

1999 SESSION

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HOUSE JOINT RESOLUTION NO. 782

Offered January 21, 1999

Recognizing the Virginia magistrate system.

Patrons—Day and Armstrong; Senator: Reynolds

WHEREAS, like many aspects of Virginia's legal system, the office of magistrate reflects many centuries of development, first in England and then in Virginia; and

WHEREAS, in 1195, the King's Justiciar proclaimed that certain knights were to assist in keeping the King's peace and, by the mid-13th century, first custodians, then conservators of the peace, and finally justices of the peace were appointed; and

WHEREAS, for the next 300 years, Parliament continually expanded the office of justice of the peace by adding administrative and judicial duties; and

WHEREAS, given the English heritage evident in Virginia, the development of the justice of the peace occurred quite similarly to that in England, with commissioners being formally called justices of the peace in Virginia in 1661; and

WHEREAS, during the colonial period and for many years following independence, the duties of the justice of the peace were quite extensive and varied; and

WHEREAS, the Virginia Court System Study Commission was created by the 1968 Regular Session of the General Assembly to make a full and complete study of the judicial system of the Commonwealth; and

WHEREAS, the study commission delivered its report in December 1971, and among other recommendations, called for justices of the peace to be redesignated magistrates to escape the history of confusion that characterized the public's opinion of these judicial officials and to reflect the changes in their role; and

WHEREAS, on January 1, 1974, the office of justice of the peace was phased out and the Virginia magistrate system was established as part of a statewide court reorganization plan; and

WHEREAS, while magistrates are not judges, they are an integral part of the judicial system, with a principal function of providing an independent, unbiased view of complaints brought by law-enforcement officers and citizens, to whom they provide a gateway to the judicial system; and

WHEREAS, January 1, 1999, was the 25th anniversary of the inception of the magistrate system in Virginia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the General Assembly hereby recognize the 25th anniversary of the magistrate system in Virginia; and, be it

RESOLVED FURTHER, That the General Assembly express its recognition and gratitude to the men and women who serve as magistrates and acknowledge the important role they play in the administration of justice in the Commonwealth; and, be it

RESOLVED FINALLY, That the Clerk of the House of Delegates prepare a copy of this resolution for presentation to the Virginia Magistrates Association in honor of this milestone in the history of the magistrate system in Virginia.

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