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SENATE BILL NO. 336

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee for Courts of Justice
on February 11, 2004)

(Patron Prior to Substitute—Senator Stolle)

A BILL to amend and reenact § 17.1-918 of the Code of Virginia, relating to Judicial Inquiry and Review Commission; confidentiality.

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-918 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-918. Transmission of certain information to Virginia State Bar, House and Senate Committees for Courts of Justice, and other members of the General Assembly.

A. The Judicial Inquiry and Review Commission shall transmit to the appropriate District Committee of the Virginia State Bar any complaint or evidence that may come to its attention with reference to the alleged misconduct of a judge or substitute judge which relates to his private practice of law.

B. The Commission shall also transmit any evidence that it has in its possession with reference to the alleged misconduct of any judge whose election is to be considered at the next session of the General Assembly to (i) the House and Senate Committees for Courts of Justice and (ii) any member of the General Assembly, upon request. Such evidence shall include the nature of the complaint, the current status of the complaint, the duration of any suspension and the evidence supporting the probable cause finding therefor, a description of any remedial course of action, and a statement concluding whether any such remedial course was successfully undertaken. A copy of any evidence in whatever form so transmitted shall be sent to the judge in question. ~~Any member of the General Assembly who knowingly discloses such information shall be subject to any sanctions which may be imposed by the Committee on Standards of Conduct.~~ Any such evidence transmitted to the House and Senate Committees for Courts of Justice or to any member of the General Assembly shall lose its confidential character.

SENATE SUBSTITUTE

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