



JUDICIAL CANDIDATE GUIDE

2010 PRIMARY ELECTION

JUDGE OF THE SUPERIOR COURT

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The materials contained in this handbook represent the research and opinions of the staff at the Glenn County Clerk/Elections Department. Although this handbook is a guide for candidates, it is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. Candidates and others using this handbook must bear full responsibility to make their own determinations as to all legal standards and duties.

Date of the election is June 8, 2010. A statewide direct primary shall be held on the first Tuesday after the first Monday in June of each even-numbered year. (Elections Code § 1201)

Winning candidate must receive a majority of votes cast for that office. Any candidate for a nonpartisan office who at a primary election receives votes on a majority of all the ballots cast for candidates for that office shall be elected to that office. (Elections Code § 8140)

Run-off election. In the event that officers are not elected pursuant to § 8140, a county general election shall be held with the statewide general election November 2, 2010 to select officers. (Elections Code § 1300)

QUALIFICATIONS FOR OFFICE

Residency. In 2000, SB 1823 repealed Government Code § 69502, removing residency requirements for superior court judges. No candidate for a judicial office shall be required to state his or her residential address on the Declaration of Intention. However, if the address is not stated on the Declaration of Intention, the address must be provided to the election official for verification. 8023(c).

Eligibility. No person is eligible to become a judge of the superior court unless for ten years immediately preceding selection, the person has been a member of the State Bar or served as a judge of a court of record in this State. (California Constitution, Article VI, § 15)

CANDIDATE REQUIREMENTS

Qualification documentation. Legally qualified candidates for judge of the superior court are required to file a declaration of candidacy, nomination papers, or statement of write-in candidacy, accompanied by documentation, including, but not necessarily limited to, certificates, declarations under penalty of perjury, diplomas, or official correspondence, sufficient to establish, in the determination of the official with whom the declaration or statement is filed, that the person meets each qualification established for service in that office. The provision of “documentation,” for purposes of compliance may include the submission of either an original, as defined in Section 255 of the Evidence Code, or a duplicate, as defined in Section 260 of the Evidence Code. (Elections Code § 13.5)

Declaration of Intention. Every candidate for judicial office must file a signed declaration of intention to become a candidate, on a form to be supplied by elections officials, not more than 14 nor less than five days prior to the first day nomination papers may be filed. **Filing period is February 1, 2010 to February 10, 2010.** (Elections Code § 8023(a))

Possible extension of time to file a declaration of intention. If the judicial incumbent fails to file a declaration of intent by 5 p.m. on February 10, 2010, persons other than the incumbent may file declarations of intent no later than **5 p.m. February 16, 2010**, the first day for filing nomination papers. (Elections Code § 8023(b))

Filing fee

A candidate filing fee must be paid at the time the declaration of intention is filed. The county elections official shall not accept any papers unless the fees are paid. All filing fees are nonrefundable. The filing fee for judge of the superior court is **\$1,787.89**, which is one percent of the annual salary of the office as of January 4, 2010, the first day to circulate petitions to gather signatures in lieu of filing fees. (Elections Code §§ 8104, 8104(b), 1805(b))

Petition in lieu of the filing fee

A candidate for judge of the superior court may submit a petition in-lieu-filing-fee containing **1,231 valid signatures** of registered voters to completely offset the filing fee; this is 10 percent of the total of registered voters in the county as reported to the Secretary of State in the last report of registration, May 4, 2009. (Elections Code § 8106(a)(4)) **All sections/signatures must be filed at the same time.**

The form for the petition in-lieu-filing-fee shall be obtained from the elections official and **shall be available January 4, 2010 and returned by February 10, 2010**. Upon receipt of the minimum number of signatures required, or a sufficient combination of signatures and pro rata filing fee, the elections official shall issue nomination papers provisionally. Within 10 days after receipt of a petition, the candidate will be notified of any deficiency, and shall then, by the filing fee payment deadline, either submit a supplemental petition or pay the pro rata portion of the filing fee to cover the deficiency. (Elections Code § 8106(b), 8106(b) (3)) For judicial candidates filing fees must be paid at the time of filing Declaration of Intention.

A voter may sign both a candidate's nomination papers and in-lieu-filing-fee petition. However, a voter may sign only one or the other, if signatures appearing on the documents are counted towards both the nomination paper and the in-lieu-filing-fee petition signature requirements. (Elections Code § 8106(a)(7))

Declaration of Candidacy

No candidate's name shall appear on the ballot of the primary election unless a declaration of candidacy has been delivered for filing. **The form shall be available February 16, 2010 and delivered to the elections office no later than 5 p.m. March 12, 2010.** (Elections Code § 8020)

A declaration of candidacy form shall not be removed from the elections office unless a candidate, in a written statement signed and dated by the candidate designates another person to

receive the declaration of candidacy form from the elections official and deliver it to the candidate. The statement must include language indicating the candidate is aware the declaration of candidacy must be properly executed and delivered to the elections official by the 88th day prior to the election. (Elections Code § 8028)

