



# COMMONWEALTH of VIRGINIA

## JUDICIAL INQUIRY AND REVIEW COMMISSION

P.O. Box 367

Richmond, Virginia 23218-0367

(804) 786-6636

FAX (804) 371-0650

December 1, 1999

JUDGE JOSEPH S. TATE, CHAIRMAN  
JOHN S. MASSAD, VICE CHAIRMAN  
THEODORE J. CRADDOCK, ESQUIRE  
JUDGE JAMES H. FLIPPEN, JR.  
THOMAS E. GLASCOCK, ESQUIRE  
JUDGE WILLIAM T. NEWMAN, JR.  
DR. DELORES Z. PRETLOW

DONALD HALL KENT  
Counsel

KENNETH MONTERO  
Assistant Counsel

DIANE KAESTNER  
Administrative Assistant

## REPORT TO THE VIRGINIA LEGISLATURE

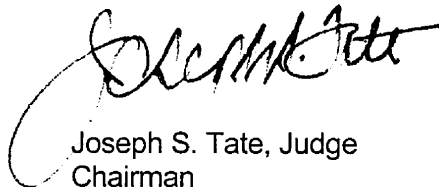
In accordance with Section 2.1-37.8:1 of the Code of Virginia, the Judicial Inquiry and Review Commission makes the following report concerning its activities for the prior year:

1. The Commission continues to keep statistical information on all incoming telephone calls and correspondence. These inquiries are separated into categories indicating the source, nature of the inquiry, and whether a violation of the Canons of Judicial Conduct is alleged. The statistics are attached and made a part of this report.
2. Pamphlets describing the function of the Commission have been made available to the public and distributed to all the Clerks' offices of General District, Juvenile, and Circuit Courts. The pamphlet describes how complaints are initiated, the confidential nature of the proceedings, and the disposition that might be made.
3. The Rules of the Commission have been revised to reflect the changes in the practices of the Commission. All written complaints that on their face allege a violation of the Canons of Judicial Conduct are reviewed by the Commission at a regular or special meeting. Telephone callers are encouraged to submit written complaints; however, complaints may be taken by telephone by staff, if concerning a matter within the jurisdiction of the Commission.
4. The Commission has presented numerous programs concerning judicial ethics. These programs have been presented at local, regional, and state meetings for judges at all levels. Training programs for substitute judges were conducted throughout the state during October. These programs were held in Harrisonburg, Rustburg, Abingdon, Manassas, Henrico, and Suffolk.
5. Information concerning the Commission may now be found on the Internet on the home page of the Virginia Supreme Court. The Commission Rules, Canons of Judicial Conduct and complaint forms are now available to the public through the Internet.

6. The Canons of Judicial Conduct were revised by the Supreme Court effective July 1, 1999. This was the first substantial revision since 1973. The revised Canons are much more detailed and specific than the prior Canons.

7. On January 5, 1999 the Supreme Court entered an Order establishing a Judicial Ethics Advisory Committee. This committee responds to inquiries from judges concerning the compliance of proposed future conduct with the Canons of Judicial Conduct. The Commission staff provides administrative support for this Committee.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph S. Tate". The signature is written in a cursive style with a large, sweeping initial "J".

Joseph S. Tate, Judge  
Chairman

dk

Enclosure

**JUDICIAL INQUIRY AND REVIEW COMMISSION**  
December 1, 1998 to November 30, 1999

Judges subject to the jurisdiction of the Commission      751

<b>WRITTEN inquiries received</b>		<b>Nature of inquiry</b>	
Attorneys	13	Ruling/decision	120
Judges	18	Ex parte	3
Court employees	5	Bias or prejudice	26
General public	46	Delay	14
Litigants	110	Rude behavior	21
Victims	5	Failure to follow law	30
Inmates	119	Ethics opinion	18
Media	0	How to file	34
Other	4	Other	70
<b>TOTAL</b>	<b>320</b>		<b>335</b>

<b>TELEPHONE inquiries received</b>		<b>Nature of inquiry</b>	
Attorneys	62	Ruling/decision	238
Judges	263	Ex parte	13
Court employees	21	Bias or prejudice	77
General public	225	Delay	25
Litigants	396	Rude behavior	74
Victims	18	Failure to follow law	75
Inmates	2	Ethics opinion	233
Media	13	How to file	197
Other	23	Other	218
In Person	11		
<b>TOTAL</b>	<b>1034</b>		<b>1150</b>

<b>FILES OPENED upon the complaint of</b>	
Attorney	11
General public	6
Litigant	18
Judge	1
Inmate	2
Court Staff	1
Commission	6
Victims	2
<b>TOTAL</b>	<b>47</b>

<b>DISMISSALS</b>	
No jurisdiction	0
No violation	27
Not a substantial breach	11
Canons breached	2
Retired or removed	2
<b>TOTAL</b>	<b>42</b>

<b>RECUSALS</b>	
Staff	1
Commission	16
<b>COMPLAINTS PENDING</b>	<b>10</b>