

Memorandum

To : Natalie

① Date : April 14, 1978

Memorandum already written in the file.

AA 78-284

From : FAIR POLITICAL PRACTICES COMMISSION
Regina

Subject: Item for discussion at the Opinion Request Meeting

Question asked by Yvonne Smith, concerning whether funds spent for a preferential poll conducted by the San Diego Trial Lawyers Association and a rating of judicial candidates developed by the San Diego Bar Association in a effort to inform the public of attorney's judicial preferences are reportable expenditures.

I contacted both the Bar Association and the Trial Lawyers Association and received the following information:

1. Kevin Midland, San Diego Bar Association - (714)233-7585
A special sub-committee was developed to get information from all judicial candidates concerning their background, qualifications etc. The candidates were interviewed by this committee of the Bar as were other attorneys and members of the public generally. As a result of these interviews 38 judicial candidates were rated as:
 1. Well qualified
 2. Qualified
 3. Not qualified

The ratings are then sent back to the Bar as a whole for comments. In the event of dissenting opinions concerning the ratings, additional information is sought and will be evaluated. After this review, the results will be distributed to the candidates. The candidates will then have an opportunity to appeal the results, the appeal will be considered by the committee and if necessary by the Bar membership and the final ratings will then be released to the media. The only thing that has occurred as yet is the interviewing of candidates.

The only expense that Mr. Midland can foresee in connection with this activity is the printing of forms and the mailing of the results to the 38 candidates, with total maximum expense of \$200.

Memorandum

18225

18-236

To : The File

Date : May 5, 1978

From : FAIR POLITICAL PRACTICES COMMISSION
Gina S-K

Gina S-K

Subject: Preferential polls and ratings of judicial candidates.
(See my memo to Natalie of April 14, 1978)

The San Diego Bar Association will release to the public their ranking of judicial candidates. The rankings will be made after candidates for office are interviewed.

The San Diego Trial Lawyers Association will poll its members and then release the results of the poll to the public.

At the April 17, 1978 opinion request meeting the following was decided concerning the above activity:

1. funds expended for the preliminary activity of gathering information from members and conducting interviews of candidates and other similar research are not reportable expenditures;
2. funds expended to distribute the results of the preferential poll of members or the ranking of candidates is only reportable to the extent that an effort is made to influence the outcome of the election. (See 2 Cal Admin. Code Section 18225)