



# Judicial Council of California

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## INVITATION TO COMMENT

SP25-03

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**Title**

Judicial Council Administration: Judicial  
Council Conflict of Interest Code

**Action Requested**

Review and submit comments by October 10,  
2025

**Proposed Rules, Forms, Standards, or Statutes**

None

**Proposed Effective Date**

January 1, 2026

**Proposed by**

Judicial Council staff  
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### Executive Summary and Origin

This proposal would adopt an amendment to the *Conflict of Interest Code for the Judicial Council of California* (Code) to include the classifications of Facilities AV Systems Specialist, Data Scientist, Compliance Architect, and Building Official. The proposal would also amend Category 7, Decision-making authority affecting real property and management, of the Code's disclosure category to include the requirement to disclose interests in real property, which is applicable to all classifications within this category. Additionally, this amendment includes minor copyediting corrections for grammar and clarification that do not change the scope of the code.

In accordance with Government Code sections 87303 and 87306, the Code must be updated "when change is necessitated by changed circumstances, including the creation of new positions." (Gov. Code, § 87306.) The council must review the proposed amendment to the Code and approve the Code as amended or direct that it be further revised and resubmitted for approval.

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

## Background

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; adding § 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, including its staff, 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)). In 1985, the Judicial Council first approved a conflict of interest code for Judicial Council employees. An agency’s conflict of interest code must be amended when new positions and duties are created or eliminated. (Gov. Code, § 87306.) Since 1985, the *Conflict of Interest Code for the Judicial Council* has been periodically amended.

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 influence. In brief, Government Code section 87302 specifies that 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 interest 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 financial interest.

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.

## Prior Circulation

On December 1, 2021, the *Conflict of Interest Code for the Judicial Council of California* was amended to include the newly added classification of Construction Inspector to the list of classifications requiring submission of a statement of economic interest, *Statement of Economic Interests* (Form 700).

### **Conflict of interest code for members of the Judicial Council**

The current Code requires Judicial Council members who are justices, judges, legislators, court executive officers, and court clerks and administrators—whether voting or nonvoting members—to disclose their financial interests and “[a]ll investments, sources of income, interests in real property, and positions in business entities.” Even though they perform unique duties as council members, they all are required to indicate on Form 700’s cover sheet that their statements are being filed for both their primary and their Judicial Council positions. All attorneys, voting or nonvoting, must file form FPPC-2, which discloses whether they were required to disqualify themselves from making, participating in making, or attempting to influence a decision of the Judicial Council during the reporting period because of a conflict of interest.

### **Conflict of interest code for Judicial Council staff**

The current Code for staff contains seven disclosure categories. The broadest category, 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 certain classification designations with foreseeable decision-making authority that could be affected by personal financial interests. Other employees must disclose a narrower range of financial interests that could be affected by their specific job duties.

### **The Proposal**

Judicial Council Human Resources staff recommend that the proposed Code (Attachment A) amend the current Code (Attachment B) to include the following classifications:

- **Facilities AV Systems Specialist:** The Facilities AV Systems Specialist is responsible for administering the procurement and solicitation processes for audio-visual systems and providing oversight of the work of contracted staff.
- **Data Scientist:** The Data Scientist holds the same supervisory decision-making and recommending authority regarding the classification’s functional area. These two classifications should therefore be included in the Code as a classification required to disclose a statement of economic interest.
- **Compliance Architect:** The Compliance Architect is responsible for providing review of architectural plans, designs, codes, and standards to ensure technical effectiveness and code compliance for new construction and modification projects. Incumbents work directly with regulatory agencies and exercise independent judgment in implementing policies, procedures, and standards.
- **Building Official:** The Building Official is responsible for providing high-level management oversight of multiple units involved in the most complex, specialized, and sensitive functional areas, allocating resources through the Architecture/Engineering Supervisor and other Facilities Supervisors as assigned.

The Fair Political Practices Commission indicates that per Government Code sections 87303 and 87306, the Code must be updated “when change is necessitated by changed circumstances, including the creation of new positions.” (Gov. Code, § 87306.)

Specifically, the proposed *Conflict of Interest Code for the Judicial Council of California* would:

1. Change the revision date from 2021 to 2026;
2. Add Compliance Architect in Appendix B, section 3, with a reporting requirement category of 7;
3. Add Building Official in Appendix B, section 3, with a reporting requirement category of 1b;
4. Add Facilities AV Systems Specialist in Appendix B, section 3, with an assigned disclosure category of 3;
5. Add Data Scientist in Appendix B, section 3, with a reporting requirement category of 5;
6. Add a reporting requirement to Appendix C, Category 7, to include financial interests in real property; and
7. Include minor copyediting corrections.

