

# State of California



## Fair Political Practices Commission

P.O. BOX 807 • SACRAMENTO, 95804 • • • 1100 K STREET BUILDING, SACRAMENTO, 95814

Technical Assistance • • Administration • • Executive/Legal • • Enforcement • • Statements of Economic Interest  
(916) 322-5662                      322-5660                      322-5901                      322-6441                      322-6444

January 31, 1984

Carter J. Stroud, Esq.  
2807 Van Buren Street  
Alameda, CA 94501

Re: Your Request for Advice  
Our File No. A-84-006

Dear Mr. Stroud:

Thank you for your letter of January 13, 1984, requesting confirmation of telephone advice you received from this office.

You are presently the City Attorney of the City of Alameda. The Municipal Court in the City of Alameda has the same jurisdictional boundaries as the City. The Municipal Court Judge is retiring, and you are planning to run for the position. You asked whether any conflict of interest would result from your running.

The Political Reform Act, Government Code Sections 81000, et seq., prohibits public officials from making or participating in governmental decisions in which they have a financial interest in the outcome. See Government Code Sections 87100 and 87103. The Act does not regulate the qualifications of persons running for public office or otherwise speak to the propriety of public officials running for particular positions. Accordingly, there is no conflict under the Political Reform Act if you choose to run for the Municipal Court seat.

There may be other laws or regulations which pertain to this matter; I would specifically refer you to State Bar rules and policies.

If I can be of further assistance, please feel free to contact me at (916) 322-6444.

Sincerely,

A handwritten signature in cursive script that reads "Diane Maura Fishourn".

Diane Maura Fishourn  
Counsel  
Legal Division

DMF:pln

JAN 17 9 59 AM '84

2806 Van Buren Street  
Alameda, CA 94501  
January 13, 1984

State of California  
Fair Political Practices Commission  
1100 Kay Street  
P.O. Box 807  
Sacramento, CA 95804-0807

Dear Ms. Fishbern:

I am the City Attorney of the City of Alameda. The municipal court here has the same boundaries as the City. The Judge is retiring and I am going to file to run for his seat.

You indicated on the telephone that no conflict would result from my running. Could I please have that verified in writing?

Very truly yours,  
  
Carter J. Stroud

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January 18, 1984

Carter J. Stroud  
2806 Van Buren Street  
Alameda, CA 94501

Re: A-84-006

Dear Mr. Stroud:

Your letter requesting advice under the Political Reform Act has been referred to Diane Maura Fishburn, an attorney in the Legal Division of the Fair Political Practices Commission. If you have any questions about your advice request, you may contact this attorney directly at (916) 322-5901.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or unless more information is needed to answer your request, you should expect a response within 21 working days.

Very truly yours,

  
Barbara A. Milman  
General Counsel

BAM:pin