

1995 SESSION

INTRODUCED

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HOUSE JOINT RESOLUTION NO. 641

Offered January 23, 1995

Requesting the Joint Legislative Audit and Review Commission to conduct an analysis of the Virginia State Bar.

Patrons—Murphy, Barlow, Bennett, Callahan, Cantor, Cranwell, Hall, Hamilton, Heilig, Jones, J.C., Keating, Miller, Thomas and Wilkins; Senators: Calhoun, Colgan, Goode, Holland, E.M., Marye, Miller, K.G., Nolen, Saslaw and Schewel

Referred to Committee on Rules

WHEREAS, The Virginia State Bar is an administrative agency of the Commonwealth created for the purpose of investigating and reporting violations of rules and regulations, promulgated by the Supreme Court of Virginia pursuant to §54.1-3909; and

WHEREAS, the Virginia State Bar has undergone significant growth in revenues, dues, staffing, programs and expenditures in recent years; and

WHEREAS, the General Assembly has expressed its intention in the 1994-96 Appropriations Act that the Virginia State Bar "strictly direct its activities toward the purposes of regulating the legal profession and improving the quality of legal services available to the people of the Commonwealth, and that insofar as reasonably possible, the Virginia State Bar shall refrain from commercial or other undertakings not necessarily or reasonably related to the above stated purposes"; and

WHEREAS, despite the language in the 1994-96 Appropriations Act, the Virginia State Bar has adopted a Long Range Plan for the period 1995-2000 which seeks further increases in membership dues and in staff positions; and

WHEREAS, there appears a clear conflict between the expressed intent of the General Assembly and the role of the Virginia State Bar as set forth in the Long Range Plan; and

WHEREAS, the Joint Legislative Audit and Review Commission is scheduling a series of studies in the area of Administration of Justice, and issues regarding the Virginia State Bar are germane to this study series; and

WHEREAS, it is in the best interest of the people of Virginia to have state agencies such as the Virginia State Bar act within the scope of their statutory authority; now, therefore, be it

RESOLVED, by the House of Delegates, the Senate concurring, That the Joint Legislative Audit and Review Commission thoroughly evaluate the revenues and staffing, and each of the activities and programs of the Virginia State Bar in relation to its statutory mission together with the feasibility of privatizing those activities and programs, if any, which are not within its statutory mission, all with a view toward ensuring the maximum effectiveness of the Virginia State Bar in carrying out its statutory purposes with the minimum resources necessary to do so and avoiding state intrusion into ancillary activities, commercial or otherwise, not essential to its statutory purposes.

The Joint Legislative Audit and Review Commission shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the Commission, upon request.

The Joint Legislative Audit and Review Commission shall complete its work in time to submit its findings and recommendations to the Governor and the 1996 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

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