



California Fair Political Practices Commission

September 19, 1989

Shirley Wechsler
Campaign Treasurer
Committee to Elect Charles G. Rubin
11783 Laurelcrest Drive
Studio City, CA 91604

Re: Your Request for Advice
Our File No. A-89-509

Dear Ms. Wechsler:

You have requested advice on behalf Judge Charles G. Rubin regarding the campaign disclosure provisions of the Political Reform Act (the "Act").^{1/}

QUESTION

May campaign funds received prior to January 1, 1989, which are within the limitations of Proposition 73, be used to pay for Judge Rubin's participation in an event sponsored by the California Judges Foundation?

CONCLUSION

There is nothing in the Political Reform Act which would prohibit the use of funds received prior to January 1, 1989 to be used for participation in this event. However, the Attorney General's office should be consulted concerning the propriety of this expenditure under the "personal use" law.

^{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.

ANALYSIS

The Political Reform Act does not prohibit campaign funds received prior to January 1, 1989 from being used to support Judge Rubin's future election or for his current officeholder expenses.^{2/} However, California Elections Code Section 12400, et seq. prohibits personal use of campaign funds and sets out the permissible uses of campaign funds. The Fair Political Practices Commission does not interpret this statute. The California Attorney General is responsible for its interpretation and enforcement. A determination of whether Judge Rubin may use campaign funds for participation in an event sponsored by the California Judges Foundation must be addressed by the Attorney General's office.

I hope this information is helpful to you. Please call me at (916) 322-5662 if you have any questions.

Sincerely,

Kathryn E. Donovan
General Counsel



By: Sandra L. Taylor
Political Reform Consultant

^{2/} On September 15, the United States District Court, Eastern District, California, ordered the Commission to cease enforcement of Section 85306 because that statute is unconstitutional. (Service Employees International Union v. Fair Political Practices Commission, No. CIVS 89-0433 LKK-JRM.) Section 85306 prohibited expenditure of campaign funds held on January 1, 1989 to support or oppose a candidacy for elective office.

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Wechsler

FPPC

AUG 28 8 38 AM '89

August 22, 1989

Kathryn E. Donovan, General Counsel
FPPC
POB 807
Sacramento, Ca. 95804

Re: Committee to Elect Charles G. Rubin
(Judge, Beverly Hills Municipal Court)
I.D. 820920

Dear Ms. Donovan:

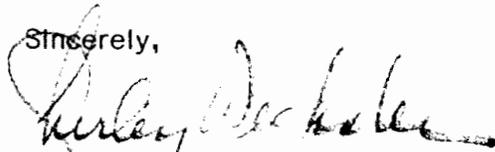
Enclosed is a copy of a brochure describing a seminar sponsored by the California Judges Foundation.

Can campaign funds pay for Judge Rubin's participation in this event? These funds were collected prior to 1989 in compliance with limitations imposed by Proposition 73.

Due to limitations of space, reservations should be made immediately. We would appreciate a relatively prompt response.

Thank you.

Sincerely,



Shirley Wechsler
Campaign Treasurer

Enclosure

cc: C.G. Rubin

Oxford & LONDON

September 5 to September 22
or September 29, 1990

- A London weekend
- A two-week seminar on Anglo-American jurisprudence at Oxford
- An option to remain abroad a third week

