JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS
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Report

TO: Members of the Judicial Council

FROM: Office of the General Counsel
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DATE: January 16, 2008

SUBJECT: Conflict of Interest Code for Administrative Office of the Courts
(Action Required)

Issue Statement
Since the Conflict of Interest Code of the Administrative Office of the Courts (AOC) was last amended (February 2007), a number of new classifications have been established at the AOC. Staff have determined that these new classifications should be added to the AOC's code to bring it up to date. Staff have also identified the types of financial interests that employees in these classifications should be required to disclose. Furthermore, other classifications listed in the code no longer exist and therefore should be deleted. In accordance with Government Code sections 87303 and 87306, the Judicial Council must review the amended code.

Recommendation
AOC staff recommends that the Judicial Council, effective February 22, 2008, adopt the proposed revision of the AOC Conflict of Interest Code, which adds various new job classifications and deletes classifications that no longer exist.

The text of the proposed AOC code is attached at pages 4–14.

Rationale for Recommendation

The Political Reform Act of 1974 (Gov. Code, § 81000 et seq.) requires public agencies to adopt conflict of interest codes. (Gov. Code, § 87300.) In 1984, the Legislature amended the Political Reform Act to require agencies and employees of the judicial branch to comply with the act. (Stats. 1984, ch. 727, amending Gov. Code, §§ 82011, 82041, 82048, 82049, and 87200 and adding Gov. Code, § 87311.5.) Every conflict of interest code, including amended codes, must be submitted to and approved by a "code-reviewing body." (Gov. Code, §§ 87303, 87306.) The Judicial Council is the code-reviewing body for "any state agency within the judicial branch of government" where no other code-reviewing body has been specified (Gov. Code, § 82011(h)), which includes the AOC. In 1985, the Judicial Council first approved a conflict of interest code for AOC employees. An agency's conflict of interest code must be amended when new positions and duties are created and when positions are eliminated. (Gov. Code, § 87306.) Since 1985, the Judicial Council periodically has amended the conflict of interest code for the AOC, most recently in February 2007.

A conflict of interest code is a document that states the rules and procedures by which designated officers and employees of a public agency must disclose certain personal financial interests. The financial interests required to be disclosed are those that foreseeably could be materially affected by decisions that these officers or employees are authorized to make or to influence. In brief, a conflict of interest code must:

- Designate the classifications of officers or employees who make or influence financial decisions ("designated employees");
- Identify the categories of interests that foreseeably may be affected by such decisions ("disclosure categories");
- Require officers and employees to file periodic reports of their financial interests ("disclosure statements"); and
- Require officers and employees to disqualify themselves from decisions affecting matters in which they have a financial interest.

(Gov. Code, § 87302.)

A conflict of interest code must designate the officers and employees who make, or participate in the making of, government decisions that foreseeably can have a material effect on their personal financial interests. (Gov. Code, § 87302(a).) The disclosure categories for each job classification must correspond to those interests that employees foreseeably can affect. (Gov. Code, § 87302(c).) Thus, disclosure categories reflect the powers and responsibilities assigned to employees within each job classification.

The current AOC Conflict of Interest Code contains 19 disclosure categories. The broadest, Category 1, provides for disclosure of "[a]ll investments, sources of income, interests in real property, and positions in business entities." Those who fall within this

category include the Administrative Director of the Courts, the Chief Deputy Director, the regional administrative directors, the division directors, and the assistant division directors.[*] Other employees must disclose a narrower range of financial interests that could be affected as a result of their specific job duties. For example, certain employees in the Office of Communications and the Administrative Services Unit must disclose "[i]nvestments, sources of income, and business positions in business entities that are providers of printing, graphics hardware and software, duplicating, and publishing services, equipment, and supplies" (Category 3).

The new classifications for the AOC, with assigned disclosure categories, are reflected in the proposed appendices to the code. The code and appendices are attached at pages 4–14. New positions with the assigned disclosure categories are underlined. Those positions that no longer exist are crossed out.

Alternative Actions Considered
None.

Comments From Interested Parties
Staff from each of the AOC divisions affected by the amendments to the AOC code were consulted about the proposed amendments and the disclosure categories.

Implementation Requirements and Costs
There are no implementation requirements or costs.

Attachments

[*] A few other positions at the AOC, such as contract specialists in the Finance Division, require disclosure under Category 1 because of the level of authority those staff exercise.

