

Met News

### **Ethics Committee Cites Restrictions on Reporting Attorney Misconduct to P.J.**

A Court of Appeal administrative presiding justice may not inform a superior court presiding judge of misconduct by a superior court research attorney if the case in which that attorney was involved has not been finally resolved, the California Supreme Court's Committee on Judicial Ethics Opinions declared yesterday.

The opinion summarizes oral advice given to an administrative presiding justice ("APJ"), not identifying which one.

The California Supreme Court has denied review in the case, the opinion notes, but says that when the request for advice was made, time remained for seeking a writ of certiorari in the United States Supreme Court.

"The committee advises that until the matter is no longer pending within the meaning of the Code of Judicial Ethics, the APJ may not contact the presiding judge," the opinion says, explaining:

"Such contact would be an impermissible ex parte communication regarding a pending matter."

An APJ is under a duty to take "appropriate corrective action" when he or she has personal knowledge of attorney's violation of the Rules of Professional Conduct, which ordinarily would include speaking with the attorney or conducting the presiding judge, the opinion says, but adds:

"In this instance, the committee advises that the APJ could report the misconduct to the State Bar, which is the authority with responsibility for initiation of an attorney disciplinary proceeding. During the time that a party may file a writ of certiorari with the United States Supreme Court in the matter, direct communication with the superior court research attorney or the presiding judge constitutes impermissible ex parte communication."

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Sacramento Bee

### **Chronicling civil-service life for California state workers**

A Southern California police officer unseated the president of the California Public Employees' Retirement System in a local government election that could signal a change in direction for the nation's largest public pension fund. Corona police officer Jason Perez defeated 15-year CalPERS Board of Administration member Priya Mathur, according to election results CalPERS released on Thursday.

Perez was a first-time candidate who said when he launched his campaign that he wanted to run because he was worried about the \$360 billion pension fund, and [“I’m selfish; I want to retire.”](#) At a debate, he said he wanted the pension fund to focus on maximizing returns from its investments.

Mathur, a BART financial analyst, argued in her campaign that her experience serving on the board helped her shape policies that prevented steep health care cost increases and worked to protect the fund from an economic downturn. She was elected president of the board in January on a 7-6 vote. Her defeat means the board will have to select a new president in January. Perez received 9,208 votes; Mathur received 7,008.

CalPERS is overseen by a 13 member board of administration. Four members are appointed by the governor, one is the state controller, one is the state treasurer, one is appointed by the Legislature, and six are selected by public employees and retirees in elections.

Perez’s union, [the Corona Police Officers Association](#), has been sending members regularly to speak at CalPERS board meetings in Sacramento for the past two years. Its members have discouraged the board from spending much time on environmental and social investment programs, instead urging the fund to focus on making money from any legal source.

Full Article Here: <https://www.sacbee.com/news/politics-government/the-state-worker/article219505330.html>

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Daily Journal

# Under fire, and facing family issue, San Francisco DA will not run for re-election

After a summer of being booed out of press conferences and losing the endorsement of the city's mayor, San Francisco District Attorney George Gascón has announced he will not run for reelection in 2019.



San Francisco County District Attorney George Gascón

After a summer of being booed out of press conferences and losing the endorsement of the city's mayor, San Francisco District Attorney George Gascón has announced he will not run for re-election in 2019.

According to a prepared statement, Gascón is bowing out of the race to care for his 90-year-old mother in Southern California.

“At this time, I simply cannot be the son I want to be and seek a third term,” Gascón said in the statement. “My career means a great deal to me. But success in the world with a family in chaos is not a choice I am willing to make.”

Gascón noted that he is his mother's only child.

Criminal defense attorneys often lauded Gascón as being the most progressive district attorney to hold the office in San Francisco, having been an outspoken proponent of sentence reductions under Proposition 47.