A "mini-sabbatical" sponsored
by the California Judges
Foundation

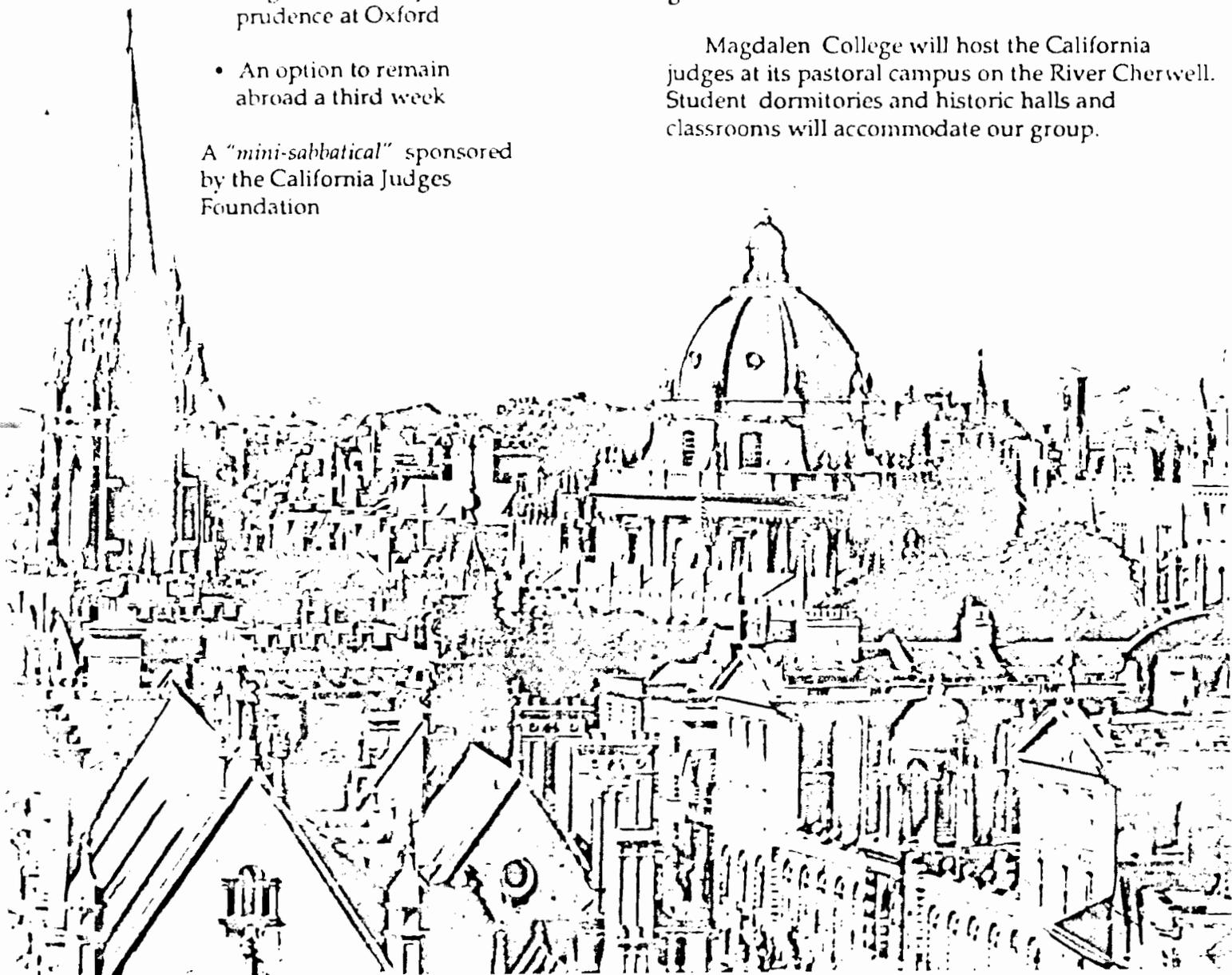
The California Judges Foundation offers judges and their families an opportunity to revisit the origins of our common law and attend a historic university.

The trip includes a preparatory weekend in London to acclimatize and sample the excitement of contemporary London, excursions to Blenheim Palace and to Stratford's Royal Shakespeare Theatre.

The seminar will be conducted by faculty from Oxford and the British bench and bar. Schedule includes morning classes, afternoons free to study or explore, and evening events at the University. A visit to Old Bailey, the High Court of Justice in the Strand, the Inns of Court, and courts of the Oxford and Midlands Circuit are included.

A program of excursions and classes on contemporary British life is planned for judges' guests.

Magdalen College will host the California judges at its pastoral campus on the River Cherwell. Student dormitories and historic halls and classrooms will accommodate our group.



The Fine Print



Transportation

Our group flight on British Air will leave Wednesday, September 5th (late afternoon from San Francisco and Los Angeles). We land at Heathrow on Thursday, September 6 about mid-day GMT. Private coaches will take us from the airport to the hotel and between London and Oxford. Return flights leave Heathrow around mid-day on Saturday, September 22nd, or a week later, September 29th.

London Hotel

We will stay at the Cavendish Hotel on Jermyn Street, St. James's Park (a Trusthouse Forte hotel). The Cavendish offers complimentary buffet breakfast and is located within walking distance of theatres, Piccadilly, Mayfair, and WestEnd shopping. Reservations for restaurants and theatre tickets may be arranged in advance.

