

December 1, 2007

## **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 2007 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 suspensions; the number of informal meetings with judges to discuss complaints; the number of cases in which Commission findings were reported to the General Assembly; and the number of formal complaints filed in the Supreme Court of Virginia.

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 Supreme Court of Virginia. 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 more than 400 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 November in Abingdon, Lynchburg, Harrisonburg, Arlington, Suffolk, and Henrico.

Respectfully submitted,

Larry D. Willis, Sr.  
Chairman

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Enclosure

JUDICIAL INQUIRY AND REVIEW COMMISSION  
December 1, 2006 to November 30, 2007

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	14	Ruling/decision	200
Judges	2	Ex parte	11
Court employees	8	Bias or prejudice	68
General public	5	Delay	20
Litigants	166	Rude behavior	45
Victims	3	Failure to follow the law	18
Inmates	172	Ethics opinion	6
Media	0	How to file	25
Other	65	Other	147
<b>TOTAL</b>	<b>435</b>		<b>540</b>

Telephone inquiries received		Nature of telephone inquiry	
Attorneys	48	Ruling/decision	243
Judges	439	Ex parte	14
Court employees	11	Bias or prejudice	60
General public	18	Delay	32
Litigants	318	Rude behavior	47
Victims	15	Failure to follow the law	66
Inmates	2	Ethics opinion	439
Media	0	How to file	72
Other	120	Other	176
In Person	5		
<b>TOTAL</b>	<b>976</b>		<b>1149</b>

Files opened upon the complaint of		Commission Dispositions	
Attorney	2	No violation	9
General public	0	No further action	5
Litigant	4	Informal meetings	3
Judge	0	Suspensions	2
Inmate	0	Formal charges	3
Court Staff	0	Formal hearings	1
Commission	17	Canons breached	2
Victims		Findings reported to General Assembly	2
Other		Supreme Court complaints	1
		Retired	2
		Resigned	4
		Pending	8
<b>TOTAL</b>	<b>23</b>		

Recusals	
Staff	0
Commission	4