

Conflicts of Interest and Local Government Ethics

Our Conflicts of Interest and Local Government Ethics Focus Area guides local officials on how to comply with California local agency ethics laws. We provide advice on financial disclosure reporting requirements, recusal (abstention) requirements when a governmental decision affects a public official's financial interests, and what type and amounts of gifts, including travel, may be accepted without violating the Political Reform Act. This advice often requires assisting officials with the ever-changing regulatory standards and interpretations of the Fair Political Practices Commission (FPPC) and then helping public officials decide when they may have a financial interest that is reasonably foreseeable to materially affect one of more of their financial interests and they must recuse themselves from that decision.

We also provide advice on potential conflicts of interest under Government Code Section 1090, including different types of financial interests in contracts, the proper application and interpretation of the "remote" and "non-interest" exceptions, how the courts, the California Attorney General and the FPPC have interpreted and applied the law in various situations, and how consultant contracts and services need to adhere to the evolving limitations on so-called "follow-on" contracts.

We will often assist local officials in obtaining informal or formal advice letters from the FPPC in matters involving conflict of interests. In addition, we regularly provide local government ethics training to public officials on conflicts of interest laws and on a variety of other local government ethics laws as required by AB 1234.

Representative Services

Preparation of local agency conflicts of interest codes, FPPC Form 700 compliance, gift limitations and reporting, when a public official must recuse him- or herself from a governmental decision, Government Code Section 1090 compliance and all other local agency ethics laws.

TEAM

Terence Boga
Roxanne M. Diaz
Kevin G. Ennis
Patrick Enright
Steven L. Flower
Natalie C. Kalbakian
Lori Liu
James L. Markman
Marian Slocum
Peter M. Thorson
Diana H. Varat
Serita R. Young

RELATED PRACTICES

Municipal & Public Agency
Law