

Hi. This is Chris Micheli with the Sacramento governmental affairs firm of Aprea & Micheli, and an adjunct professor at McGeorge School of Law. Today's podcast is on ethics for legislative staff.

Just like California legislators, who are bound by laws and codes of conduct, there are also guides for the conduct of legislative staff as they serve these elected officials and the public. For example, the National Conference of State Legislatures - NCSL - has published a model of code of conduct for legislative staff. This comprehensive guide is an invaluable resource for legislative staff across the country.

The purpose of this code of conduct is to provide guidance to legislative staff so that they can better serve the public and legislative branch of state government. These staffers are invaluable to the legislative process and the institution itself. But they are also public servants, just like the elected legislators for whom they work. And just like these legislators, staff too are there to carry out the mission of the Legislature. They have a relationship of trust to the institution and the public generally.

In that regard, staff must conduct themselves appropriately towards legislators, the public, lobbyists, and their fellow staff members. Any code of conduct must detail how legislative staff should conduct themselves so that the public trust is always protected. In addition to any code of conduct, there are relevant state laws that apply to staff such as the California Government Code that provides extensive guidance to public employees.

The relevant provisions are found in Title I, Division 4, Chapter 9.5 and they describe political activities of public employees. Among numerous provisions of the government code found here, staff are prohibited from using the office, authority, or influence to obtain a change in position or compensation upon corrupt condition or consideration. In addition, staff may not solicit or receive political funds or contributions related to ballot measures.

Fundamentally, a state employee cannot engage in any employment or activity or enterprise which is "clearly inconsistent, incompatible, in conflict with, or inimical to his or her duties as a state officer or employee." So as such, staff are prohibited from using the prestige or the influence of the State of California for their own private gain or advantage. And they certainly cannot use state time, facilities, equipment, or supplies, for private gain or advantage.

Similarly, just like with legislators, legislative staff cannot be paid by third parties for performing their state duties and they cannot use confidential information for private gain or to provide such information to unauthorized persons. As you would expect, staff cannot receive or accept any gifts from anyone who is doing business or seeking to do business with the State of California.

While many of these prohibitions may seem obvious, they are important for staff to keep in mind as they perform their valuable public service while working in the California State Legislature. In reviewing the NCSL's model code, it provides a number of helpful guides to legislative staff.

First, it notes the general principles of conduct, including being a public servant, being loyal to the legislative branch, as well as being trustworthy and civil. The model code also notes the

obligations of staff to legislators with the specific traits of honesty, discretion, candor, objectivity, competency, diligence, and fairness.

Finally, the NCSL model code turns to staff obligations to other staff members that they be respectful and supportive of each other. The code concludes with staff obligations to members of the public to be courteous and law abiding. Again, these guidelines are helpful for legislative staff to remember as they carry out their important duties at the California State Capitol.

Thanks for joining this podcast.