



COMMONWEALTH of VIRGINIA

Office of the Governor

Robert F. McDonnell
Governor

July 21, 2011

The Honorable William J. Howell
Speaker, Virginia House of Delegates
General Assembly Building
P.O. Box 406
Richmond, Virginia 23218

The Honorable Richard L. Saslaw
Majority Leader, Senate of Virginia
General Assembly Building
P.O. Box 396
Richmond, Virginia 23218

Dear Speaker Howell and Senator Saslaw,

It has now been six weeks since the General Assembly appointed conferees on the congressional redistricting legislation. I understand that the House conferees are unanimous in agreement on a conference report, but the Senate will not agree. Further, in talking to leaders in both Houses, there is no next meeting date set nor a pathway to completion of the redistricting process.

The General Assembly has now been in regular or special session for over six months. The failure to timely complete redistricting and adjourn sine die is having a major negative impact on Virginia's judicial system. Substitute and retired judges are working on many cases, and the Supreme Court is hearing fewer cases with smaller panels. The House previously sent a judicial nominations resolution to the Senate to fill the two vacancies on the Supreme Court, but the Senate has taken no action.

Since the General Assembly is unable to agree on the selection of judges, I am prepared to perform my constitutional duties and appoint justices to the Virginia Supreme Court and judges to fill the several other trial court vacancies. I have directed my counsel to begin the evaluation of judicial candidates. To bring this process to conclusion, the legislature must act promptly by finishing redistricting immediately and adjourn sine die, or elect the judges yourself. Our courts and our citizens cannot afford further delay.

Thank you for taking immediate action to resolve these pressing matters of the Commonwealth. Please advise me promptly on when you plan to reconvene in session to complete your work and adjourn.

Sincerely,

A handwritten signature in black ink that reads "Robert F. McDonnell".

Robert F. McDonnell

cc: The Honorable Thomas K. Norment, Jr.
The Honorable Ward L. Armstrong
Members of the Virginia Congressional Delegation