



COMMONWEALTH of VIRGINIA

Judicial Inquiry and Review Commission

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December 1, 2004

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 during the past twelve months:

1. The Commission continues to keep statistical information on all incoming telephone calls and correspondence. 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 2004 statistical report also 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. 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 available to the Commission. Similar pamphlets specifically aimed at lawyers also have been distributed widely to members of the bar.
4. 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 accessible on the website.
5. Commission Counsel also provides informal ethics advice to Virginia judges on a daily basis. During the past twelve months, Counsel responded to 362 such requests.

6. The Judicial Ethics Advisory Committee responds to requests from judges for formal opinions concerning whether proposed future conduct complies with the Canons of Judicial Conduct. Commission staff continues 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. In April, Commission Counsel participated in "Law School for Legislators," a program designed by the Virginia State Bar to educate members of the General Assembly about various legal aspects of state government, including the duties and functions of the Commission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bevin R. Alexander, Jr.", written in a cursive style.

Bevin R. Alexander, Jr.
Chairman

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Enclosure

JUDICIAL INQUIRY AND REVIEW COMMISSION
December 1, 2003 to November 30, 2004

Judges subject to the jurisdiction of the Commission	780
State Corporation Commission Judges	3
Virginia Workers' Compensation Commission	3

Written inquiries received		Nature of written inquiry	
Attorneys	15	Ruling/decision	222
Judges	6	Ex parte	7
Court employees	18	Bias or prejudice	92
General public	23	Delay	17
Litigants	160	Rude behavior	58
Victims	2	Failure to follow the law	52
Inmates	222	Ethics opinion	14
Media	0	How to file	39
Other	35	Other	57
TOTAL	481		558

Telephone inquiries received		Nature of telephone inquiry	
Attorneys	50	Ruling/decision	238
Judges	367	Ex parte	20
Court employees	15	Bias or prejudice	88
General public	39	Delay	35
Litigants	445	Rude behavior	88
Victims	12	Failure to follow the law	79
Inmates	5	Ethics opinion	348
Media	1	How to file	161
Other	136	Other	150
In Person	8		
TOTAL	1078		1208

Files opened upon the complaint of		Commission Dispositions	
Attorney	3	No violation	7
General public	0	Not a substantial breach	12
Litigant	6	Informal meetings	14
Judge	2	Suspensions	1
Inmate	2	Formal charges	6
Court Staff	0	Formal hearings	5
Commission	15	Supreme Court complaints	1
Victims	0	Canons breached	3
Other	6	Retired	1
		Removed from docket	4
		Pending	9
TOTAL	34		

Recusals	
Staff	0
Commission	5

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11/30/04