



INSTITUTE *for the* ADVANCEMENT
of the AMERICAN LEGAL SYSTEM



Judicial Performance Evaluation

Virginia

Scope. In 2006, Virginia began evaluating judges for judge self-improvement and to provide information to legislators in advance of re-election decisions. In 2009, funding for the state's program was discontinued. Funding was reinstated in 2014, and the Program resumed.

Judges in Virginia are elected by the members of Virginia's General Assembly for terms that vary in length depending on the type of court to which a judge is elected. The shortest term length is six years. Judges are evaluated three times during a first term and twice per term thereafter. The Program estimates that it will evaluate between 130 and 150 judges per year on average.

Commission. The Supreme Court of Virginia is statutorily charged with operation of the Program. The JPE Advisory Committee makes recommendations to the Chief Justice relating to operation of the Program. The Advisory Committee is chaired by a Justice of the Supreme Court.

Criteria. Judges are evaluated on factors including fairness, legal knowledge, impartiality, professionalism, and communication skills. The criteria are derived from Virginia's Canons of Judicial Conduct.

Data collection. Attorneys are surveyed for all judges. Attorney respondents are identified through a statewide eligibility tool distributed to all attorneys twice per year, as well as information obtained through the courts' case management systems.

In addition, circuit court judges are evaluated by jurors. Juvenile and domestic relations district court judges are evaluated by employees of local departments of social services and by court services unit employees of the Virginia Department of Juvenile Justice, who interact with these judges regularly.

The Program contracts with Virginia Commonwealth University to distribute surveys and compile evaluation reports. With the exception of juror surveys, the surveys are distributed electronically.

Dissemination. Results for midterm evaluations are confidential and available only to the judge and to a retired "facilitator" judge who consults with the evaluated judge. Results from term-end evaluations are provided to the evaluated judge and facilitator judge. They are also disseminated to the chairs of the courts committees of the General Assembly of Virginia. The reports made to the General Assembly are public records.

Website. N/A