

**CONFLICT OF INTEREST CODE FOR
THE BOARD OF GOVERNORS OF THE STATE BAR
OF CALIFORNIA**

Section 1. Definitions

The definitions set forth in Government Code Section 82000 et seq. are incorporated by reference in this code.

Section 2. Enumeration of Positions Subject to this Code

All members of the Board of Governors are subject to this code.

Section 3. Reportable Financial Interests

~~A member shall disclose an investment, interest in real property, and income as required by Government Code Sections 87206 and 87207 if during a reporting period the Board of Governors has made a decision that materially affects the investment, interest in real property, or income. Members must disclose all investments, business positions and income, including gifts, loans and travel payments, from sources that provide consulting services, capital equipment, or, as defined in Business and Professions Code section 6008.6, information technology of the types utilized by the State Bar.~~ Disclosures required by this code are in addition to disclosures required by Business and Professions Code section 6036.

Section 4. Disclosure Statements: Contents, Time for Filing, and Reporting Periods

Disclosures ~~shall~~must be made on forms prescribed by the Fair Political Practices Commission. Contents, time for filing, and reporting periods ~~shall be~~are as follows:

- (a) Initial Statement -- Each member who is incumbent on the date this code first becomes effective ~~shall~~must, within thirty (30) days after that date, file a statement identifying the member.
- (b) Assuming -- Office Statements -- Each person who becomes a member of the board after this code becomes effective ~~shall~~must, within thirty (30) days after taking the oath of office, file a statement identifying the member.
- (c) Annual Statements -- Each member ~~shall~~must by March 1 file an annual statement disclosing information required by section 3 of this code. The period covered by the annual statement ~~shall be~~is the prior calendar year or that portion of the prior calendar year during which the person making the disclosure was a member of the Board of Governors.
- (d) Leaving Office Statements -- After leaving office, each former board member

~~shall~~must, within thirty (30) days after the date of leaving office, file a statement disclosing information required by section 3 of this code for the period beginning the day after the closing date of the last statement filed and the date of leaving office.

Section 5. Place of Filing Statements

Disclosure statements ~~shall~~must be filed with the Secretary of the State Bar. The secretary ~~shall~~must make and retain a copy of each statement and forward the originals to the Clerk of the Supreme Court within five days after the filing deadline or within five days after the filing deadline or within five days after receipt in the case of the statements filed late.

Section 6. Assistance to Members

As provided by Government Code section 83114, members may request advice and assistance from the Fair Political Practices Commission with respect to their duties under this code.

SUPREME COURT OF CALIFORNIA

The Supreme Court as code-reviewing body under Government Code section 82011(e) adopted the following procedure effective June 30, 1986:

Privileged Information Withheld from a Statement of Economic Interests

If a member of the Judicial Council, Commission on Judicial Performance, or the Board of Governors of the State Bar of California believes that disclosure under Government Code section 87207 (b) (2) of the name of a person who paid fees or made payments to a business entity would violate a legally recognized privilege under California law, the member may assert the privilege as follows:

- (1) The member shall not report in the disclosure statement the information asserted to be privileged.
- (2) The member shall file with the disclosure statement a separate statement under penalty of perjury that (a) advises the filing officer that a reportable source of income has not been reported, (b) asserts the applicable privilege, (c) states the legal basis for the assertion, and (d) states as specifically as possible without defeating the privilege facts that demonstrate why the privilege is applicable.
- (3) The Supreme Court shall designate one or more persons who are not members of the court to act as the code-reviewing body solely to determine if the privilege is applicable. The designated code-reviewing body may request additional information from the member and consider additional evidence in-camera. If the designated code-reviewing body determines that disclosure is required, the member shall disclose the unreported information within 15 days after the Clerk of the Supreme Court mails notice of the determination.