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SENATE BILL NO. 645

Offered January 26, 1998

A BILL to amend and reenact § 2.1-37.17:1 of the Code of Virginia, relating to transmission of certain information to General Assembly members.

Patrons—Gartlan, Quayle and Reasor; Delegates: Almand, Orrock and Watts

Referred to the Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That § 2.1-37.17:1 of the Code of Virginia is amended and reenacted as follows:

§ 2.1-37.17:1. 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:

1. ~~The~~ the appropriate District Committee of the Virginia State Bar any complaint or evidence with reference thereto that may come to its attention with reference to the alleged misconduct of a part-time judge or substitute judge of a court not of record which relates to his private practice of law; .

2. ~~The House Committee for Courts of Justice and the Senate Committee for Courts of Justice upon the request of the chairman of either committee;~~ 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 upon the request of the chairman of either committee, and (ii) any member of the General Assembly whose legislative district is wholly or partly within the circuit or district in which such judge sits upon the request of the member. 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 of action was successfully undertaken. A copy of any evidence in whatever form so transmitted shall be sent to the judge in question.

2. That the provisions of this act shall become effective on the date prescribed by the General Assembly in submitting a constitutional amendment to the voters which specifically provides for an exception to the confidentiality of the proceedings and documents of the Judicial Inquiry and Review Commission allowing the General Assembly to receive confidential information.

INTRODUCED

SB645