



California Fair Political Practices Commission

August 17, 1989

Honorable Philip A. Champlin
Judge of the Superior Court
County of Napa
Napa, CA 94558

Re: Your Request For Advice
Our File No. A-89-421

Dear Judge Champlin:

You have requested advice concerning the campaign disclosure provisions of the Political Reform Act.¹ I provided information to a member of your staff in a telephone conversation on July 20, 1989. This letter is written confirmation of the telephone advice.

QUESTION

Is a judge required to file semi-annual campaign statements during non-election years or years when he or she is not otherwise on the ballot if the judge has received no contributions and has not made contributions totaling \$1,000 or more?

CONCLUSION

Judges who will not be listed on the ballot during a calendar year, who have not received any contributions, and whose only expenditures for the year are contributions aggregating less than \$1,000 which were made out of personal funds to other officeholders, candidates and committees, are not required to file semi-annual statements.

ANALYSIS

A recent amendment to Government Code Section 84200 (a) (3) (amended by Stats. 1988, Chapter 708, effective January 1, 1989) states:

¹ Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

A judge who is not listed on the ballot for re-election to or recall from, any elective office during a calendar year shall not file semi-annual statements for any six-month period in that year if both of the following apply:

(a) The judge has not received any contributions.

(b) The only expenditures made by the judge during the calendar year are contributions from the judge's personal funds to other candidates or committees totaling less than one thousand dollars (\$1,000).

For additional information regarding judges' filing requirements, please refer to pages 17 and 18 of the enclosed 1989 "Information Manual on Campaign Disclosure Provisions of the Political Reform Act."

If you have additional questions please do not hesitate to contact me at (916) 322-5662.

Sincerely,

Kathryn E. Donovan
General Counsel

By: Linda Moureaux
Political Reform Consultant

Enclosure

SUPERIOR COURT
STATE OF CALIFORNIA
COUNTY OF NAPA
PHILIP A. CHAMPLIN
JUDGE, DEPARTMENT ONE

FPPC
JUL 17 1989

NAPA, CALIFORNIA

July 13, 1989

Political Reform Division
Secretary of State
P. O. Box 807
Sacramento, California 95804

To Whom It May Concern:

I am advised by the Napa County Assistant Registrar of Voters that an amendment was made to Government code Section 84200 effective January 1, 1989. It is her understanding that G. C. Sec. 84200(a)(3) exempts judges from filing semi annual campaign statements during non election years or years when they are not otherwise on the ballot if the judge has not received contributions and has made no contributions in excess of \$1,000. It is her understanding that judges who meet the exemption need not make any filing with the Secretary of State's Office either by way of short form or otherwise.

Will you please inform me whether or not you concur with this interpretation. I would appreciate being advised of your opinion prior to the July 31, 1989 filing deadline.

Very truly yours,



Philip A. Champlin
Judge of the Superior Court

PAC:kjt

cc: Barbara Greenslate, Asst.
Registrar of Voters



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July 18, 1989

Honorable Phillip A. Champlin
Judge of the Superior Court
County of Napa
Napa, CA 94558

Re: Letter No. 89-421

Dear Judge Champlin:

Your letter requesting advice under the Political Reform Act was received on July 17, 1989 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