CONFLICT OF INTEREST CODE FOR THE ADMINISTRATIVE OFFICE OF THE COURTS
(Revised effective ~~February 23, 2007~~ February 22, 2008)

The Political Reform Act (Gov. Code, § 81000 et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (Cal. Code of Regs., tit. 2, § 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference into an agency's code. After public notice and hearing, the code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of California Code of Regulations, title 2, section 18730, and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached appendices designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of the Administrative Office of the Courts.

Designated employees shall file statements of economic interests with the secretary of the Judicial Council (Administrative Director of the Courts) on forms prescribed by the Fair Political Practices Commission.

APPENDIX A: DESIGNATED CLASSIFICATIONS

List of Designated Classifications	Assigned Disclosure Categories
Office of the General Counsel	
General Counsel/Division Director	1
Assistant General Counsel	1
Managing Attorney	2
Supervising Attorney	2
Senior Attorney	2
Attorney	2
Associate Attorney I, II	2
Research Attorney A, B	2
Senior Court Services Analyst	2
Executive Office Programs Division	
Division Director	1
Assistant Division Director	1
Public Information Officer	3
Manager (Office of Communications)	3, 6
Manager (Research and Planning)	5, 6, 15
Supervising Administrative Coordinator	7
Supervising Research Analyst	5, 6, 15
Senior Research Analyst	15
Judicial Administrative Librarian	5
Supervising Communications Specialist	3
Manager (Presiding Judges and Court Executives)	6, 12
Supervising Court Services Analyst	12
Senior Court Services Analyst	12
Supervising Editor	3
~~Senior Editor~~	~~3~~
~~Linguistics Analyst~~	~~4, 12~~
Manager (Court Programs Services)	12, 15
Manager (Promising and Effective Programs)	12, 15
Senior Attorney	2
Senior Business Applications Analyst	12
Senior Communications Specialist	12
Supervising Business Applications Analyst	12

Administrative Services Unit

Manager	3, 6, 7, 10
~~Support Services Supervisor~~	~~3~~
Meeting and Conference Services Supervisor	7
Production and Mail Services Supervisor	3
Senior Administrative Coordinator (travel and meeting planner)	7
Administrative Coordinator I, II (travel and meeting planner)	7

Finance Division

Division Director	1
Assistant Division Director	1
Senior Manager	1
Manager	1
Supervising Contract Specialist	1
Senior Contract Specialist	1
Contract Specialist	1
Supervising Procurement Specialist	1
Senior Procurement Specialist	3, 10
Procurement Specialist	3, 10
Facilities Management Specialist	6, 10
Supervising Internal Auditor	18
Senior Internal Auditor	18
Internal Auditor	18
Internal Auditor I	18
Internal Auditor II	18
Telecommunications Specialist	6

Human Resources Division

Division Director	1
Assistant Division Director	1
Senior Manager	1
Manager	4, 6, 12
Senior Labor and Employee Relations Officer	4
Labor and Employee Relations Officer	4
Supervising Human Resources Analyst	4
Senior Human Resources Analyst	4
Human Resources Analyst	4
Management and Program Analyst	4, 6, 12
Supervising Business Applications Analyst	4, 6, 12
Business Applications Analyst	4, 6, 12
Supervising Pay and Benefits Specialist	4, 6, 12

Information Services Division

Division Director	1
Assistant Division Director	1
Senior Manager	1
Manager	1
Information Systems Manager	1
Supervising Information Systems Analyst A, B	6
Senior Business Systems Analyst	6
Senior Web Analyst	6
Senior Application Development Analyst	6
Supervising Research Analyst	6
Senior Research Analyst	6
Administrative Coordinator I, II (procurement)	6
Senior Technical Analyst	6
Senior Administrative Coordinator (procurement)	6
Management and Program Analyst	6
Senior Enterprise Technical Architect	6
Supervising Enterprise Architect	6

Center for Families, Children & the Courts

Division Director	1
Assistant Division Director	1
Manager	1
Managing Attorney	2
Supervising Attorney	2
Senior Attorney	2
Attorney	2
Associate Attorney I, II	2
Research Attorney A, B	2
Supervising Court Services Analyst	12
Senior Court Services Analyst	12
Supervising Research Analyst	12
Senior Research Analyst	12

