

December 1, 2006

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 maintains statistical information on all incoming complaints, 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 2006 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, the number of informal meetings with judges to discuss complaints, and the number of cases in which Commission findings were reported to the General Assembly.

3. Pamphlets describing the function of the Commission are widely available to the public. They are 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 provides informal ethics advice to Virginia judges on a daily basis. During the past twelve months, Counsel responded to 407 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 presents educational programs concerning judicial ethics. The Commission participated in ethics training sessions for new judges and at the mandatory judicial conferences. Commission staff also held training programs for substitute judges during October and November in Abingdon, Harrisonburg, Henrico, Manassas, Rustburg, and Suffolk.

Respectfully submitted,

Martin A. Thomas
Chairman

dk

Enclosure

JUDICIAL INQUIRY AND REVIEW COMMISSION
December 1, 2005 to November 30, 2006

Judges subject to the jurisdiction of the Commission	781
State Corporation Commission Judges	3
Virginia Workers' Compensation Commission	3

Written inquiries received		Nature of written inquiry	
Attorneys	8	Ruling/decision	196
Judges	13	Ex parte	6
Court employees	0	Bias or prejudice	101
General public	6	Delay	33
Litigants	141	Rude behavior	37
Victims	3	Failure to follow the law	43
Inmates	239	Ethics opinion	11
Media	0	How to file	45
Other	27	Other	77
TOTAL	437		549

Telephone inquiries received		Nature of telephone inquiry	
Attorneys	35	Ruling/decision	205
Judges	388	Ex parte	12
Court employees	10	Bias or prejudice	77
General public	5	Delay	26
Litigants	341	Rude behavior	64
Victims	7	Failure to follow the law	72
Inmates	2	Ethics opinion	396
Media	0	How to file	152
Other	115	Other	116
In Person	15		
TOTAL	918		1120

Files opened upon the complaint of		Commission Dispositions	
Attorney	8	No violation	2
General public	0	No further action	22
Litigant	8	Informal meetings	8
Judge	0	Suspensions	0
Inmate	0	Formal charges	0
Court Staff	1	Formal hearings	0
Commission	13	Canons breached	0
Victims	0	Findings reported to General Assembly	0
Other	0	Supreme Court complaints	0
		Retired	0
		Resigned	2
		Pending	6
TOTAL	30		

Recusals	
Staff	0
Commission	3