Nomination Papers

No candidate's name shall appear on the ballot of the primary election unless nomination papers have been delivered for filing. No candidate shall be required to sign and/or file a declaration of candidacy as a condition of receiving nomination papers. The forms will be **available February 16, 2010 and shall be delivered to the elections office no later than 5 p.m. March 12, 2010.** (Elections Code § 8020)

The number of signatures required of registered voters on a nomination paper shall be **not less than 20 nor more than 40.** (Elections Code § 8062(a)(3))

Signers shall be voters eligible to vote for the candidate. (Elections Code § 8068)

Signers may sign only one nomination paper for the same office. (Elections Code 8069)

Nomination papers must be complete. The elections official shall not accept for filing any nomination paper unless all blanks in the certificate are filled. (Elections Code § 8065)

Circulators shall be voters eligible to vote for the candidate. (Elections Code § 8066)

Possible extension of time to file nomination papers

If an incumbent, eligible to be elected, files a Declaration of Intention within the prescribed time frame, but fails to file a Declaration of Candidacy by the close of business on March 12, 2010, any person, other than the person who was the incumbent on March 12, 2010, may file a Declaration of Candidacy not later than the close of business on March 17, 2010, regardless of whether that person filed a Declaration of Intention. (Elections Code 8020, 8023, 8024, 8028, 8040, 8064, 8100, 8200 et seq.)

Signature gathering guidelines

The petition must contain signatures and residence addresses of registered voters qualified to vote for the candidate. Only the voter may sign his name and print his/her name and address.

A voter unable to sign his/her name may make a mark (X) - the name of the voter affixing the mark is printed near the mark by a witness over the age of 18 years designated by the voter and the designee subscribes his/her own name as a witness by signing his/her own name immediately after the words "WITNESSED BY" in the margin of the petition near the mark.

Blank petitions may be photocopied, handwritten or reproduced as long as all requisite statutory

elements of the petition are included.

The candidate and circulator must be registered voters in the jurisdiction and both may sign the petition.

By written request from the candidate, all valid signatures on a Petition in Lieu of the Filing Fee may be counted toward the number of required signatures for nomination in non-partisan races.

The circulator's affidavit must be completed by the person who witnessed the voters sign the petition. Signatures will **NOT** count where the circulator's affidavit is blank, incomplete, or unsigned, contains only initials, rather than a signature, or the dates of execution and circulation are in handwriting different from the circulator's handwriting.

Reasons a signature will NOT be counted

- The signer is not a registered voter in the jurisdiction or district during the time the petition is circulated.
- The signer uses initials for the first or middle name and is registered with a full first or middle name, and there are other voters at the same address with the same initials making it unclear who the signer is.
- Signature does not match or is different from the signature on the voter's affidavit of registration. (However, if the voter's name has changed from the registered name, the voter should print and sign both names.)
- The signature or address is crossed out.
- The signature is appended to the section so as to appear after the circulator's affidavit.
- The signature or residence address is missing.
- The address is different from the address on the voter registration during the time of circulation.
- A post office box is shown as the residence address.
- Someone other than the signer writes the address. If the signer is disabled and cannot sign his name and address, the mark and address must be witnessed (see detailed information above).
- The signer used ditto marks.
- The name or address is not printed clearly enough to identify the signer.
- The signer has signed more candidate petitions than there are positions open for the same office at the same election.

Write-In Candidacy

Every person who desires to be a write-in candidate shall file a statement of write-in candidacy and nomination papers with the requisite number of signatures. Forms shall be **available April 12, 2010 and delivered to the elections official by May 25, 2010.** (Elections Code §§ 8600 and 8601)

No filing fee shall be required of a write-in candidate. (Elections Code § 8604)

A write-in candidate at the primary may not have his or her name placed upon the ballot as a candidate for this office at the ensuing general election. (Elections Code § 8605)

Withdrawal of candidacy

No candidate whose declaration of candidacy has been filed may withdraw as a candidate at a primary election. (Elections Code § 8800)

No candidate nominated at any primary election may withdraw as a candidate at the ensuing general election. (Elections Code § 8801)

Candidate's Statement of Education & Qualifications (Optional)

Each candidate may prepare a typed and double-spaced statement of no more than 200 words, on a form provided by the elections official, of his or her own education and qualifications for publication and mailing with the official voter sample ballot. (Elections Code §§ 13307 – 13314)

No partisan affiliation may be mentioned in the statement, nor membership or activity in partisan political organizations.

The statement shall be limited to a recitation of the candidate's own personal background and qualifications, and shall not in any way make reference to other candidates for that office or to another candidate's qualifications, character, or activities. (Elections Code § 13308)

The statement must be filed with the elections official when the nomination papers are returned for filing. The statement may be withdrawn, but not changed during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period.

