



# COMMONWEALTH of VIRGINIA

## Judicial Inquiry and Review Commission

JUDGE LARRY D. WILLIS, SR., CHAIRMAN  
MARTIN A. THOMAS, ESQUIRE, VICE-CHAIRMAN  
JUDGE VIRGINIA L. COCHRAN  
JAMES P. FISHER, ESQUIRE  
WILLIAM I. FITZGERALD  
JUDGE CLEO E. POWELL  
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DONALD R. CURRY  
Counsel  
KENNETH MONTERO  
Assistant Counsel  
ALEASE BLACK  
Administrative Assistant

December 1, 2008

Ms. Mary K. Felch, Senior Research Associate  
Commonwealth of Virginia  
Division of Legislative Services  
General Assembly Building  
910 Capitol Street  
Richmond, Virginia 23219

Dear Mary:

Enclosed is the Commission's report to the Virginia General Assembly for the period December 1, 2007 through November 30, 2008. If you have any questions, please feel free to contact me.

With best regards, I remain

Sincerely,

A handwritten signature in black ink, appearing to be "Don", written over a circular scribble.

Donald R. Curry  
Counsel

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Enclosure

DEC 2008  
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### 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 2008 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.

Report to the Virginia General Assembly

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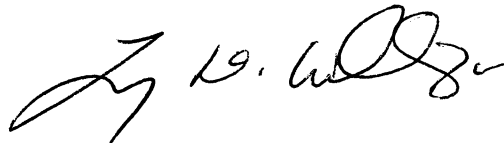
December 1, 2008

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 October and November in Abingdon, Charlottesville, Fairfax, Henrico, Salem, and Suffolk.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "L. D. Willis, Sr.", written in a cursive style.

Larry D. Willis, Sr.  
Chairman

ab

Enclosure

JUDICIAL INQUIRY AND REVIEW COMMISSION  
December 1, 2007 to November 30, 2008

Judges subject to the jurisdiction of the Commission	766
State Corporation Commission Judges	3
Virginia Workers' Compensation Commission	3

Written inquiries received		Nature of written inquiry	
Attorneys	10	Ruling/decision	289
Judges	13	Ex parte	10
Court employees	2	Bias or prejudice	60
General public	23	Delay	18
Litigants	189	Rude behavior	45
Victims	2	Failure to follow the law	25
Inmates	219	Ethics opinion	10
Media	0	How to file	30
Other	42	Other	223
<b>TOTAL</b>	<b>500</b>		<b>710</b>

Telephone inquiries received		Nature of telephone inquiry	
Attorneys	39	Ruling/decision	236
Judges	451	Ex parte	13
Court employees	11	Bias or prejudice	67
General public	21	Delay	23
Litigants	310	Rude behavior	66
Victims	9	Failure to follow the law	55
Inmates	1	Ethics opinion	460
Media	1	How to file	103
Other	114	Other	208
In Person	10		
<b>TOTAL</b>	<b>967</b>		<b>1231</b>

Files opened upon the complaint of		Commission Dispositions	
Attorney	3	Informal Meetings	7
Litigant	4	No further Action	2
Judge	1	Dismissed	16
Inmate	0	Suspensions	1
Court Staff	0	Formal charges	2
Commission	12	Formal hearings	0
Victims	0	Canons breached	0
Other	0	Findings reported to General Assembly	1
		Supreme Court complaints	0
		Retired	0
		Resigned	3
		Pending	8
<b>TOTAL</b>	<b>20</b>		

Recusals	
Staff	0
Commission	3