COUNTY OF SAN DIEGO
OFFICE OF THE PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN
DEPARTMENT POLICIES AND PROCEDURES

SUBJECT: CONFLICTS OF INTEREST/INCOMPATIBLE ACTIVITIES

Date: August 1, 1992

A. POLICY:

Employees of the Public Administrator/Public Guardian shall abide by all state and local laws regarding conflict of interest and incompatible activities.

B. DEFINITIONS:

None

C. PROCEDURE:

1. The following outside county employment activities are incompatible with the duties and responsibilities of employees of this department and are therefore prohibited:

   A. Any activity which may involve the use for private gain or advantage of county time or facilities.

   B. Any outside employment which results in the receipt of frequent telephone calls or visitors by employees while they are on duty.

   C. Any activity which involves the use for private gain or advantage of the prestige or influence of the individual's county employment, including the following:

      1. Directly or indirectly soliciting, seeking, or accepting personal loans, gifts, gratuities, business, compensation, or favors from business firms or their agents who deal with this department.

      2. Using official information not readily available to the general public, gained in the course of county employment, for private gain or advantage or the gain or advantage of another.

      3. Directly or indirectly soliciting being named as executor or executrix in wills or nominations to act as the administrator of the estate of deceased persons.

4. Directly or indirectly soliciting being named to act in any private capacity in the administration of estates.

5. Directly or indirectly soliciting being named to act as conservator of the estate or person.

D. Any activity which involves the receipt of money or other compensation from private parties for the performance of acts which the employee is expected to render in the regular course of his/her duties as a county employee, including any consultation work for a fee concerning the application or interpretation of orders of this department.

E. Any activity which is in conflict with the duties and responsibilities of the employee, including the following:

1. Outside employment which may impair the employee's independence of judgement as to his/her county duties.

2. Outside activity which may require or induce the employee to disclose confidential information acquired by him/her in the course of his/her county duties.

F. Any activity which involves time demands, which render the performance of his/her county duties less efficient.

G. Any activity which involves the performance of an act by an employee in other than his/her official county capacity which may later be subject, directly or indirectly, to the control, inspection, review, audit, or enforcement of any other county employee.

2. All staff members shall disclose their outside activities for compensation to the undersign as they occur. In addition, employees shall submit Form Aud-263 (Disclosure Statement) or Form 730 (Economic Interest) as required by statute or local ordinance.

3. Any staff member participating in an incompatible activity may be subject to disciplinary action including suspension, demotion, reprimand, transfer, or removal as prescribed by the county charter and the rules and regulations of the Civil Service Commission.

D. REFERENCES:

1. STATUTORY - State of California Government Code Sections 1125-27, 87100, 87200, 91000

2. COUNTY OF SAN DIEGO - Administrative Manual Item Number 0010-3

BARBARA A. BAKER
Public Administrator/Guardian

Approved and/or authorized by the Board of Supervisors of the County of San Diego
Date: 11/20/98 Minute Order No. 42
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
By _____
Deputy Clerk

COUNTY OF SAN DIEGO
OFFICE OF THE PUBLIC ADMINISTRATOR/PUBLIC GUARDIAN
DEPARTMENT POLICIES AND PROCEDURES

SUBJECT: PURCHASE OF ESTATE PROPERTY, ACCEPTANCE OF GIFTS, AND PERSONAL USE OF ESTATE PROPERTY

Date: August 1, 1992

A. POLICY:

The purchase of estate property, the acceptance of gifts, and the personal use of estate property by employees or agents of the Public Administrator/Public Guardian are strictly prohibited.

B. DEFINITIONS:

None

C. PROCEDURE:

1. All Employees of the Public Administrator/Public Guardian shall comply with Section 27443 of the California Government Code which reads in part:

   Every person holding the office of Public Administrator, Public Guardian, or Public Conservator and any deputy or agent of such officer is guilty of a crime who:

   A. Purchases directly or indirectly, the property of any estate administered by any public administrator, public guardian, or public conservator in his official capacity, or

   B. Acts upon any transaction or expenditure in connection with the administration of an estate by the public administrator, public guardian, or public conservator in his official capacity when he has a financial interest in such transaction or expenditure or, having knowledge of such interest, is associated in business with anyone who has such an interest...

   Any violation of this section is punishable by a fine not exceeding one thousand ($1,000), or by imprisonment in the County Jail not exceeding one year, or by such fine or imprisonment, or by imprisonment in the state prison.

2. Employees of this department are subject to the above restrictions with respect to the estates administered by the San Diego County Public Administrator/Public Guardian (Government Code Section 27443.5)

3. Members of an employee's immediate family shall not be permitted to purchase items of property of any estate under the jurisdiction of this department.

4. Employees shall not accept gifts from individuals who have purchased items from estates under the jurisdiction of this department, nor shall members of an employee's immediate family accept such gifts.

5. Employees shall not remove for their personal use any items of estate property that may be discharged as being of such little value that they can not be sold at the monthly auction. The case manager or warehouse personnel will dispose of such items in the warehouse Good Will box. Employees shall not take items from the Good Will box.

REFERENCES:

1. STATUTORY - State of California Government Code Sections 27443 and 27443.5.

2. PROCEDURES - No. 1.7, Conflicts of Interest/Incompatible Activities

Approved and/or authorized by the Board of Supervisors of the County of San Diego
Date: 11/10/98 Minute Order No. 42
THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors
By: _____
Deputy Clerk

Barbara A. Baker
RBARA A. BAKER
blic Administrator/Guardian