

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 17.1-905 of the Code of Virginia, relating to Judicial Inquiry and Review*
 3 *Commission; submission of annual report.*

4 [S 804]
 5 Approved

6 **Be it enacted by the General Assembly of Virginia:**

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

8 **§ 17.1-905. Annual report.**

9 On or before December 1 of each year, the Commission shall submit to the ~~Chairmen and ranking~~
 10 ~~members~~ *Chairs* of the House and Senate Committees for Courts of Justice *and to the ranking Delegate and*
 11 *Senator of the minority party serving on such Committees* a report detailing the activities of the Commission
 12 for the prior year. The report shall include the number of complaints filed with the Commission; the number
 13 of complaints originating from attorneys, judges, court employees, or the general public; the number of
 14 complaints dismissed based on (i) failure to fall within the jurisdiction of the Commission, (ii) failure to state
 15 a violation of the Canons of Judicial Conduct, or (iii) failure of the Commission to reach a conclusion that the
 16 Canons were breached; the number of complaints for which the Commission concluded that the Canons of
 17 Judicial Conduct were breached; and the number of cases from which the staff or any member of the
 18 Commission recused himself due to an actual or possible conflict. The report shall also include (a) the name
 19 of any judge who the Commission concluded breached the Canons of Judicial Conduct and took disciplinary
 20 action against as a result of such conclusion, if the date on which the Commission reached such conclusion
 21 was after the previous annual report was published; (b) the specific Canons of Judicial Conduct breached by
 22 such judge; and (c) the disciplinary action taken against such judge by the Commission. ~~No annual report~~
 23 ~~shall be considered confidential following the~~ *Following* submission of such report to the ~~Chairmen~~ *Chairs* of
 24 the House and Senate Committees for Courts of Justice, *no report shall be considered confidential to the*
 25 *extent that such Chairs may release such report to members of the General Assembly and in accordance with*
 26 *the provisions of this section.* The decision of whether to ~~release~~ *rescind or redact any portion of such annual*
 27 *report publicly shall be made by the General Assembly* ~~require the consensus of a majority of the Chairs and~~
 28 ~~such ranking members to whom the annual report is submitted pursuant to this section.~~ *If no action to rescind*
 29 *or redact any portion of the annual report is taken or if a consensus to take such action cannot be reached*
 30 *within 30 days of submission to the Chairs and ranking members, the annual report shall be published. The*
 31 *30-day time period shall begin the day the Commission submits the annual report to the General Assembly. If*
 32 *the 30-day period expires on a Saturday, Sunday, legal holiday, or day on which the General Assembly is*
 33 *lawfully closed, the 30-day period shall be extended to the next day that is not a Saturday, Sunday, legal*
 34 *holiday, or day on which the General Assembly is lawfully closed.*

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