



COMMONWEALTH of VIRGINIA

JUDICIAL INQUIRY AND REVIEW COMMISSION

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December 1, 2000

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 array of dispositions 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, telephone complaints may be accepted by staff, if concerning a matter within the jurisdiction of the Commission.
4. The Commission has presented numerous educational 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 and November. These programs were held in Harrisonburg, Rustburg, Abingdon, Manassas, Henrico, and Suffolk.
5. Information concerning the Commission now may 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 Judicial Ethics Advisory Committee responds to inquiries from judges concerning the compliance of proposed future conduct with the Canons of Judicial Conduct. The Commission staff has continued to provide administrative support for this Committee.

7. Finally, this year the Commission conducted an extensive search and interview process to replace Donald Hall Kent who will retire from the position of Commission Counsel at year's end. Donald R. Curry, who had been with the Attorney General's Office since 1982 and had been a Senior Assistant Attorney General for more than fourteen years, was hired in September and began work as Counsel Elect on November 1, 2000. Effective January 1, 2001, Mr. Curry will become Commission Counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph S. Tate", with a long horizontal flourish extending to the right.

Joseph S. Tate, Judge
Chairman

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Enclosure

JUDICIAL INQUIRY AND REVIEW COMMISSION
December 1, 1999 to November 30, 2000

Judges subject to the jurisdiction of the Commission	768
State Corporation Commission Judge	3
Virginia Workers' Compensation Commission	3

WRITTEN inquiries received		Nature of inquiry	
Attorneys	12	Ruling/decision	128
Judges	13	Ex parte	11
Court employees	5	Bias or prejudice	44
General public	61	Delay	16
Litigants	125	Rude behavior	35
Victims	2	Failure to follow law	62
Inmates	149	Ethics opinion	12
Media	0	How to file	32
Other	2	Other	93
TOTAL	369		433

TELEPHONE inquiries received		Nature of inquiry	
Attorneys	52	Ruling/decision	218
Judges	248	Ex parte	15
Court employees	14	Bias or prejudice	68
General public	186	Delay	24
Litigants	376	Rude behavior	74
Victims	18	Failure to follow law	58
Inmates	0	Ethics opinion	231
Media	4	How to file	160
Other	27	Other	180
In Person	11		
TOTAL	936		1028

FILES OPENED upon the complaint of	
Attorney	4
General public	7
Litigant	13
Judge	2
Inmate	1
Court Staff	1
Commission	4
Victims	2
Other	4
TOTAL	38

DISMISSALS	
No jurisdiction	0
No violation	18
Not a substantial breach	6
Canons breached	1
Retired or removed	0
TOTAL	25

RECUSALS	
Staff	2
Commission	3

COMPLAINTS PENDING 9

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12/4/00