### **Alternatives Considered**

Per Government Code section 87306, periodic reviews of the *Conflict of Interest Code for the Judicial Council of California* are required to ensure that the code reflects the current structure of the agency and properly identifies all officials and employees who should file *Statement of Economic Interests* (Form 700). The current Code does not accurately reflect the agency’s current structure. The Political Reform Act of 1974 does not provide for any alternative actions other than those presented in this report.

### **Fiscal and Operational Impacts**

To implement the amended Code, the Judicial Council will need to ensure that its members and employees in the designated classifications timely submit *Statement of Economic Interests* (Form 700), as required under the Code and the Political Reform Act. On review of the comments received, the Code will be revised and presented to the Judicial Council for review and approval. Once approved, the amended Code will take effect on January 1, 2026.

#### **Request for Specific Comments**

In addition to comments on the proposal as a whole, Judicial Council staff are interested in comments on the following:

Does the proposal appropriately address the stated purpose?

### **Attachments and Links**

1. Attachment A: Proposed 2025 *Conflict of Interest Code for the Judicial Council of California*
2. Attachment B: [Current 2021 \*Conflict of Interest Code for the Judicial Council of California\*](#)

**CONFLICT OF INTEREST CODE  
FOR THE  
JUDICIAL COUNCIL OF CALIFORNIA  
(Revised effective ~~December~~January 1, 2021~~2026~~)**

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, California Code of Regulations, title 2, section 18730, which contains the terms of a standard conflict of interest code, and 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 (~~Cal.~~California Code ~~Regs., tit. 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 shall~~appendixes will constitute the *Conflict of Interest Code for the Judicial Council of California*.

Designated employees and contractors ~~shall~~are required to file statements of economic interests with the Administrative Director as prescribed by the Fair Political Practices Commission.

## Appendix A.— Judicial Council Members

Under ~~Article~~article VI, section 6, of the California Constitution, Judicial Council voting membership is limited to justices, judges, legislators, and attorneys. Two nonvoting court administrators and such other nonvoting members are determined by the voting membership of the council. Council members, voting or nonvoting, who are justices, judges, state legislators, court executive officers, and court administrators and clerks are required to file disclosure statements at their primary position because they are subject to comprehensive disclosure requirements arising out of their primary offices, ~~pursuant to~~under Government Code sections 87200 and 87300. When filing their annual statement of economic interests, council members, voting or ~~non-voting~~nonvoting, should indicate on the cover sheet of the ~~Conflict~~Statement of Interest-Economic Interests (Form 700) that their statements are being filed for both their primary and their Judicial Council positions.

### Designation of Positions

#### 1. Voting Council Members

##### a. Justices, Judges, and Legislators

- i. **Disclosure of ~~Financial Interests~~financial interests:** Council members must disclose all investments, sources of income, interests in real property, and positions in business entities, including those of their spouses, registered domestic partners, and/or dependent children.
- ii. **Manner of ~~Reporting~~reporting:** When filing their annual statement of economic interests, council members should indicate on the cover sheet of ~~Conflict~~Statement of Interest-Economic Interests (Form 700) that their statements are being filed for both their primary and their Judicial Council positions.

##### b. Attorneys

- i. **Disclosure of ~~Financial Interests~~financial interests:** The disclosure requirements under this code for the designated attorney members are limited to those in Business and Professions Code section 6036, ~~subdivision~~ (d). Under this provision, ~~a member~~members required to disqualify ~~himself or herself~~themselves because of a conflict of interest ~~shall~~must (1) immediately disclose the interest, (2) withdraw from any participation in the matter, (3) refrain from attempting to influence another member, and (4) refrain from voting. Consistent with section 6036, ~~subdivision~~ (d), it is sufficient that ~~the member~~members indicate only that ~~he or she has~~they have a disqualifying financial or personal interest, without

disclosing the specific interest.

