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**HOUSE JOINT RESOLUTION NO. 36**  
**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

(Proposed by the House Committee on Rules  
on February 6, 1996)

(Patron Prior to Substitute—Delegate Cranwell)

*Establishing a joint subcommittee to study the Judicial Inquiry and Review Commission.*

WHEREAS, the Judicial Inquiry and Review Commission was established to investigate complaints against members of the judiciary concerning violations of the Canons of Judicial Conduct; and

WHEREAS, the Virginia Supreme Court is responsible for disciplining judges who are found by the Commission to have violated conduct standards; and

WHEREAS, the General Assembly has the constitutional obligation to elect all members of the judiciary and, along with that obligation, the responsibility of evaluating judges on their individual performances; and

WHEREAS, proceedings of the Judicial Inquiry and Review Commission were intended to assist the Supreme Court and the legislature in this evaluation process; and

WHEREAS, the current procedures of the Commission may not be appropriately conducive to responsible consideration of a judge's qualifications and retention; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That a joint subcommittee be established to study the Judicial Inquiry and Review Commission. The joint subcommittee shall be composed of seven members to be appointed as follows: four members of the House of Delegates, to be appointed by the Speaker of the House; and three members of the Senate, to be appointed by the Senate Committee on Privileges and Elections.

The joint subcommittee shall review the composition, powers, and duties of the Judicial Inquiry and Review Commission, pursuant to the Constitution of Virginia, Article VI, Section 10 and Article 1 (§ 2.1-37.1 et seq.) of Chapter 4.1 of Title 2.1 of the Code of Virginia. The staff of the joint subcommittee shall have access to all records, transcripts, papers, investigative notes, or other documents in the possession of the Commission, and all proceedings before the Commission. The staff of the joint subcommittee shall keep confidential all records, transcripts, papers, investigative notes, or other confidential information obtained through this review in accordance with § 2.1-37.13.

The direct costs of this study shall not exceed \$ 5,250.

The Division of Legislative Services shall provide staff support for the study. All agencies of the Commonwealth shall provide assistance to the joint subcommittee, upon request.

The joint subcommittee shall complete its work in time to submit its findings and recommendations to the Governor and the 1997 Session of the General Assembly as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents.

Implementation of this resolution is subject to subsequent approval and certification by the Joint Rules Committee. The Committee may withhold expenditures or delay the period for the conduct of the study.

HOUSE SUBSTITUTE

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