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# State of California



# Fair Political Practices Commission

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April 2, 1980

Steven A. Herum  
Neumiller & Beardslee  
P.O. Drawer 20  
Stockton, California 95201

A-80-04-022

Dear Steve:

This letter will confirm the advice you received in our telephone conversation of March 26, 1980. Individual attorneys in a law firm do not accumulate their time spent on activities to influence legislative or administration action to determine whether the reporting requirements of a lobbyist have been activated with respect to the law firm. The activities of each individual attorney determine whether or not that attorney has satisfied either the time or compensation tests described in 2 Cal. Admin. Code §18239(e).

If an attorney attempts to influence legislative or administrative action as the agent of another attorney the time and compensation of the agent are attributable to the principal attorney. "Agent" includes only those persons who act under the direct supervision or direct orders of another person to accomplish the specific goals of that person. 2 Cal. Admin. Code §18239(c).

Please contact me if I can be of any further assistance

Sincerely,

*J. Richard Eichman*  
J. Richard Eichman  
Accounting Specialist

JRE:bw

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March 26, 1980

MR. J. RICHARD EICHMAN  
Accounting Specialist  
State of California  
Fair Political Practices Commission  
Post Office Box 807  
Sacramento, California 95804

Dear Mr. Eichman:

I want to thank you for your gracious assistance in connection with my questions concerning lobbying and periodic reporting. Your guidance in this matter was helpful and appreciated.

This letter is merely to confirm our conversation that individual attorneys in a law firm do not accumulate their time spent influencing legislative or administrative action, pursuant to 2 California Administrative Code Section 18239(e)(1) and (2), to determine whether the reporting requirements of a lobbyist have been activated with respect to a law firm. From our conversation, I understand the Act to focus upon the activities of an individual attorney to determine whether or not that attorney has satisfied either the compensation test or the time test. The Act does not contemplate that a law firm would aggregate the time spent or entitled compensation of individual attorneys in order to determine whether or not the law firm satisfies the threshold requirements of 2 Cal. Ad. Code § 18239(e)(1) or (2).

If it would not be inconvenient, I would appreciate a short written opinion in this regard. Again, thank you for your assistance in this matter.

Very truly yours,



STEVEN A. HERUM  
for

NEUMILLER & BEARDSLEE

SAH:jlg