



California Fair Political Practices Commission

July 18, 1989

Constance E. Dove
Executive Director
California Judges Association
1390 Market St., Ste. 208
San Francisco, CA 94102

Re: Our File No. I-89-294

Dear Ms. Dove:

This is in response to your letter of May 12, 1989, requesting that the Commission formally notify court executives, court clerks and the Commission on Judicial Appointments of the exception for filing leaving and assuming office statements of economic interests (Form 721) by judges who are elevated to higher courts.

Enclosed are the following items:

1) A memorandum which is sent to all newly appointed judges regarding the requirement to file statements of economic interests. Earlier this year, a footnote was added to the memorandum citing the leaving/assuming office statement exception for persons who complete a term of office and on the same day begin a term of the same office or another such office of the same jurisdiction.

2) The "Statement of Economic Interests Handbook for City and County Filing Officers and Filing Officials," which was provided to all court clerks earlier this year. The exception is explained on pages 8 and 11 of the handbook. In addition, we plan to place the filing requirements for judges into a separate section of the handbook when it is updated later this year, and will attempt to explain the exception more clearly with regard to judges at that time.

In addition, following is some proposed language you may wish to include in a newsletter or other communication the association sends to its members:

The Political Reform Act (Gov. Code Sections 81000-91015) requires judges to file periodic statements of economic interests (Form 721) disclosing their personal financial interests. In addition, newly appointed judges are required to file an "assuming office" Form 721 within 10 days after appointment or nomination. Judges who leave office are

required to file a "leaving office" Form 721 within 30 days after leaving office.

However, Government Code Section 87205 states that a person who completes a term of office and on the same day begins a term of the same office or another such office of the same jurisdiction is not deemed to assume office or leave office.

Because the Act provides that judges at all levels have statewide "jurisdiction," judges who are elevated to higher courts are not required to file leaving office and assuming office statements of economic interests at that time as long as there is no break in service.

In order to avoid confusion, court clerks should be sure to notify the Fair Political Practices Commission when an appointment is made from a lower court.

Please do not hesitate to contact me at (916) 322-5662 if you have further questions or concerns.

Sincerely,

Kathryn E. Donovan
General Counsel

Carla Wardlow

By: Carla Wardlow
Assistant Chief, Technical
Assistance & Analysis Division

Robert Jacobson

May 12, 1989

DRAFT

Name
Street Address
City, State, Zip

Dear _____:

In September, after nearly eight years of service, I will be leaving my position as principal consultant with the Assembly Utilities and Commerce Committee. My wife's decision to enter graduate school requires me to leave Sacramento and the Legislature.

Although I have been offered employment in a full-time capacity, I would like to remain involved in telecommunications and information policy. To assist me in evaluating the following idea, I've drawn a list of selected parties to the California PUC's current key proceedings, and a few persons active elsewhere, whose opinions I respect. Yours is among those names and I hope you will have a few moments to help me evaluate and perhaps refine this option.

There is increasingly an apparent need for a new type of consultancy, one that complements existing legal and economic expertise that is currently applied to legislative and regulatory decision making. This consultancy would help its clients enhance their positions by providing expert knowledge about both the "hard" and "soft" technological and producer/consumer aspects of the information industry, broadly defined.

This consultancy would deal in areas that are now attaining some eminence in legislative and regulatory proceedings. The following indicative topics range from the very technical to the very general, as is often the case in the conduct of legislative and regulatory activities, and litigation. (This list, of course, is by no means complete:)

2500 Portola Way • Sacramento, CA 95818

*(916) 445-8800 (days) • (916) 457-7131 (home)
MCI Mail: Robert Jacobson • CompuServe: 75026,1650
PeaceNet: bjacobson • The Well: bluefire*

√ Access rights and methods of entry to telecommunications facilities, for both information-service producers/programmers and consumers (concerns, for example, of both the technical and organizational/marketing varieties).

√ Operation and comparable value of different types of user interfacing techniques and technologies (for example, hypermedia).

√ Privacy concerns and commercial practices in the information industry and the public sector.

√ Marketing and delivery practices of contending information vendors, including competitors to existing carriers and, possibly, the carriers themselves.

√ Legislative, regulatory, and commercial scenarios pertinent to the understanding and resolution of topical policy issues.

√ Public opinion regarding specific and general issues of concern to information industry firms and their advisers.

√ Scientific findings from the fields of cognitive and information science, communication studies, and the history of media, to elaborate upon themes for presentation in public policy forums.

In my own work with the Legislature, and on the occasions when I have assisted in interventions before the CPUC and the FCC, I have discovered this information is extremely difficult to access, if one knows it exists at all. Yet it has often made the difference in prevailing over an opposing point of view.

The consultancy would provide convenient "one-stop shopping" for this emergent body of knowledge and synthesize it in a way most amenable to the needs of its clients.