Executive Office

Administrative Director of the Courts	1
Chief Deputy Director	1
Regional Administrative Director	1
Manager	6, 11, 19
Senior Security Coordinator	11
Security Coordinator	11

Executive Office Liaison I, II, III	10, 15
Senior Emergency Response and Planning Manager	6, 11, 19

Appellate and Trial Court Judicial Services

Division Director	1
Supervising Court Services Analyst	6, 14
Senior Court Services Analyst	14
Management and Program Analyst	14

Education Division

Division Director	1
Assistant Division Director	1
Senior Manager	3, 4, 6, 7, 8
Manager	3, 4, 6, 7, 8
Managing Attorney	3, 4, 7, 8
Supervising Attorney	3, 4, 7, 8
Senior Attorney	3, 4, 7, 8
Attorney	3, 4, 7, 8
Associate Attorney I, II	3, 4, 7, 8
Research Attorney A, B	3, 4, 7, 8
Supervising Administrative Coordinator	7
Senior Administrative Coordinator ~~(travel and meeting planner)~~	7
Administrative Coordinator I, II ~~(travel and meeting planner)~~	7
Support Services Supervisor	4, 8
Supervising Editor	3
Senior Editor	3
Supervising Education Specialist	3, 4, 7, 8
Senior Education Specialist	3, 4, 7, 8
Education Specialist I, II	3, 4, 7, 8
Supervising A/V-Video Technician	8
Supervising Video Producer Director	8
Video Producer Director I, II	8
Supervising Media Production Specialist	8
Senior Media Production Specialist	8
Supervising A/V-Video Systems Technical Analyst	6, 8
Senior A/V-Video Systems Technical Analyst	6, 8
A/V-Video Systems Technical Analyst	6, 8
Media Production Specialist	8
Special Consultant	3, 4, 6, 7, 8

Office of Governmental Affairs

Division Director	1
Assistant Division Director	1
Manager	6, 13
Supervising Attorney	2
Senior Attorney	2
Attorney	2
Associate Attorney I, II	2
Research Attorney A, B	2
Supervising Governmental Affairs Analyst	13

Office of Court Construction and Management

Division Director	1
Assistant Division Director	1
Manager	19
Supervising Real Estate Analyst	19
Senior Real Estate Analyst	19
Real Estate Analyst	19
Principal Structural Engineer	19
Structural Engineer	19
Principal Mechanical and Electrical Engineer	19
Mechanical, Electrical, Plumbing Engineer	19
Environmental Analyst	19
Industrial Hygienist	19
Senior Cost Estimator	19
Cost Estimator	19
Construction Manager	19
~~Supervising Project Architect—Project Manager~~	~~19~~
Senior Project Architect—Project Manager	19
Project Architect—Project Manager	19
Principal Architect	19
Specifications Specialist	19
Inventory Controller	19
Senior Facilities Risk Manager	19
Senior Budget Analyst	19
Budget Analyst	19
~~Court Facilities Analyst~~	~~19~~
Supervising Facilities Planner	19
Senior Facilities Planner	19
O&M Customer Support Representative I	19
O&M Customer Support Representative II	19
O&M Customer Support Supervisor	19
Facilities Planner	19

Computer-Aided Facilities Management (CAFM) Application Analyst	6, 19
Supervising Construction Inspector	19
Senior Construction Inspector	19
Construction Inspector	19
California Environmental Quality Act (CEQA) Compliance Specialist	19
Occupational Safety and Health Administration (OSHA) Compliance Analyst	19
Accessibility Compliance Officer	19
Utility Engineer/Analyst	19
District Facility Operations & Maintenance (O&M) Supervisor	19
Area Facility Operations & Maintenance (O&M) Supervisor	19
Regional Manager of Facility Operations	19
Senior Manager	19
~~IS/Technical Liaison~~	~~6, 19~~
~~County Liaison~~	~~19~~
Staff Analyst I, II	19
~~Senior Scheduling Specialist~~	~~19~~
~~Scheduling Specialist~~	~~19~~
~~Portfolio Manager~~	~~19~~
Portfolio Administration Analyst	19
~~Relocations Coordinator~~	~~19~~
Legislative Code Analyst	19
Business Applications Analyst	6, 19
Facilities Management Specialist	19

Regional Offices

Assistant Division Director	1
Senior Manager	1
Manager	1
Supervising Court Services Analyst	12
Senior Court Services Analyst	12
Senior Business Applications Analyst	6

All Divisions and Bureaus

Special Consultant*	1

* The Administrative Director of the Courts may determine and state in writing that a consultant is hired to perform a limited range of duties and that the consultant is not required to comply with broad disclosure requirements. The statement must include a description of the consultant's duties and the extent of disclosure required. The consultant must comply with all other provisions of this code.