The statement shall remain confidential until the expiration of the filing deadline – it shall then become available for public examination and legal challenge ten days prior to submission for printing. (Elections Code § 13311)

The statement will be printed as filed, without spelling or grammar corrections, in type of uniform size and darkness, and uniform spacing – and shall be sent to each voter with the sample ballot.

A candidate submitting a statement for countywide office must pay **\$600 deposit** for the estimated pro rata share of the cost of printing, handling, and mailing the candidate's statements at the time of filing the statements. Spanish translation and publication is available for an **additional \$150**. If not submitted on electronic format, an additional **\$100** will be charged for labor. The elections official is not bound by the estimated cost and may - on a pro rata basis - bill the candidate for additional actual expense or refund any excess paid. In the event of overpayment, the elections official will prorate the excess amount among the candidates and refund the excess amount paid within 30 days of the election. (Elections Code § 13307)

If a candidate alleges to be indigent and is determined to be indigent and unable to pay the cost of the statement, the statement will be printed and sent to the voters. (Election Code § 13309)

Form 700, Statement of Economic Interests

A candidate for county office must file a completed Form 700, as a candidate statement, not later than the close of the nomination period, **March 12, 2010**, disclosing his or her personal economic interests within the county. Filing is not required if the candidate filed a Form 700 as an assuming office or annual office holder statement for the same office within 60 days of filing a declaration of candidacy. (Government Code § 87200)

Form 501, Candidate Intention Statement

A candidate must file this form prior to solicitation or receipt of any contribution, including personal funds used for the election. **Exception:** Form 501 is not required if the candidate will not solicit or receive contributions from other persons and the only expenditures will be from the candidate's personal funds used for the filing fee and/or statement of qualifications in ballot pamphlet. (Government Code § 85200)

Form 410, Recipient Committee Statement of Organization

A recipient committee is any individual (including an officeholder or a candidate), group of individuals, organization, or any other entity that receives campaign contributions totaling \$1,000 or more during a calendar year.

The term "contribution" includes monetary payments, loans and non-monetary goods or services. Personal funds used to pay a candidate filing fee or a fee for the statement of qualifications to appear in the ballot pamphlet are not counted toward the \$1,000 threshold.

An original and a copy of Form 410 must be filed with the Secretary of State and a copy with the county elections official within 10 days of receiving \$1,000 in contributions.

If the recipient committee qualifies during the 16 days prior to an election in which it must file pre-election statements, the Form 410 information must be delivered by telegram or personal delivery within 24 hours of qualification to the county elections official. A Form 410 then must also be filed with the Secretary of State within 10 days.

Termination of candidacy and future filing obligations

Recipient committees must file pre-election and semi-annual campaign disclosure statements until termination requirements are met and a Form 410 Termination Statement has been filed. (See Part 5 of the Form 410 instructions.)

Forms for periodic campaign contributions and expenditures disclosure statements

All campaign forms are available from the county elections office or the Fair Political Practices Commission website (www.fppc.ca.gov).

- **Form 470 (Short form)** is for use by a candidate who does not have a controlled committee, does not anticipate receiving contributions totaling \$1,000 or more during the calendar year, and does not anticipate spending \$1,000 or more during the calendar year.

NOTE: Judges who are unopposed, and therefore will not be listed on the ballot, will no longer have to file a Form 470 if they will not receive contributions or make expenditures. Payments from a candidate's personal funds for a filing fee for a declaration of candidacy are not considered contributions or expenditures.

- **Form 460 (Long form)** is for use by a candidate who has a controlled committee, who has received or anticipates receiving \$1,000 or more, or who has made or anticipates making expenditures of \$1,000 or more during the calendar year. (See the Fair Political Practices Commission Campaign Disclosure Manual 2 for more information.)

Due dates for campaign contributions and expenses disclosure statements

- A candidate who will appear on the ballot must file a first pre-election campaign disclosure statement (Form 470 or Form 460) with the county elections office by **March 22, 2010** for the period January 1, 2010 through March 17, 2010.
- A candidate who will appear on the ballot and has a qualified committee must file a second pre-election campaign disclosure statement (Form 460) with the county elections office by **May 27, 2010** for the period March 18, 2010 through May 22, 2010.

Fair Political Practices Commission

Technical assistance for completing campaign disclosure statements and statements of economic interests is available during business hours from the Fair Political Practices Commission Toll-Free Helpline - telephone: 1-866-ASK-FPPC. More information and all campaign disclosure forms are also available from the Fair Political Practices Commission website (www.fppc.ca.gov).

CAMPAIGNING, CAMPAIGN RECORDS AND REPORTS

The Fair Political Practices Commission (FPPC) has the primary responsibility for interpretation and administration of the Political Reform Act. The Secretary of State and county clerks are the filing officers for campaign disclosure statements. The Franchise Tax Board is responsible for audits conducted in accordance with the Act. The FPPC, the State Attorney General and local district attorneys have enforcement authority. (Government Code §§ 83111, 84215, 90000, 91000-91015)

“Contribution” includes personal funds used in connection with seeking or holding elective office, monetary payments, loans and non-monetary goods or services, but excludes personal funds used for the statement of education and qualifications published in the official sample ballot pamphlet.


