



# NEWS RELEASE

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## Judicial Council Endorses Campaign Finance Reforms for Judicial Elections

San Francisco—The Judicial Council of California has endorsed three recommendations involving the disclosure of—and mandatory disqualification as a result of—certain campaign contributions received by judicial candidates in state elections. The council took the action at a public meeting on Friday.

The recommendations, designed to increase public trust and confidence in an impartial judiciary, were made in the final report of the California Commission for Impartial Courts, appointed by Chief Justice Ronald M. George. The council accepted the final report at a public meeting in December 2009 and on Friday, the council endorsed three out of the 71 final recommendations and referred them for further action to the California Supreme Court, which is responsible for amendments to the Code of Judicial Ethics.

The recommendations include the following:

- Trial court judges should disclose to litigants, counsel, and other interested persons who appear in the judges' courtroom all contributions of \$100 or more made to the judge's campaign, directly or indirectly. (*Recommendation 29*)

The rationale for this recommendation is that the disclosure of all contributions of \$100 or more—the level at which contributions are reportable—would enhance public trust and confidence in an impartial judiciary by improving the public's ability to access information about the funding of judicial election campaigns.

- Trial court judges also should be subject to mandatory disqualification from hearing any matter involving a party, counsel, party affiliate, or other interested party who has made a monetary contribution of a certain amount to the judge's campaign, directly

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or indirectly. (*Recommendation 30*)

This disqualification, coupled with mandatory disclosure, will foster increased trust in judicial decision-making that is not influenced by campaign contributions, without the need to impose contribution limits.

- Each appellate justice should be subject to mandatory disqualification from hearing any matter involving a party, counsel, party affiliate, or other interested party who has made a monetary contribution of a certain amount to the judge's campaign, directly or indirectly. (*Recommendation 33*)

In making the recommendations on mandatory disqualification, the commission concluded that a current disqualification threshold of \$1,500—an amount that both the Code of Civil Procedure and the Code of Judicial Ethics reflect as significant in determining when a judge has a “financial interest” mandating disqualification—strikes the “best balance between the competing values of maintaining public trust and confidence in impartial judicial decisionmaking and allowing judicial candidates to engage in necessary fundraising.” The commission proposed that the \$1,500 amount apply to both the trial courts and the Courts of Appeal.

The commission also recommended that a higher disqualification threshold apply to the California Supreme Court given, among other things, that court’s statewide jurisdiction. The final decision on these amounts now rests with the Supreme Court.

## **OTHER ACTIONS**

In other matters, the council:

- Deferred action on expanding public disclosure of the final reports of court audits conducted by the Administrative Office of the Courts (AOC). In further discussions about providing audits of the AOC, staff noted that under the direction of the Judicial Council, the California Department of Finance (DOF) had been asked to prepare a proposal concerning that agency performing an audit of the AOC, which would be completed this calendar year and repeated every three years. Review is underway as to how best to provide audit services for the Supreme Court and Courts of Appeal.
- Subject to the availability of federal funding, the council approved the allocation and distribution of approximately \$770,000 statewide for the fiscal year 2010–2011 Access to Visitation Grant Program. The federal funding will be directed to 12 superior courts representing 22 counties and involving 24 local community nonprofit service providers to support and facilitate noncustodial parents’ access to and

visitation with their children through supervised visitation and exchange services, parent education, and group counseling services.

Chaired by Chief Justice George, the council is the administrative policymaking body of the California courts. The meeting was audiocast live at <http://www.courtinfo.ca.gov/jc/meetings.htm> . Meeting materials are available at <http://www.courtinfo.ca.gov/jc/documents/age20100226.pdf> .

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*The Judicial Council is the policymaking body of the California courts, the largest court system in the nation. Under the leadership of the Chief Justice and in accordance with the California Constitution, the council is responsible for ensuring the consistent, independent, impartial, and accessible administration of justice. The Administrative Office of the Courts carries out the official actions of the council and ensures leadership and excellence in court administration.*