Judicial Council Advisory Committees

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APPENDIX B: DISCLOSURE CATEGORIES

Note: In this appendix, "positions" includes employee, partner, officer, director, trustee, and any other management position. "Providers" includes business entities and individuals that are manufacturers, distributors, vendors, sellers, lessors, suppliers, contractors, subcontractors, and other providers of the supplies, equipment, real property, and services indicated in the category.

Category 1	All investments, sources of income, interests in real property, and positions in business entities.
Category 2	Investments, sources of income, interests in real property, and positions in business entities as follows: If during a reporting period a designated employee in this category did not participate in an assignment in which he or she had a financial interest, the employee shall sign a statement to that effect under penalty of perjury. Employees who disqualified themselves from participating in an assignment in which they had a financial interest shall disclose that assignment and that interest in a statement signed under penalty of perjury. This statement shall be filed on form FPPC-1.
Category 3	Investments, sources of income, and business positions in business entities that are providers of printing, graphics hardware and software, duplicating, and publishing services, equipment, and supplies.
Category 4	Investments, sources of income, and business positions in business entities that are providers of recruitment advertising and media services, personnel and employment services, employee payroll and benefits services, organization development and employee education services, and human resources consulting.
Category 5	Investments, sources of income, and business positions in business entities that are providers of publications, materials, equipment, and software of the type generally used by law libraries.
Category 6	Investments, sources of income, and business positions in business entities that are providers of information systems

	hardware and/or software, telecommunications services, records management equipment, audio, video, and audiovisual presentation equipment, systems, and software, and information system and audiovisual consulting services.
Category 7	Investments, sources of income, and business positions in business entities that are providers of conference facilities, food services, travel services, hotel services, and audiovisual services and equipment.
Category 8	Investments, sources of income, and business positions in business entities that are providers of equipment, supplies, and services of the type used by the Education Division in producing judicial education materials and programs, including computer and audio-video equipment.
Category 9	Investments, sources of income, and business positions in business entities that are providers of supplies, equipment, real property, and services of a type used by the AOC or the appellate courts within the past two years, including, but not limited to, library, building maintenance, and security services, supplies, and equipment.
Category 10	Investments, sources of income, and business positions in business entities that are providers of office and business equipment, furniture, supplies, and services.
Category 11	Investments, sources of income, and business positions in business entities that are providers of building and court security services, supplies, and equipment.
Category 12	Investments, sources of income, and business positions in business entities that are providers of consulting and training services of a type used by the Executive Office Programs Division, the Center for Families, Children & the Courts, or the Human Resources Division.
Category 13	Investments, sources of income, and business positions in business entities that are providers of equipment, supplies, and services of the type used by the Office of Governmental Affairs.

Category 14	Investments, sources of income, and business positions in business entities that are providers of equipment, supplies, and services of the type used by the Appellate and Trial Court Judicial Services Division.
Category 15	Investments, sources of income, and business positions in business entities that are providers of consulting services that provide data gathering or policy analysis to assist in the enhancement of court administration and judicial branch policy decisions.
Category 16	All investments and business positions in, and income from, business entities or nonprofit organizations that (1) provide consulting, surveying, or research services on matters relating to trial court budgets or (2) provide services, supplies, materials, machinery, or equipment of a type utilized by the trial courts.
Category 17	All investments and business positions in, and income from, business entities or nonprofit organizations that (1) provide consulting, surveying, or research services on matters relating to family or juvenile law or (2) receive, or will be likely to receive, Judicial Council grant funding based on a recommendation from the member's advisory committee.
Category 18	All investments, sources of income, interests in real property, and positions in business entities that are providers of services, materials, or information to the judicial branch and would be subject to review or examination by the Audit Unit.
Category 19	All investments, sources of income, interests in real property, and positions in business entities that are providers of commercial furniture, fixtures, design services, construction products and services, real estate services, services, equipment, or goods related to the operation and maintenance of facilities, and other services of the type used by the Office of Court Construction and Management.