

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 2.1-37.12:1 of the Code of Virginia, relating to suspension of judges.*

3 [S 990]

4 Approved

5 **Be it enacted by the General Assembly of Virginia:**6 **1. That § 2.1-37.12:1 of the Code of Virginia is amended and reenacted as follows:**

7 § 2.1-37.12:1. Suspension of judge.

8 A. In any pending investigation or formal hearing, the Commission may suspend a judge with pay if  
9 it finds that there is probable cause to believe that the continued performance of judicial duties by the  
10 judge constitutes both a substantial and immediate threat to the public interest in the administration of  
11 justice.12 B. The Commission shall give the judge reasonable notice of such suspension as prescribed by the  
13 rules of the Commission and, if requested by the judge or his attorney, shall schedule a hearing during  
14 the first fifteen days of the suspension in order to determine whether justice would be served for the  
15 suspension to continue until the completion of the investigation or formal hearing. ~~There shall be no~~  
16 ~~investigation or formal hearing conducted or a suspension imposed relating to matters which are the~~  
17 ~~subject of a pending criminal case in which a judge is the defendant until final disposition of such case~~  
18 ~~by a court of competent jurisdiction, including the exhaustion of all appeals.~~19 C. Any judge whose powers are suspended by the Commission shall not exercise judicial powers  
20 during such suspension, but shall continue to be bound by the Canons of Judicial Conduct.

ENROLLED

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