Form 501 must be filed with the elections official prior to solicitation or receipt of any contribution. (Government Code § 85200)

“Recipient Committee” is any individual or group of individuals that receives contributions totaling \$1,000 or more during a calendar year. Within 10 days of qualifying as a recipient committee, the recipient committee must file a **Form 410** with the Secretary of State and a copy with the county elections official. The Secretary of State will issue an identification number to the committee that must be included on all campaign disclosure forms.

If a recipient committee qualifies during the 16-day period prior to the election, May 23, 2010 through June 7, 2010, then it must file the information contained on Form 410 via telegram or personal delivery to the county elections official within 24 hours of qualifying and send an original Form 410 to the Secretary of State within 10 days. (Government Code §§ 82036, 84203, 84204)

Campaign Bank Account – Candidates who anticipate soliciting or receiving contributions from others, or who anticipate spending \$1,000 or more of personal funds in connection with their election, excluding the cost of the Candidate Statement of Education and Qualifications, must open a campaign bank account and all campaign expenses must be paid from that account.

Recordkeeping – An accurate and organized record must be kept of all campaign receipts and expenditures. Maintain a daily record of receipts and a contributor record with full name and address of each contributor of \$25 or more. For contributions of \$100 or more, the contributor’s occupation and employer or business must also be recorded. Retain records for five years.

 Read *FPPC Campaign Disclosure Manual 2*.

 Technical assistance for completing campaign statements is available from the Fair Political Practices Commission toll free at **1-866-ASK-FPPC**.

 On the Internet, visit www.fppc.ca.gov for more information and forms.

Voter Index, Lists, Labels, and Data

Any candidate may purchase the voter index or voter lists, labels, and data from the county elections office for the election campaign. Under state law, access and use of voter information is restricted, and an application to obtain voter information must be completed. (Elections Code §§ 2188 and 2194; Government Code § 6254.4)

ITEM	COST	AUTHORITY
Index – a printed alphabetical listing of voters – maximum of two	fifty cents per thousand names	Elections Code § 2184
Lists of voters or absentee voters, sorted by name or street.	fifty cents per page plus a \$25 setup charge	Board of Supervisors Resolution #97-148
Labels of voters or voter households, sorted by zip code.	\$30 per thousand or a fraction thereof plus a \$25 setup charge	Board of Supervisors Resolution #97-148
Data on computer diskette or CD.	\$25 per diskette or CD plus a \$25 setup charge	Board of Supervisors Resolution #97-148

Outdoor Campaign Signs

Section 5405.3 of the State Outdoor Advertising Act exempts the placing of temporary political signs from normal outdoor advertising display requirements. A temporary political sign meets the following criteria:

1. Encourages a particular vote in a scheduled election.
2. Placed not sooner than 90 days prior to the scheduled election and is removed within 10 days after that election.
3. Not larger than 32 square feet.
4. A Statement of Responsibility has been filed with the California Department of Transportation certifying a person who will be responsible for removing the sign.

Statement of Responsibility forms for the Department of Transportation, the County Public Works agency, and the cities of Orland and Willows are available from the county elections office.

Newspaper Advertising

Pursuant to Elections Code § 20008, any paid political advertisement that refers to an election or to any candidate for state or local elective office and that is contained in or distributed with a newspaper, shall bear on each surface or page thereof, in type or lettering at least half as large as the type or lettering of the advertisement or in 10-point roman type, whichever is larger, the words "Paid Political Advertisement." The words shall be set apart from any other printed matter.

As used in this section "paid political advertisement" shall mean and shall be limited to, published statements paid for by advertisers for purposes of supporting or defeating any person who has filed for an elective state or local office.

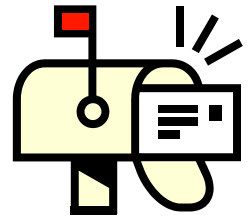
Mass Mailings

Mass mailings are more than 200 substantially similar pieces of mail sent by an officeholder, candidate or committee in a calendar month. The sender of a mass mailing is the candidate or committee who pays for the largest portion of the mailing.

Example: The ABC Homeowner's Association paid \$500 for a mailer supporting I.M. Winner, a school board candidate. The mailing was sent at the behest of Mr. Winner, and he paid \$200 for the postage to send the mailer. Since the ABC Homeowner's Association was not an existing committee, nor did it qualify as a committee when it sent the mailer, Mr. Winner must be identified as the sender of the mass mailing.

The sender must be identified on the outside of the mailing in the following manner:

- Name
- Address and City
- At least 6-point type
- Contrasting color or print style
- Name of controlling candidate, if applicable
- P.O. box may be used if a street address is listed on the committee's Form 410



If two or more officeholders, candidates or committees pay an equal share of the cost of a mailing, it must identify at least one on the outside of the mailing and all must be identified on the inside.

