

ELECTION LAW

Our nonpartisan team of political and election law attorneys are known throughout California for providing sophisticated compliance advice to established businesses, non-profits, law firms and real estate entities involved in the political and legislative processes. The team also represents political committees, ballot measure campaigns, Super PACs, trade association PACs and local candidates in political campaigns around California.

In our Election Law litigation practice, we represent candidates, political committees, citizen groups and municipalities in lawsuits involving campaign finance regulation, ballot initiatives and referenda, lobbying disclosure and governmental ethics and election contests.

Campaign & Election Law

- Monitoring new campaign laws in cities and counties throughout California.
- Setting up internal compliance programs for government affairs departments of businesses and trade associations.
- Providing legal representation to state, local and federal candidates, including setting up campaign and officeholder committees, maintaining committee bank accounts, filing campaign reports, reviewing nomination papers, drafting and negotiating contracts with consultants and fundraisers, reviewing solicitations and campaign advertisements, etc.
- Acting as general counsel to ballot measure committees, including drafting initiatives, formatting initiative and referenda petitions, maintaining committee bank accounts, filing campaign reports and tax returns, drafting and negotiating contracts with consultants and fundraisers, reviewing disclaimers on campaign advertisements, etc.
- Setting up and operating state, local and federal PACs, “independent expenditure” committees and 527 organizations, including naming and disclaimer requirements.
- Counseling candidate and ballot measure campaigns about the post-election vote count process, recounts, election contests, etc.
- Representing candidates and ballot measure committees in lawsuits challenging voter information pamphlet materials and campaign communications.
- Representing candidates and ballot measure committees in lawsuits challenging the conduct of state and local elections.
- Representing elected officials and candidates in disputes over eligibility and residency.
- Bringing lawsuits challenging campaign finance laws and regulations on behalf of nonprofit organizations, citizens groups and others.
- Representing clients in enforcement proceedings before the Fair Political Practices Commission, Federal Election Commission and local ethics commissions regarding alleged violations of campaign and election laws.

Governmental Ethics Law

- Advising elected officials, appointed commissioners and government employees whether they have a “conflict of interest” with respect to pending votes or other ethics issues, including potential violations of Government Code section 1090.
- Assisting elected officials, appointed commissioners and government employees in preparing their personal

financial disclosure reports (FPPC Form 700).

- Advising businesses, nonprofits, lobbyists and individuals regarding state, local and federal restrictions on “gifts” to public officials, including rules regulating gifts to an agency, “behested donations,” etc.
- Counseling current and former public officials regarding “revolving door” prohibitions and restrictions after leaving public office.
- Representing clients in enforcement proceedings before the Fair Political Practices Commission, local ethics commissions, and other regulatory bodies regarding alleged violations of conflict of interest, gift and other ethics laws.

Lobbying Law

- Advising businesses, trade associations and nonprofits whether they have to register as “lobbyists” on the state, local or federal levels, and whether and to what extent they have to disclose their lobbying activities.
- Monitoring new lobbying laws in cities and counties throughout California.
- Counseling lobbyists on restrictions on their political activities and their ability to entertain public officials.
- Drafting and negotiating lobbyist and lobbying firm contracts.
- Advising investment firms which seek investments from CalPERS, CalSTRS or local retirement boards whether they have to register as “placement agents.”
- Representing clients in enforcement proceedings before the Fair Political Practices Commission and local ethics commissions regarding alleged violations of lobbying laws.

Nonprofit Law

- Setting up 501(c)(3), (c)(4) and (c)(6) nonprofit organizations, including preparing and submitting tax exempt applications to the IRS and Franchise Tax Board.
- Providing guidance to nonprofit officers and directors regarding corporate governance issues, conflicts of interests and required corporate formalities.
- Drafting bylaws.
- Counseling charities and other nonprofit organizations regarding restrictions on lobbying and political activities.
- Advising business improvement districts regarding their obligations under open meeting and public records laws and restrictions on their political activities.

Reporting Services

The Election Law practice group has a staff of Political Compliance Specialists who provide comprehensive bookkeeping and reporting services, under the supervision of our attorneys. Reporting services offered by the Election Law practice group include:

- Setting up state, local and federal candidate committees, ballot measure committees, PACs and independent expenditure committees, and preparing and filing their campaign reports (including 10-day and 24-hour reports) and tax returns.
- Maintaining committee bank accounts, collecting and depositing contributions, paying committee expenses, and preparing regular financial statements, in compliance with applicable legal requirements.
- Reviewing committee records in preparation for audits by the Franchise Tax Board, Federal Elections Commission or local enforcement agencies.
- Preparing and filing state, local and federal lobbying disclosure reports.
- Preparing and filing state and federal tax returns for nonprofit organizations, as well as reports filed by nonprofits with the Attorney General’s Registry of Charitable Trusts and the Secretary of State.

