



California Fair Political Practices Commission

March 21, 1995

Honorable V. Gene McDonald
Superior Court Judge
County of San Mateo
Hall of Justice
Redwood City, CA 94063

Re: Your Request for
Confirmation of Telephone Advice
Our File No. I-95-084

Dear Judge McDonald:

You have requested confirmation of telephone advice provided on your behalf to Ms. Sharon Theofelis concerning the conflict of interest disclosure provisions of the Political Reform Act (the "Act").^{1/} Since your request is one for general information, we are treating your request as one for informal assistance pursuant to Regulation 18329(c).^{2/}

Your letter dated February 27, 1995, correctly summarizes my advice that reimbursement of expenses from any state, local or federal governmental agency is not reportable on your statement of economic interests. (Section 82030(b)(2).)

You indicated that recent legislation added new reporting requirements for gifts and travel reimbursements. The provisions of the Act which limit gifts, prohibit honoraria, and regulate travel payments (Sections 89502-89506) do not pertain to judges. However, effective January 1, 1995, Section 170.9 was added to the Code of Civil Procedure prohibiting judges from accepting gifts

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.

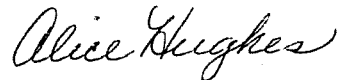
2/ Informal assistance does not provide the requestor with the immunity provided by an opinion or formal written advice. (Government Code Section 83114; 2 Cal. Code of Regs. Section 18329(c)(3).)

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from any single source in a calendar year with a total value of more than \$250, and prohibiting judges from accepting any honorarium. Code of Civil Procedure Section 170.9 will be enforced by the Commission on Judicial Performance. The Fair Political Practices Commission has no authority to interpret or enforce the Code of Civil Procedure.

Please call me at (916) 322-5660 if you have additional questions.

Sincerely,

A handwritten signature in cursive script that reads "Alice Hughes".

Alice Hughes
Political Reform Consultant