The following information is not required to be included in the sender ID:

- Committee's identification number
- Name of treasurer or printer
- The words "paid for by"

Identification is not required under the Political Reform Act on these campaign items:

- Newspaper, television, or radio ads
- Campaign materials not sent through the mail such as handbills, bumper stickers, and door hangers

The FPPC does not regulate the content of mailings (i.e. false or misleading statements).

Sample Ballots

Prior to the election, the elections office shall mail every eligible voter a sample ballot pamphlet that shall include the candidate's Statement of Education and Qualifications, if one is submitted. If the election is not conducted exclusively by mail, the pamphlet shall also include polling place

information and an application for an absentee ballot.

Absentee Ballots

Any eligible voter may request an absent voter ballot and vote by mail. The request must be in writing and received at least seven days prior to Election Day. The voted ballot must be in the possession of the county elections office by 8:00 p.m. on Election Day to be counted.

RULES ON REPORTING ACCRUED EXPENSES ON FORM 460 SCHEDULE F

Previously, when you would report an expense which you accrued in one reporting period but paid in another, that expense would only be reported during the period it was accrued and you would not itemize that expense again. Now, you must continue to itemize that accrued expense through each reporting period until it is paid in full.

Example: During the first six months of 2008, you ordered and received literature from a printer at a cost of \$2,500, but had yet to pay the printer by June 30. Report the \$2,500 unpaid bill as an accrued expense on Schedule F of the semi-annual statement. After that reporting period, you paid the \$2,500 bill in full. On your next statement, itemize the accrued expense again on Schedule F and report a beginning balance of \$2,500, a payment of \$2,500, and a balance owed of \$0. You would not report this accrued expense again.

Another Example: Perhaps the payment made to the printer was only \$1,000, leaving a balance owed of \$1,500. On your statement, you will again itemize the accrued expense and report a beginning balance of \$2,500, a payment of \$1,000 and a balance owed of \$1,500. You will continue to report this accrued expense on subsequent statements until the obligation is paid. If you incurred additional expenses to this printer during the period, you would report that amount as well.

Each time you make a payment that payment will also be reported on Schedule E as an expenditure.

HOW TO REPORT ACCRUED EXPENSES ON YOUR FIRST FORM 460

If you have an accrued expense of \$100 or more outstanding from the previous period, itemize the name and address of the payee/creditor and the appropriate code describing the expenditure on Schedule F. Report the outstanding balance as of the beginning of the reporting period, any additional amounts incurred to this vendor, any payments made against the debt during the reporting period and the outstanding balance as of the end of the reporting period. (It is not necessary to re-itemize sub vendor payments that have been itemized on a previous statement.)

Remember! Continue to report the accrued expense on subsequent statements until it is paid in full.

REPORTING ADMINISTRATIVE EXPENSES

There are certain expenses that may carry over from one reporting period to another that you **do not** have to report as accrued expenses. These expenses include regularly recurring administrative overhead such as rent, utilities, phones, campaign workers' salaries, etc., **if the**

payment due date has not occurred at the end of the reporting period. Campaign workers' salaries only include payments to those individuals for whom the committee is paying federal and state employment taxes.

Consultant contracts and contracts with independent contractors are not considered regularly occurring administrative overhead of a committee.

SOME ANSWERS TO CAMPAIGN REPORTING QUESTIONS

Q: Is a candidate who ran in a primary election required to file another Form 501 and open a separate bank account for the general (or run-off) election?

A: No, the Form 501 filed and bank account opened for the primary election cover both elections.

Q: Must an incumbent file a Form 501 if he or she is running for re-election to the same position?

A: Yes, the incumbent must file an initial Form 501. The Form 410 (Statement of Organization) must also be amended to indicate whether the incumbent is re-designating an existing bank account or establishing a new bank account.

Q: If a person buys a ticket to a campaign fundraiser, is the entire amount reported as a contribution?

A: Yes, typically the face value of the ticket is reported as a contribution. The benefit the attendee receives at the event (i.e. food, entertainment) is not subtracted from the amount of the ticket price.

Q: How are donated items for an auction or garage sale, as well as the proceeds of the sale, reported?

A: The fair market value of items donated for sale at an auction or garage sale must be reported as non-monetary contributions on Schedule C. Non-monetary contributions of \$100 or more received during the calendar year must be itemized.

If the person who purchases the item pays fair market value, the proceeds are not "contributions" because the purchaser has received full and adequate consideration for the payment. These amounts should be reported as "Miscellaneous Increases to Cash" on Schedule I. If the purchaser pays more than the fair market value, the amount over the fair market value is a contribution that must be reported on Schedule A.

Q: May a candidate be reimbursed for the use of a personal vehicle?

A: An officeholder, candidate, a member of his/her immediate family, the staff of a committee, or the staff of an elected officer's governmental agency may be reimbursed for use of a personal

vehicle only if vehicle use directly relates to a political, legislative, or governmental purpose. The purpose and mileage must be documented in a manner approved by the Internal Revenue Service in connection with deductible mileage expenses. In addition, reimbursement cannot be made at a rate higher than allowed under Internal Revenue Code Section 162.

