



# COMMONWEALTH of VIRGINIA

## Judicial Inquiry and Review Commission

JAMES P. FISHER, ESQUIRE, CHAIRMAN  
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JUDGE BRADLEY B. CAVEDO  
JUDGE H. LEE CHITWOOD  
JUDGE BRYANT L. SUGG  
MICHAEL E. UNTIEDT, ESQUIRE

P.O. Box 367  
Richmond, Virginia 23218-0367  
(804) 786-6636  
Fax: (804) 371-0650

DONALD R. CURRY  
Counsel  
KENNETH MONTERO  
Assistant Counsel  
ALEXIS BLACK  
Executive Assistant

December 1, 2011

### 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 2011 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.

Report to the Virginia General Assembly

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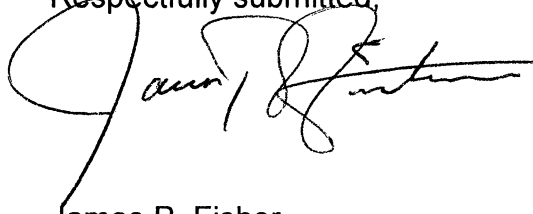
4. Information concerning the Commission also is available on the Internet on the home page of the Virginia Supreme Court. The Commission's Rules, the Canons of Judicial Conduct and complaint forms are accessible on the website.

5. Commission Counsel provides informal ethics advice to Virginia judges on a daily basis. During the past twelve months, Counsel responded to approximately 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.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "James P. Fisher", written over a large, stylized initial "J".

James P. Fisher  
Chairman

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Enclosure

Enclosure

JUDICIAL INQUIRY AND REVIEW COMMISSION  
December 1, 2010 to November 30, 2011

Judges subject to the jurisdiction of the Commission	773
State Corporation Commission Judges	3
Virginia Workers' Compensation Commission	3

Telephone inquiries received		Nature of telephone inquiry	
Attorneys	29	Ruling/decision	235
Judges	404	Ex parte	13
Court employees	8	Bias or prejudice	58
General public	32	Delay	16
Litigants	364	Rude behavior	60
Victims	7	Failure to follow the law	39
Inmates	3	Ethics opinion	405
Media	0	How to file	192
Other	85	Other	202
In Person	5		
<b>TOTAL</b>	<b>937</b>		<b>1220</b>

Written inquiries received		Nature of written inquiry	
Attorneys	8	Ruling/decision	316
Judges	13	Ex parte	9
Court employees	3	Bias or prejudice	45
General public	7	Delay	19
Litigants	225	Rude behavior	59
Victims	1	Failure to follow the law	23
Inmates	186	Ethics opinion	12
Media	0	How to file	35
Other	21	Other	221
<b>TOTAL</b>	<b>464</b>		<b>739</b>

Files opened upon the complaint of		Commission Dispositions	
Attorney	4	Informal Meetings	8
Litigant	7	No further Action	9
Judge	1	Dismissed	21
Inmate	0	Suspensions	2
Court Staff	0	Formal charges	2
Commission	19	Formal hearings	0
Victims	0	Canons breached	0
Other	0	Findings reported to General Assembly	1
		Supreme Court complaints	0
		Retired	2
		Resigned	5
		Pending	10
<b>TOTAL</b>	<b>31</b>		

Recusals	
Staff	3
Commission	13