Please take the time to consider for yourself how such a consultancy might be of assistance. If you believe it would not be much help, please be frank and say so. If, however, you would find such a consultancy a useful resource, your comments regarding how it might best serve you would be most appreciated. This is not a solicitation for work, which I could not accept in any case prior to leaving the Legislature, but only a request for your thoughts.

For your information, I have sent a copy of this letter to the Fair Political Practices Commission and received its written reply assuring me that neither this letter nor your reply invoke any of its rules.

Thank you very much for your time and your thoughts. I welcome your candid remarks and, if you feel this proposal merits it, your encouragement to explore this possibility further.

Sincerely,

ROBERT JACOBSON, Ph.D.



California Fair Political Practices Commission

May 17, 1989

Robert Jacobson
Principal Consultant
Assembly Committee on
Utilities and Commerce
State Capitol
P.O. Box 942849
Sacramento, CA 94249-0001

Re: Letter No. 89-293

Dear Mr. Jacobson:

We received your letter requesting confirmation of advice under the Political Reform Act on May 15, 1989. Your letter has been assigned to Lilly Spitz for response. If you have any questions, you may contact Ms. Spitz directly at (916) 322-5901.

If the letter is appropriate for confirmation without further analysis, we will attempt to expedite our response. A confirming response will be released after it has gone through our approval process. If the letter is not appropriate for this treatment, the staff person assigned to prepare the response will contact you shortly to advise you. In such cases, the normal analysis, review and approval process will be followed.

You should be aware that your letter and our response are public records which may be disclosed to any interested person upon receipt of a proper request for disclosure.

Sincerely,

A handwritten signature in cursive script that reads "Kathryn E. Donovan".

Kathryn E. Donovan
General Counsel

KED:plh:confadv1

88-294

LIVINGSTON & MATTESICH

LAW CORPORATION

JUL 23 6 31 AM '88

July 21, 1988

Fair Political Practices Commission
P.O. Box 807
Sacramento, California 95804-0807

Attention: Kevin

Dear Kevin:

Enclosed please find a copy of the letter I received from the Secretary of State's Political Reform Division.

As I explained to you on the telephone this afternoon, we included ourselves on our *Lobbying Firm Registration Statement* (Form 601), filling out a *Lobbying Firm Activity Authorization* (Form 602) as well, just in case we ever did any lobbying on our own behalf.

I had called your office when we originally did this and was told we didn't need to fill out a quarterly *Report of Lobbyist Employer* (Form 635) as we are a lobbying firm and any activity is reported on *Report of Lobbying Firm* (Form 625). This made complete sense to me!

Please produce a letter that affirms it is not necessary to file Form 635 so that I may send the Political Reform Division a copy.

If you have any questions please call me and thank you for your attention to this matter.

Sincerely,



Kathi Kossak
Bookkeeper



March Fong Eu
Secretary of State

1230 J Street
P.O. Box 1467
Sacramento, California 95807

POLITICAL REFORM DIVISION
(916) 322-4880



June 18, 1988

Mr. Gene Livingston, President
Livingston & Mattesich Law
Corporation
1130 K Street, Suite 250
Sacramento, CA 95814

Dear Mr. Livingston:

We have yet to receive in this office your required Lobbyist Employer quarterly report (Form 635) for the period January 1, 1987 through March 31, 1987, which was due on April 30, 1987.

Since you have authorized one or more firms to lobby on your behalf, you must file Lobbyist Employer Reports on a quarterly basis until you are deleted as a client.

Please complete the enclosed Form 635, and return the original and one copy to this office as soon as possible. You are subject to a late filing penalty of \$10 per day from the original due date of this report to the date the report is filed.

If you have any questions, please call Debra McCastle at (916) 322-0395.

Sincerely,

A handwritten signature in cursive that reads "Bob Steele".

BOB STEELE, Manager
Political Reform Division

Enclosure

FILING REQUIREMENT

Name of Filer: Livingston & Mattesich Law Corporation
Document Required: Lobbyist Employer Report (Form 635)
Period Covered: January 1, 1987 through March 31, 1987
Date Due: April 30, 1987

A handwritten signature in cursive that reads "Debra", with a horizontal line underneath.



California Fair Political Practices Commission

July 27, 1988

Kathi Kossak
Livingston & Mattesich
1130 K Street, Suite 250
Sacramento, CA 95814

Re: 88-294

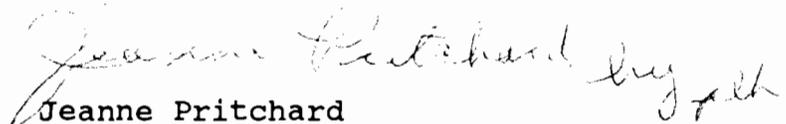
Dear Ms. Kossak:

Your letter requesting advice under the Political Reform Act was received on July 25, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,



Jeanne Pritchard
Chief
Technical Assistance and Analysis
Division

JP:plh