”), and which can be incorporated by reference into an agency’s code. After public notice and hearing, the Standard Code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of the Standard Code, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. (Cal. Code Regs., tit. 2, § 18730.) As adopted and revised by the Supreme Court of California (“Supreme Court”), and approved by the Chief Justice as the code reviewing body (Gov. Code, § 82011, subd. (g)), the Standard Code and the attached appendices shall constitute the Conflict of Interest Code for Designated Employees of the Supreme Court of California.*

The designated employees, contractors, and special consultants listed in Appendix A have been determined to be persons who make or participate in the making of decisions within the Supreme Court which may foreseeably have a material effect on certain economic interests. These persons shall file statements of economic interests, as categorized in Appendix B, with the Clerk / Executive Officer of the Supreme Court as prescribed by the Fair Political Practices Commission and as further described in Appendix C below.

The creation of new positions not yet designated in Appendix A, or changes in the duties assigned to existing designated positions, may constitute a changed circumstance requiring the amendment of this code (Gov. Code, § 87306, subd. (a)) if the new position(s) involves making or participating in decisions within the Supreme Court which may foreseeably have a material effect on certain economic interests or if the changed duties of the existing designated position(s) necessitate a change to the assigned disclosure categories in Appendix A. In addition to obtaining approval for any such amendments, the Clerk / Executive Officer shall, no later than March 1 of each odd-numbered year, submit a report to the Chief Justice identifying any changes in this code. (Gov. Code, § 87306, subd. (b).)

* This code does not establish the disclosure and filing requirements for the justices of the Supreme Court, which are governed by Government Code section 87200 et seq.

Appendix A.
Staff List of Designated Classifications
and
Assigned Disclosure Categories

1. Clerk's Office

a. Clerk/Executive Officer	3,4
b. Assistant Clerk/Executive Officer	4
c. Assistant Clerk/Executive Officer, Information Technology	7
d. Special Consultant	4

2. Attorney Positions

a. All Managing and Supervising Attorney Classifications	1
b. Chambers Attorney/Law Clerk Positions	2
c. Senior or Lead Supreme Court Attorney	2
d. Supreme Court Attorney, Classifications A–D	2
e. Senior Legal Advisor, Committee on Judicial Ethics Opinions	1
f. Legal Advisor, Committee on Judicial Ethics Opinions, Classifications I–IV	2
g. Retired Annuitant	2

3. Judicial Assistants

a. Judicial Assistant to a Supreme Court Justice	8
b. Executive Judicial Assistant to the Chief Justice	8
c. Senior Executive Judicial Assistant to the Chief Justice	8
d. Supervising Executive Judicial Assistant to the Chief Justice	8
e. Retired Annuitant	8

4. Other Operations*

a. Reporter of Decisions	6
b. Library Director	5
c. Supervising Court Systems Administrator	7
d. Special Consultant	1
e. Contractor	1

* Contractors, Special Consultants, or new positions not yet designated above shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Clerk / Executive Officer may determine in writing that a particular contractor, consultant, or new position not yet designated under this code is hired to perform a range of duties that are limited in scope and, therefore, is not required to comply with the broadest disclosure requirements described in this section. Such written determination shall include a description of the individual's duties and, based upon that description, a statement of the extent of disclosure requirements. The individual must comply with all other provisions of this code. The Clerk's determination is a matter of public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Cal. Code Regs., tit. 2, § 18734.)

Appendix B. Disclosure Categories

In this appendix, “positions” includes employee, partner, officer, director, trustee, and any other management position. “Providers” includes business entities and individuals that are manufacturers, distributors, vendors, sellers, lessors, suppliers, contractors, subcontractors, and other providers of the supplies, equipment, real property, and services indicated in the category.

