

2023 SESSION

HOUSE SUBSTITUTE

23105185D

HOUSE BILL NO. 2168

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee for Courts of Justice
on January 23, 2023)

(Patron Prior to Substitute—Delegate Williams)

A BILL to amend and reenact § 17.1-905 of the Code of Virginia, relating to the Judicial Inquiry and Review Commission; annual report; breach of Canons of Judicial Conduct; disciplinary action.

Be it enacted by the General Assembly of Virginia:

1. That § 17.1-905 of the Code of Virginia is amended and reenacted as follows:

§ 17.1-905. Annual report.

On or before December 1 of each year, the Commission shall publish a report detailing the activities of the Commission for the prior year. The report shall include the number of complaints filed with the Commission; the number of complaints originating from attorneys, judges, court employees, or the general public; the number of complaints dismissed based on (i) failure to fall within the jurisdiction of the Commission, (ii) failure to state a violation of the Canons of Judicial Conduct, or (iii) failure of the Commission to reach a conclusion that the Canons were breached; the number of complaints for which the Commission concluded that the Canons of Judicial Conduct were breached; and the number of cases from which the staff or any member of the Commission recused himself due to an actual or possible conflict. *The report shall also include (a) the name of any judge who the Commission concluded breached the Canons of Judicial Conduct and took disciplinary action against as a result of such conclusion, if the date on which the Commission reached such conclusion was after the previous annual report was published; (b) the specific Canons of Judicial Conduct breached by such judge; and (c) the disciplinary action taken against such judge by the Commission.*

2. That on or before December 1, 2023, the Judicial Inquiry and Review Commission (the Commission) shall publish in its annual report (i) the name of any judge who the Commission concluded breached the Canons of Judicial Conduct on or after January 1, 2016, and took disciplinary action against as a result of such conclusion; (ii) the specific Canons of Judicial Conduct breached by such judge; and (iii) the disciplinary action taken against such judge by the Commission.

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