Magdalen College, Oxford

Magdalen College, pronounced "Maud'lin" was founded in 1458. It is on the banks of the River Cherwell, a short walk from central Oxford. The walled campus encloses a deer park, a magnificent chapel, and buildings from many centuries. We will be the only group at the college, with our own pub and common room with TV.

Housing at Magdalen includes "basic but adequate" modernized student rooms with electrical outlets, hot and cold water, central heat and daily maid service. Bathrooms are shared (you'll get used to it!), and most rooms are up stairs. There are a few ground floor and double rooms available, but no elevators. Dining is in the "Great Hall", with menus responsive to our requests.

Cautions and Exceptions

Due to dormitory accommodations, this program is not suitable for young children. Teenagers are welcome. No facilities are available for persons confined to wheelchairs or who have difficulty walking. Rooms and classrooms may be up steep stairs. Most PERS health insurance plans include reimbursement for emergency medical care. Please check with your carrier to confirm out-of-country benefits.

Costs

The cost of the program includes, for each judge: ● round trip air fare from SFO or LAX ● transportation by private coach to and from Heathrow Airport, the Cavendish Hotel, and Oxford (including portage for two bags) ● three nights and breakfast at the Cavendish Hotel, London, double occupancy, (for single occupancy in London, add \$136) ● two weeks room and meals at Magdalen College, Oxford ● tuition and materials for approximately 24 hours of instruction, including a field trip by private coach to London, lunch at the Inns of Court, reception in London, field trips to Oxford courts and prisons ● introduction to Oxford, boat ride and arrangements for various optional excursions.

Cost of the program for guests includes all the above transportation, room and board arrangements, approximately 12 hours of instruction and programming, including the Oxford introduction and boat trip with the judges, and several special excursions from Oxford.

Cost for each judge is \$2,950. Cost for each guest is \$2,550. These figures are based on July 1989 exchange rates. Adjustment may be made depending on the rate of exchange when the final payments are due. Limited spaces will be reserved as deposits are received.

What is Not Included?

Passport fees, accident, baggage and cancellation insurance, meals except as listed, personal services such as laundry and telephone, alcoholic beverages, gratuities (except baggage handling), room service, meals and entertainment in London, individual expenses incurred during the intervening weekend and the optional week (September 22-29). Participants may remain at Magdalen on the weekend (serving breakfast only).

Payments, Refunds and Insurance

A deposit of \$1,000 per person is required immediately to reserve your place and guarantee 1989 prices for air fare and hotel costs. A full refund may be obtained until May 21, 1990. The balance will be due and payable June 1, 1990. No refund is possible after June 1st, unless a substitute is arranged.

We strongly recommend that participants purchase trip cancellation insurance.

Tax Implications

The California Judges Foundation recommends that participants consult their tax advisers to determine if portions of this seminar are deductible. CJF is a 501(c)3 corporation.

The Oxford Seminar

The Oxford Seminar is designed to enrich your understanding of the justice system by exploring its ancient origins and examining the different paths taken by contemporary English and American policy and practice.

Approximately 24 hours of lectures, discussion and court visits will be conducted under the Oxford University Department for External Studies. Our academic director, Dan D. Prentice, Fellow and Tutor in Law, Pembroke College, will assemble the faculty from the Oxford Colleges and from the judges, barristers and solicitors of the Oxford area.

Topics to be covered will include:

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Instruction will be supplemented by a Thames boat trip, evening programs and social events.
Please read the FINE PRINT!



The California Judges Foundation is a non-profit, tax-exempt corporation founded in 1966 to aid the educational and charitable activities of the California Judges Association.

Trip Schedule

			5	6	7	8
	SEPTEMBER 1990		Leave p.m. LAX/SFO	Noon arrival at Heathrow	Cavendish Hotel, London - 3 nights	
9 Coach to Oxford Opening banquet	10 Seminar begins	11	12	13 Coach to London visit courts early and late return options	14	15 Weekend free
16	17 Seminar resumes	18	19 Optional evening trip to Stratford- Royal Shakespeare	20	21 Closing Banquet	22 Seminar ends Return flights to LAX/SFO
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Return to the student life... at Oxford

Hon. Charles G. Rubin
Municipal Court
9355 Burton Way
Beverly Hills, CA 90210.