Category 1	Employees assigned to this disclosure category shall report all qualifying investments, sources of income (including gifts, loans, and travel payments), interests in real property, and positions in business entities.
Category 2	Employees assigned to this disclosure category shall report all qualifying investments, sources of income (including gifts, loans, and travel payments), interests in real property, and positions in business entities as follows: If during a reporting period a designated employee did not participate in, or was not required to disqualify from participating in, a case or other assignment in which the employee had a financial interest, as defined by section 87103 of the Government Code, the employee shall sign a statement to that effect under penalty of perjury. This statement shall be filed as the statement of economic interests required by section 5(C) of the Standard Code. An employee who is disqualified from participating in a case or assignment in which the employee had a financial interest shall disclose the disqualifying interest pursuant to section 10 of the Standard Code and file the statement with the Clerk / Executive Officer.*
Category 3	Employees assigned to this disclosure category shall report all qualifying interests in commercial real property.
Category 4	Employees assigned to this disclosure category shall

* See Appendix C.3 regarding the disclosure requirements involving the employee’s supervisor for such disqualifications.

	report all qualifying investments, sources of income (including gifts, loans, and travel payments), and positions in business entities that are providers of office supplies, office materials, office equipment, office furniture, interior decoration and design services, and office services of the type used by this court.
Category 5	Employees assigned to this disclosure category shall report all qualifying investments, sources of income (including gifts, loans, and travel payments), and positions in business entities that are providers of books, publications, electronic databases, supplies, materials, equipment, and related services of the type used by the library of this court.
Category 6	Employees assigned to this disclosure category shall report all qualifying investments, sources of income (including gifts, loans, and travel payments), and positions in business entities that are providers of publishing and printing services, both digital and physical.
Category 7	Employees assigned to this disclosure category shall report all qualifying investments, sources of income (including gifts, loans, and travel payments), and positions in business entities that are providers of information technology, data management systems, networking services, computer software, computer equipment, web hosting, web design, computer consulting services, audio-visual production services, video or telecom supplies, and related hardware of the type used by the Supreme Court.
Category 8	Employees assigned to this disclosure category shall report all qualifying investments, sources of income (including gifts, loans, and travel payments), and positions in business entities that are providers of travel services, hotels, meeting planning services, flights, car rentals, ground transportation, meeting spaces, food

	services, and entertainment of the type used by the Supreme Court.
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Appendix C.

Reporting Instructions

1. Time of filing statements and reporting period

a. Annual Statement: The statement shall disclose the information required in section 3 of the Standard Code for the previous 12-month period. All designated Supreme Court employees, contractors, or special consultants shall file their annual statements by April 1.

b. Statements when assuming office: Under Government Code sections 87200 and 87300, every designated Supreme Court employee, contractor, or special consultant shall file a statement within 30 days after assuming office.

Those persons hired in a new position not yet designated under this code and serving in a position that makes or participates in the making of decisions that may foreseeably have a material effect on any financial interest must file under the broadest disclosure category described under Appendix B within 30 days of their start date. Lesser disclosure is permissible if the Clerk / Executive Officer determines in writing that the individual performs a range of duties that are limited in scope and, therefore, justify the setting of a lesser interim disclosure requirement until the code is amended to reflect the new position. This determination is a matter of public record and shall be retained for public inspection in the same manner and location as this code. (Cal. Code Regs., tit. 2, § 18734.)

c. Statements after leaving offices: Under Government Code sections 87200 and 87300, every former designated Supreme Court employee, contractor, or special consultant shall file a statement within 30 days after leaving office. The statement shall disclose the information required by section 3 of the Standard Code for the period between the closing date of the last statement required to be filed and the date of leaving office.

2. Place of filing statements

Designated Supreme Court employees, contractors, or special consultants shall file the required statements with the Clerk / Executive Officer of the Supreme Court on the Statement of Economic Interests Form 700, FPPC-3, or FPPC-4. The Clerk / Executive Officer shall make the statements available for public inspection and reproduction. (Gov. Code, § 81008.)

3. Manner of Disqualification

Designated Supreme Court employees, contractors, or special consultants who determine that they are disqualified from making or participating in decisions involving a case or assignment because of a disqualifying interest may be required to disclose their disqualification in writing to their supervisor. Pursuant to section 10 of the Standard Code, such disclosure may be limited to the mere fact of disqualification, without disclosing the specific interest involved.

4. Assistance to employees

A designated Supreme Court employee, contractor, or special consultant may request assistance concerning duties under this code from the Fair Political Practices Commission under section 83114 of the Government Code.