Q: If a candidate uses his/her personal telephone for campaign purposes, how should the telephone bills be paid?

A: Candidates that use personal telephones for campaign calls must pay the campaign portion of the bill with campaign funds. The other portion must be paid with personal funds.

Q: When are unpaid bills reportable as accrued expenses?

A: The basic rule is that you must report an accrued expense any time you have received goods or services but have not paid for them by the end of the reporting period.

Q: What if I haven't received an invoice from the vendor yet?

A: If you have received the goods or services, you must report the accrued expense even if you have not received an invoice. If you do not know the exact amount, you may estimate the amount of the expense. When reporting an estimate, note that fact on Schedule F.

Q: We have a contract to pay our campaign consultant \$1,000 per month. If the closing date of the campaign statement falls during the middle of the month, say March 17, must we report an accrued expense for the period March 1 through March 17?

A: No. When you have agreed in writing to pay a contractor a set amount at regular intervals, it is not necessary to prorate the amount owed to the contractor if the reporting period closes before the end of the contract period.

Q: We reported an estimated accrued expense of \$5,000 to a printer. The actual amount owed was \$4,500. What do we do?

A: You can amend the statement on which you reported the \$5,000, or you can correct the amount on a subsequent statement by doing the following:

On Schedule F, column (a), report an outstanding accrued expense of \$5,000. In column (b), the amount incurred this period, report a **negative** \$500. If you made any payments on the accrued expense during the period, report that amount in column (c) and the outstanding balance in column (d).

If you paid **more** than the estimated amount, report the \$5,000 in column (a), the amount over the estimate in column (b) as a new accrued expense, any amounts paid in column (c), and the outstanding balance in column (d).

Be sure to make the correction on the next statement filed after determining the correct amount. Also be sure to note on Schedule F when you are correcting estimates.

Q: When an accrued expense is owed and there are subvendor payments, when are the

subvendors reported? For example, if we report an accrued expense owed on a credit card and list the subvendors, must we re-itemize the subvendors again on Schedules E and F when the accrued expense is paid?

A: No. It is not necessary to re-itemize subvendors when payments are made on accrued expenses, or if an accrued expense is reported on more than one statement. In this example, the subvendors must be reported on the first statement disclosing the accrued expense owed to the credit card company. On subsequent statements, only the credit card company must be itemized.

CODE OF FAIR CAMPAIGN PRACTICES

(Election Code Sections 20400 – 20444)

Background Information

In 1982, legislation was passed which established a “Code of Fair Campaign Practices” in California which could be voluntarily subscribed to by candidates for public office. Amendments in 1987 expanded the provisions of the code so as to apply to committees formed primarily to support/oppose a ballot measure, and also reaffirmed civil liability provisions pertaining to libel and slander in campaign advertising and communications.

The text of the provisions of the Code of Fair Campaign Practices is listed on the following page.

Elections Department Requirement

The Elections Department is required, at the time an individual is issued his/her Declaration of Candidacy, nomination papers, or any other paper evidencing an intention to be a candidate for public office, to provide the candidate a blank form on which to subscribe to the “Code of Fair Campaign Practices” and a copy of the Elections Code provisions.

Voluntary Subscription

Subscription to the Code is voluntary. Completed forms are to be filed with the Elections Department and shall be retained for public inspection until 30 days after the election.

The text of the code shall read, as follows:

“CODE OF FAIR CAMPAIGN PRACTICES”

There are basic principles of decency, honesty, and fair play which every candidate for public office in the State of California has a moral obligation to observe and uphold, in order that, after vigorously contested, but fairly conducted campaigns, our citizens may exercise their constitutional right to a free and untrammelled choice and the will of the people may be fully and clearly expressed on the issues.

THEREFORE:

- (1) I SHALL CONDUCT my campaign openly and publicly, discussing the issues as I see them, presenting my record and policies with sincerity and frankness, and criticizing without fear or favor the record and policies of my opponents or political parties which merit such criticism.
- (2) I SHALL NOT USE OR PERMIT the use of character defamation, whispering campaigns, libel, slander, or scurrilous attacks on any candidate or his or her personal or family life.
- (3) I SHALL NOT USE OR PERMIT any appeal to negative prejudice based on race, sex, religion, national origin, physical health status, or age.
- (4) I SHALL NOT USE OR PERMIT any dishonest or unethical practice which tends to corrupt or undermine our American system of free elections, or which hampers or prevents the full and free expression of the will of the voters including acts intended to hinder or prevent any eligible person from registering to vote, enrolling to vote, or voting.
- (5) I SHALL NOT coerce election help or campaign contributions for myself or for any other candidate from my employees.
- (6) I SHALL IMMEDIATELY AND PUBLICLY REPUDIATE support deriving from an individual or group which resorts, on behalf of my candidacy or in opposition to that of my opponent, to the methods and tactics which I condemn. I shall accept responsibility to take firm action against any subordinate who violates any provision of this code or the laws governing elections.
- (7) I SHALL DEFEND AND UPHOLD the right of every qualified American voter to full and equal participation in the electoral process.