- ii. **Manner of ~~Reporting~~reporting:** Attorney members of the Judicial Council of California ~~shall are required to~~ file ~~the~~ *Statement of Economic Interests for Attorney Members of the Judicial Council* (form FPPC-2). This form requires members to (1) disclose whether ~~or not~~ they were required to disqualify themselves from making, participating in making, or attempting to influence a decision of the Judicial Council during the reporting period because of a conflict of interest under Business and Professions Code section 6036, and (2) identify each decision requiring disqualification.

## 2. Nonvoting Council Members

- a. **Justices, Judges, Court Executive Officers, Court Administrators, and Clerks, and such other nonvoting members as determined by the voting membership of the council**

- i. **Disclosure of ~~Financial Interests~~financial interests:** Council members must disclose all investments, sources of income, interests in real property, and positions in business entities, including those of their spouses, ~~including~~ registered domestic partners, and/or dependent children.
- ii. **Manner of ~~Reporting~~reporting:** When filing their annual statement of economic interests, council members should indicate on the cover sheet of ~~Conflict Statement of Interest~~ *Economic Interests* (Form 700) that their statements are being filed for both their primary and their Judicial Council positions.

## Appendix B.

### Judicial Council Member and Staff List of Designated Classifications and Assigned Disclosure Categories

<b>1. Judicial Council Members</b>	
a. Voting and Nonvoting Members	1a
b. Voting and Nonvoting Attorney Members	2a
<b>2. Executive Level</b>	
a. Supervisorial and Management-Level Classifications	1b
b. All Attorney and Supervising Attorney Classifications	2b
c. Legislative Advocate	3, 4
d. Principal Advisor	3, 4
<b>3. All <del>Divisions</del>*Judicial Council Offices</b>	
a. Supervisorial and Management-Level Classifications	1b
b. All Attorney and Supervising Attorney Classifications	2b
c. Facilities Management Administrator	7
d. Senior Facilities Analyst and Facilities Analyst	7
e. Senior Project Manager and Project Manager	7
f. Engineering Specialist, Engineer and Construction Inspector	7
g. Compliance Architect	7
h. Building Official	1b
i. Facilities AV Systems Specialist	3
j. All Classifications in Procurement & Contracts	3, 4
h.k. All Classifications in Phoenix Purchasing Support Services	3, 4
il. Data Scientist and Information Technology Architect	5
jm. Education Developer and Senior Education Developer	6
kn. Administrative Coordinators in Conference & Registration Services	3, 4
lo. Special Consultant	1b
m. and Contractor*	1b

\*\_Consultants (contractors) ~~shall be~~ included in the list of designated positions and ~~shall be required to~~ disclose ~~pursuant to~~ under the broadest disclosure category in the code subject to the following limitation:

The Administrative Director may determine in writing that a particular consultant, although a “designated position,” is hired to perform a range of duties that are limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination ~~shall~~ must include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The consultant must comply with all other provisions of this code. The Administrative Director’s determination is a matter of public record and ~~shall~~ will be retained for public inspection in the same manner and location as this ~~Conflict~~conflict of ~~Interest Code~~interest code.

Per Policy 8.3(B) of the *Judicial Council Personnel Policies and Procedures Manual*, “[i]f an employee determines that he or she must not be involved in a decision on a particular matter because of a financial interest, then the employee must immediately



withdraw from participating in the decision, refrain from influencing others, and disclose the financial interest in writing to his or her supervisor.”

## **Appendix C.**

### **Judicial Council Staff Disclosure Categories**

An employee need only disclose a financial interest, or a spouse's financial interest, in a business entity included in an assigned category if the employee's duties involve making recommendations and/or decisions concerning that type of business entity. In this appendix, "positions" includes employee, partner, officer, director, trustee, and any other management position. "Providers" includes business entities and individuals ~~that~~who are manufacturers, distributors, vendors, sellers, lessors, suppliers, contractors, subcontractors, and other providers of the supplies, equipment, real property, and services indicated in the category.

#### **1. Executive ~~a~~Authority**

~~All~~Designated filers with executive authority are required to disclose all investments, sources of income, interests in real property, and positions in business entities.

- a. Council members who are justices, judges, legislators, court executive officers, and court administrators and clerks are required to file disclosure statements at their primary position because they are subject to comprehensive disclosure requirements arising out of their primary offices, ~~pursuant to~~under Government Code ~~section~~sections 87200 and 87300. When filing their annual statement of economic interests, council members, voting or nonvoting, should indicate on the cover sheet of ~~Conflict~~Statement of Interest-Economic Interests (Form 700) that their statements are being filed for both their primary and their Judicial Council positions.
- b. Designated Judicial Council staff are required to file all investments, sources of income (including gifts, loans, and travel payments), interests in real property, and positions in business entities.