California Judges Foundation
401 Howard Street • Suite 1040
San Francisco, CA 94105

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POB 807
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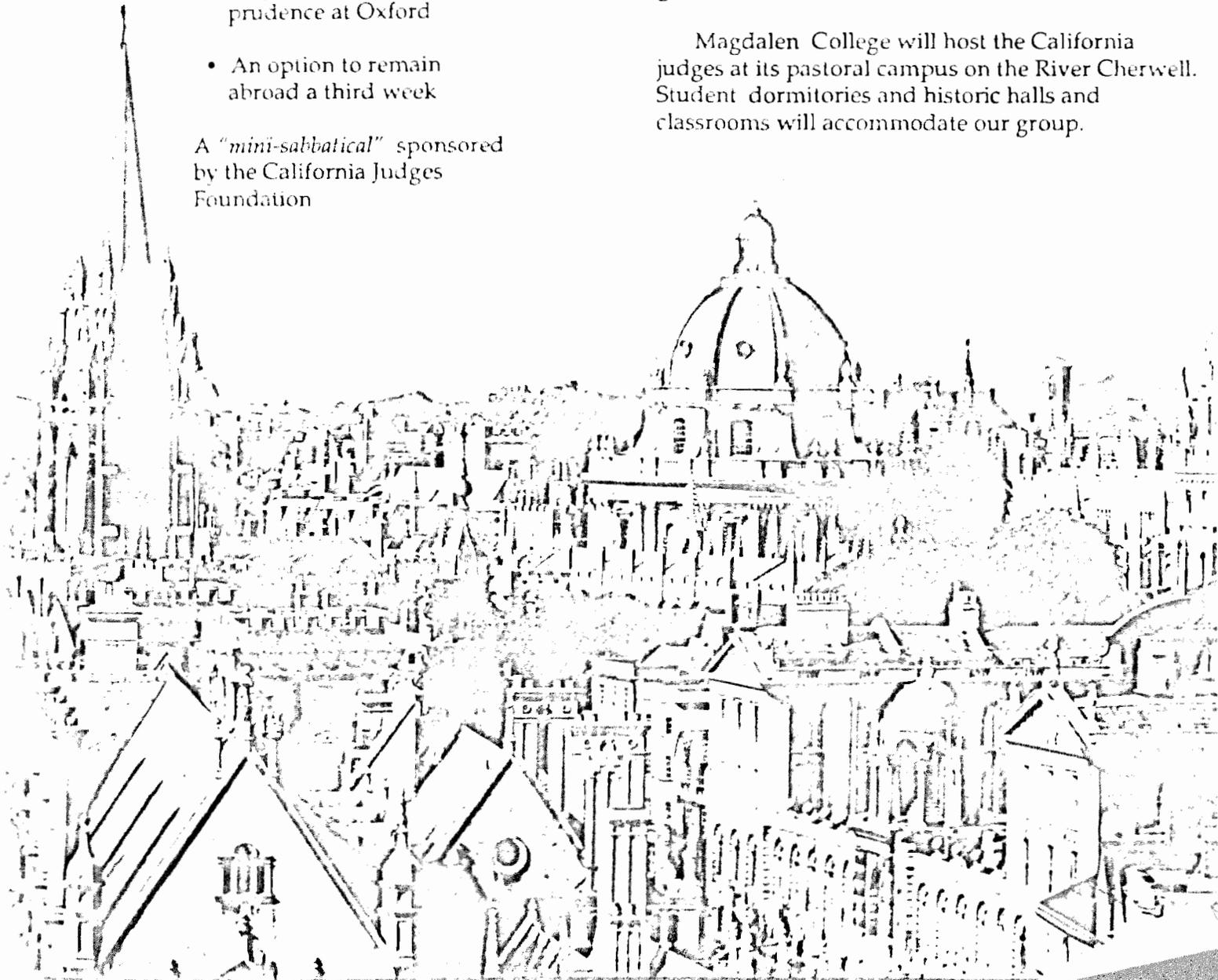
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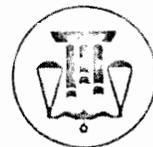
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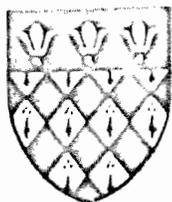
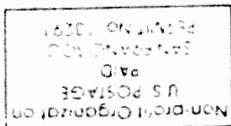
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California Fair Political Practices Commission

August 29, 1989

Shirley Wechsler
Campaign Treasurer
Committee to Elect Charles G. Rubin
11783 Laurelcrest Drive
Studio City, CA 91604

Re: Letter No. 89-509

Dear Ms. Wechsler:

Your letter requesting advice under the Political Reform Act was received on August 28, 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