I, the undersigned, candidate for election to public office in the State of California or treasurer or chairperson of a committee making any independent expenditures, hereby voluntarily endorse, subscribe to, and solemnly pledge myself to conduct my campaign in accordance with the above principles and practices.

Signature

Date

Printed Name



IMPORTANT THINGS TO REMEMBER

- 1. BE INFORMED** - Study the FPPC Campaign Disclosure Manual 2 - Information for Local Candidates, Superior Court Judges, Their Controlled Committees, and Primarily Formed Committees for Local Candidates. Download it from www.fppc.ca.gov or obtain a copy from the elections official. PDF templates are available online for all your filing needs: 460, 470, 700, etc.
- 2. BEFORE RAISING OR SPENDING ANY MONEY** - File Form 501 (Candidate Intention) before accepting contributions. Open a campaign bank account. Once \$1,000 is raised or spent, get an identification number by filing Form 410.
- 3. MARK YOUR CALENDAR** - Know the due dates for campaign statements and file on time.
- 4. KEEP GOOD RECORDS** - Maintain details on contributions and expenditures. Retain contribution and expense records for 5 years. Refer to recordkeeping guidelines in Chapter 1 of the FPPC Campaign Disclosure Manual 2.
- 5. \$100 OR MORE IN CASH?** - Never accept or spend \$100 or more in cash.
- 6. USING PERSONAL FUNDS FOR CAMPAIGN EXPENSES** - All personal funds of the candidate must first be deposited in the campaign bank account, except for personal funds used for the statement of education and qualifications fee.
- 7. REPORT LATE CONTRIBUTIONS** - If \$1,000 or more is received from a single source during the last 16 days before the election, disclose receipt within 24 hours, even if the contribution is from your personal funds.
- 8. ITEMIZE CONTRIBUTORS** - For contributions of \$100 or more, including loans and in-kind contributions, you must disclose the contributor's name, address, occupation and employer.
- 9. IF AN AGENT OR CONSULTANT BUYS GOODS OR SERVICES FOR CAMPAIGN** - Itemize expenditures of \$500 or more made by the agent or consultant.
- 10. IDENTIFY CANDIDATE/COMMITTEE ON MAILINGS** - Include your name and campaign address in at least 6-point type on the outside of all mass mailings (more than 200 pieces). Your committee's name may be used if it includes your name. If your name is not part of the committee's name, you may use just your name, or both your name and the name of the committee.
- 11. NO PERSONAL USE OF CAMPAIGN FUNDS** - Use campaign funds (contributions) only for political, legislative, or governmental purposes.
- 12. BE MORE INFORMED** - Attend a campaign workshop in your area. Contact your filing officer or the FPPC if you have any questions. Visit the FPPC website at www.fppc.ca.gov for more information, publications, and forms. Speak with an FPPC advisor toll free at **1-866-ASK-FPPC**.

IMPORTANT TELEPHONE NUMBERS/WEBSITES

GLENN COUNTY ELECTIONS DEPARTMENT (530) 934-6414

OFFICE OF THE SECRETARY OF STATE
ELECTIONS DIVISION (916) 657-2166
Fax (916) 653-3214
General Information, Filing State/Federal Offices Website www.sos.ca.gov

POLITICAL REFORM DIVISION (916) 653-6224
(Committee ID Number, Termination) Fax (916) 653-5045

FAIR POLITICAL PRACTICES COMMISSION
TECHNICAL ASSISTANCE DIVISION (Mon-Thurs, 9-11:30 am (866) 275-3772
& 1:30-3:30 pm) Fax (916) 322-0886

(Campaign Disclosure, State Contribution Limits, Conflict of Interest
Disclosure) WEBSITE www.fppc.ca.gov

LEGAL DIVISION (Mon-Fri, 9 – Noon) (866) 275-3772
(Conflict of Interest Disqualifications, Use of Campaign Funds) (916) 322-5660

ENFORCEMENT DIVISION (800) 561-1861
(File Complaint Under Political Reform Act)

STATE FRANCHISE TAX BOARD (800) 852-5711
AUTOMATED INFORMATION (800) 338-0505

(Committee Tax Status, Tax Deductible Contributions,
Charitable Non-Profit Groups, General Information) Website www.ftb.ca.gov
CA RELAY SERVICE – TDD (800) 822-6268 (800) 735-2922

FEDERAL ELECTION COMMISSION (800) 424-9530
(Federal Campaign Disclosure, Contributions From National
Banks, National Corporations, Foreign Nationals) Website www.fec.gov

WHERE TO REPORT CAMPAIGN COMPLAINTS

In response to the many inquiries we receive regarding possible election violations or fraud, we have the following list of resources regarding whom to contact for the various violations. The Glenn County Elections Department is **NOT** an enforcement agency and is therefore unable to investigate any violations. When our office receives reports of violations, we recommend that individuals contact the following agencies directly to formally file their complaints.