#### **2. Attorneys**

Attorneys are required to (1) disclose whether ~~or not~~ they were required to disqualify themselves from making, participating in making, or attempting to influence a decision of the Judicial Council during the reporting period because of a conflict of interest under Business and Professions Code section 6036, and (2) identify each decision requiring disqualification.

- a. Attorneys who are Judicial Council members ~~shall~~are required to file ~~the~~Statement of Economic Interests for Attorney Members of the Judicial Council ~~on~~(form FPPC-2).
- b. Attorneys who are Judicial Council staff ~~shall~~are required to file ~~the~~StatementStatements of Economic Interests for ~~the~~Attorneys in Judicial Council on Branch Agencies (form FPPC-1).

**3. Decision-mMaking aAuthority aAffecting the pPurchasing of eOffice eEquipment, mMaterials, and sSupplies**

Designated filers within this category are required to disclose iInvestments, sources of income, and business positions in entities that are providers of office equipment, materials, and supplies, including, but not limited to, commercial and noncommercial furniture, fixtures, publication materials, printing, graphics, publishing services, audiovisual equipment, and/or any other non-IT electronic devices of the type used by the Judicial Council.

**4. Decision-mMaking aAuthority aAffecting eExternal eConsultants and eContracts**

Designated filers within this category are required to disclose iInvestments, sources of income, and business positions in business entities that are providers of services used by any office in the Judicial Council for the purposes of, including but not limited to, personnel and employment services, editing, publications, data gathering, data management, researching and surveying, policy analysis, real estate management, fleet management, conference and travel services, financial services, external legal counsel, and court security.

**5. Decision-mMaking aAuthority aAffecting iInformation tTechnology**

Designated filers within this category are required to disclose iInvestments, sources of income, and business positions in business entities that are providers of information technology, data management systems, computer software, computer equipment, and hardware of the type used by the Judicial Council.

**6. Decision-mMaking aAuthority aAffecting jJudicial eEducation**

Designated filers within this category are required to disclose iInvestments, sources of income, and business positions in business entities that are providers of training and educational development services of the type used by the Judicial Council.

**7. Decision-mMaking aAuthority aAffecting rReal pProperty and mManagement**

Designated filers within this category are required to disclose iInvestments, sources of income, interests in real property, and business positions in business entities that are providers of real estate purchasing, maintenance, construction, and development.

## Appendix D. Reporting Instructions

### 1. Time of ~~f~~Filing ~~s~~Statements and ~~r~~Reporting ~~p~~Period

- a. **Annual ~~S~~Statement:** The statement ~~shall~~must disclose the information required in ~~section 3~~Appendix C in accordance to the designated filer's disclosure category for the previous 12-month period.
- i. Each Judicial Council member and each designated Judicial Council employee and contingent worker ~~shall~~is required to file a statement of economic interest in accordance with the Fair Political Practices Commission's regulations (Cal. Code Regs., tit. 2, § 18723.)
- Judicial Council ~~M~~members who are not attorneys ~~shall~~are required to file an annual statement by March 1.
- All others, including but not limited to:
- ~~J~~Judicial Council members who are ~~A~~attorneys, ~~shall~~are required to file by April 1.
- b. **Statements when assuming office:** Under Government Code sections 87200 and 87300, every Judicial Council member or designated staff incumbent ~~shall~~is required to file a statement within 30 days after assuming office.
- c. **Statements after leaving offices:** Under Government Code sections 87200 and 87300, each former council member or designated staff incumbent ~~shall~~is required to file a statement within 30 days after leaving office. The statement ~~shall~~must disclose the information required by ~~section 3~~Appendix C for the period between the closing date of the last statement required to be filed and the date of leaving office.

### 2. Place of ~~f~~Filing ~~s~~Statements

- a. Judicial Council members and designated staff incumbents ~~shall~~are required to file the required statements with the Secretary of the Judicial Council (Administrative Director) ~~on using the Statement~~using the Statement of ~~Economic Interests for Judicial Council Members~~Conflict of Interest Form ~~economic interests form~~ 700, FPPC-1, or FPPC-2.

### 3. Assistance to ~~m~~Members

- a. A member may request assistance concerning duties under this code from the Fair Political Practices Commission under section 83114 of the Government Code.