

RAVI MEHTA
CHAIRMAN



FAIR POLITICAL PRACTICES COMMISSION

April 15, 1996

J. Sal Munoz
P. O. Box 890158
Temecula, CA 92589

Re: Your Request for Informal
Assistance
Our File No. I-96-108

Dear Mr. Munoz:

You have requested advice concerning the conflict of interest disclosure provisions of the Political Reform Act (the "Act").^{1/} Because your inquiry is general in nature, we will treat your letter as a request for informal assistance pursuant to Regulation 18329(c).^{2/}

QUESTION

You served as a pro tem judge for the Three Lakes Judicial District on approximately 32 days during 1995. Are you required to file an annual statement of economic interests (Form 721)?

CONCLUSION

You are not required to file an annual statement of economic interests, since you did not serve as a pro tem judge for four hours or more a day for at least 30 days during 1995.

^{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. (Section 83114; Regulation 18329(c)(3).)

Mr. Munoz
Our File No. I-96-108
Page Two

FACTS

You served as a pro tem judge for the Three Lakes Judicial District during 1995. According to the memorandum you submitted that you received from the court, you only served four hours or more on seven days during 1995.

ANALYSIS

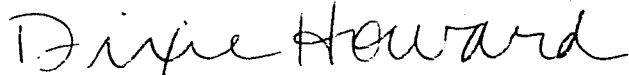
The Act requires state and local public officials, including judges and court commissioners, to file a statement each year disclosing their personal financial interests in order that conflicts of interest may be avoided. (Sections 81002(c), 87200, et seq.) Regulation 18724 further provides that temporary or part-time court commissioners and pro tem or temporary judges must file such statements if they serve or expect to serve 30 days or more in any calendar year.

The Commission has previously advised that pro tem judges and court commissioners may count each day in which the judge serves four hours or more as one full day of service. A day in which the judge serves fewer than four hours would not be counted toward the 30-day threshold for filing statements of economic interests. (Barton Advice Letter, No. I-95-410.) Therefore, since you served four hours or more on only seven occasions during 1995, you are not required to file an annual statement.

If you have questions concerning this letter, please contact me at (916) 322-5660.

Sincerely,

Steven G. Churchwell
General Counsel



By: Dixie Howard
Political Reform Consultant
Technical Assistance Division