False or misleading campaign materials: No agency enforcement. These issues are dealt with in court.

Violations of the Political Reform Act: (Title 9 of the California Government Code at Sections 81000 through 91015), i.e. mass mailing requirements; slate mailers; campaign disclosure; proper use of campaign funds; disclosure of economic interests: contact the Fair Political Practices Commission at www.fppc.ca.gov, 800-561-1861.

Election fraud: contact your local district attorney, 530-934-6525, or the California Secretary of State at www.sos.ca.gov, 916-657-2166.

Unlawful use of public funds, violations of the Elections Code, the Penal Code, or any laws other than the Political Reform Act: contact your local district attorney, 530-934-6525, or the California State Attorney General at www.caag.state.ca.us, 800-952-5225.

Federal campaigns, Congress, U.S. Senate, President of the United States: contact the Federal Election Commission at www.fec.gov, 800-424-9530.

Open meeting laws (Brown Act): contact your local district attorney, 530-934-6525, or the California State Attorney General at www.caag.state.ca.us, 800-952-5225.

Local ordinances: contact your local city attorney or district attorney. 530-934-6525.

Vandalism or requirements concerning campaign signs: contact local city attorney or district attorney.

FEDERAL / STATE ENFORCEMENT OFFICES

Fair Political Practices Commission P.O. Box 807 Sacramento, CA 95812-0807 428 J Street, Suite 450 Sacramento, CA 95814 916-322-5660 FAX: 916-322-0886	Secretary of State Political Reform Division 1500 11th Street, Room 495 Sacramento, CA 95814 916-653-6224 FAX: 916-653-5045
Reporting Enforcement Violations 800-561-1861	Federal Election Commission 999 E Street, NW Washington, DC 20463 800-424-9530 <i>Hearing impaired</i> – TTY 202-219-3336
Secretary of State Elections Division 1500 11 th Street, Fifth Floor Sacramento, CA 95814 916-657-2166 FAX: 916-653-3214	Attorney General P.O. Box 944255 Sacramento, CA 94244-2550 916-445-9555 800-952-5225

Brief Judicial Election Calendar

<p>Monday, January 4, 2010 Petitions in-lieu-filing of filing fee may be gathered and submitted. Judicial candidates must submit the signatures by February 10, 2010. Obtain official forms and the number of signatures to gather from the Elections Department. If the candidate requests it, signatures in-lieu may also be used for nomination papers.</p>
<p>Monday, February 1, 2010 First day that Judicial candidates may obtain a Declaration of Intention from the Elections Department, which shall be filed no later than Wednesday, February 10, 2010. Candidate filing fees must be paid at the time of filing the Declaration of Intention.</p>
<p>Monday, February 1, 2010 Deadline for candidates and committees participating in the primary to file semi-annual campaign disclosure statement (Form 460 or Form 470) for the period ending December 31, 2009.</p>
<p>Wednesday, February 10, 2010</p> <ul style="list-style-type: none">• Deadline for Judicial candidates file a Declaration of Intention.• Deadline for Judicial candidates to submit signatures in-lieu.
<p>Thursday, February 11, 2010 through Tuesday, February 16, 2010 Extension of period for non-incumbent Judicial candidates to file Declaration of Intention if the incumbent fails to file a Declaration of Intention by February 10th. Candidate filing fees must be paid at the time of filing the Declaration of Intention.</p>
<p>Tuesday, February 16, 2010 through Friday, March 12, 2010 Nomination papers and Declaration of Candidacy forms shall be available from, and filed with, the Elections Department during this period.</p>
<p>Friday, March 12, 2010</p> <ul style="list-style-type: none">• Deadline for candidates to file a Statement of Economic Interests (Form 700) with the Elections Department.• Deadline to file nomination papers and Declaration of Candidacy.
<p>Monday, March 15, 2010 through Wednesday, March 17, 2010 Extended nomination period for non-incumbent candidates to file nomination papers and Declaration of Candidacy if the qualified incumbent for the office fails to file nomination papers and Declaration of Candidacy by March 12th .</p>
<p>Monday, March 22, 2010 Deadline for all candidates who will appear on the ballot to file a first pre-election campaign disclosure statement (Form 470 or Form 460) for the period January 1, 2010 through March 17, 2010.</p>
<p>Monday, May 24, 2010 Deadline for residents to be registered in order to be eligible to vote in the election.</p>
<p>Thursday, May 27, 2010 Deadline for all candidates who will appear on the ballot and who qualify as a campaign committee to file a second pre-election campaign disclosure statement (Form 460) for the period March 18, 2010 through May 22, 2010.</p>
<p>Tuesday, June 8, 2010 Election Day. Polls are open from 7:00 a.m. through 8:00 p.m.</p>