



COMMONWEALTH of VIRGINIA

Judicial Inquiry and Review Commission

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December 1, 2002

REPORT TO THE VIRGINIA GENERAL ASSEMBLY

In accordance with Section 17.1-905 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 complaints and inquiries are separated into categories indicating the source, the nature of the complaint or inquiry, and whether a violation of the Canons of Judicial Conduct was alleged. The statistics are attached and made a part of this report.

2. The Commission's 2002 statistical report has been enhanced. It now includes the number of times during the year that the Commission issued formal charges against a judge, the number of formal hearings conducted, and the number of informal meetings with judges to discuss complaints.

3. In March of 2002, the Commission filed a formal complaint in the Supreme Court of Virginia against a judge. The case was argued by Commission Counsel before the Supreme Court in June of 2002. The Supreme Court issued an opinion in September of 2002, publicly censuring the judge. Commonwealth v. Lewis, 264 Va. 401 (2002).

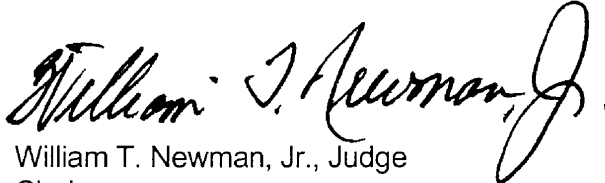
4. Pamphlets describing the function of the Commission have been made available to the public and distributed to all the Clerks' offices of General District, Juvenile, and Circuit Courts. The pamphlet explains how complaints are initiated, the confidential nature of Commission proceedings, and the array of dispositions that might be made. Different pamphlets specifically aimed at lawyers also have been distributed widely to members of the bar.

5. Information concerning the Commission also is available on the Internet on the home page of the Virginia Supreme Court. The Commission's Rules, the Canons of Judicial Conduct and complaint forms are easily accessible on the website.

6. The Judicial Ethics Advisory Committee responds to inquiries from judges concerning whether proposed future conduct complies with the Canons of Judicial Conduct. Commission staff has continued to provide administrative support for this Committee. Information concerning the Ethics Committee and an index of the Committee's formal opinions also are available on the Internet.

7. The Commission has presented numerous educational programs concerning judicial ethics. These programs have been conducted at local, regional, and state meetings for judges and bar groups. Commission staff also held training programs for substitute judges during October and November in Abingdon, Harrisonburg, Henrico, Manassas, Rustburg, and Suffolk.

Respectfully submitted,

A handwritten signature in black ink that reads "William T. Newman, Jr." in a cursive script.

William T. Newman, Jr., Judge
Chairman

dk

Enclosure

JUDICIAL INQUIRY AND REVIEW COMMISSION
December 1, 2001 to November 30, 2002

Judges subject to the jurisdiction of the Commission	774
State Corporation Commission Judges	3
Virginia Workers' Compensation Commission	3

Written inquiries received		Nature of written inquiry	
Attorneys	7	Ruling/decision	174
Judges	8	Ex parte	6
Court employees	0	Bias or prejudice	41
General public	6	Delay	16
Litigants	149	Rude behavior	43
Victims	2	Failure to follow the law	30
Inmates	179	Ethics opinion	6
Media	0	How to file	51
Other	<u>20</u>	Other	<u>66</u>
TOTAL	371		433

Telephone inquiries received		Nature of telephone inquiry	
Attorneys	57	Ruling/decision	228
Judges	253	Ex parte	12
Court employees	11	Bias or prejudice	64
General public	38	Delay	27
Litigants	362	Rude behavior	68
Victims	17	Failure to follow the law	63
Inmates	3	Ethics opinion	243
Media	5	How to file	121
Other	120	Other	<u>135</u>
In Person	<u>7</u>		
TOTAL	873		961

Files opened upon the complaint of		Commission Dispositions	
Attorney	5	No violation	8
General public	2	Not a substantial breach	13
Litigant	9	Informal meetings	9
Judge	0	Formal charges	7
Inmate	0	Formal hearings	3
Court Staff	1	Supreme Court complaints	1
Commission	14	Canons breached	3
Victims	0	Retired	1
Other	<u>1</u>	Removed from docket	6
TOTAL	32	Pending	6

Recusals	
Staff	0
Commission	8

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12/2/02