


2019 *Annual Report*
of the U.S. Virgin Islands Judiciary & Court System





“I began by emphasizing that the state of the Virgin Islands Judiciary is “United in Pride and Hope.” Hope is a simple word with a complex meaning. Hope is the power to believe that anything is possible, and that things can get better if we believe they can get better and work cohesively towards that goal.”

HON. RHYS S. HODGE, CHIEF JUSTICE
2018 Annual Report of the U.S. Virgin Islands Judiciary & Court System





Table of Contents

TABLE OF CONTENTS	4
THE JUDICIARY	5
STATE OF THE JUDICIARY	6
HISTORY OF THE JUDICIARY.....	10
THE JUDICIAL BRANCH CHART	12
GOVERNANCE.....	14
• Judicial Branch Collaborations and Highlights	16
• Judicial Branch Appointments and Retirements	18
• Judicial Designations	20
• Indigent Appointment of Counsel	21
THE SUPREME COURT.....	22
• Office of the Clerk of the Supreme Court.....	25
• Arms of the Supreme Court.....	25
• <i>Office of Bar Admissions</i>	25
• <i>Office of Disciplinary Counsel</i>	28
THE SUPERIOR COURT.....	32
• Office of the Clerk of the Superior Court	34
JUDICIAL BRANCH ADMINISTRATION	38
• Revenue Collections.....	39
• Human Resources	40
• Court Services.....	41
• Community Participation and Outreach.....	44
• The Superior Court Rising Stars Youth Steel Orchestra.....	45
• Technology and Innovation	47
• Outlook.....	47

The Judiciary



SUPREME COURT OF THE VIRGIN ISLANDS

Hon. Rhys S. Hodge
Chief Justice

Hon. Maria M. Cabret
Associate Justice

Hon. Ive Arlington Swan
Associate Justice

Veronica J. Handy, Esquire
Clerk of the Court



SUPERIOR COURT OF THE VIRGIN ISLANDS

Hon. Michael C. Dunston
Retired 9/26/2019

Hon. Harold W. L. Willocks
Presiding Judge

Hon. Debra S. Watlington
Judge

Hon. Douglas Brady
Judge

Hon. Kathleen Y. Mackay
Judge

Hon. Robert A. Molloy
Judge

Hon. Denise M. Francois
Judge

Hon. Jomo Meade
Judge

Hon. Renee Gumbs Carty
Judge

Hon. Jessica Gallivan
Judge

MAGISTRATE DIVISION

Hon. Henry V. Carr, III
Magistrate Judge

Hon. Miguel A. Camacho
Magistrate Judge

Hon. Carolyn P. Hermon-Percell
Magistrate Judge

Hon. Ernest E. Morris, Jr.
Magistrate Judge

Tamara Charles
Clerk of the Superior Court



Regina Petersen
Administrator of Courts

Kevin Williams Sr.
Assistant Administrator of Courts



State of the Judiciary

State of the Judiciary

many employees already were equipped for working from remote locations. In sum, the Virgin Islands Judiciary was a leader among court systems in this area, to the extent that I was asked to present on our continuity of operations plan at the 2018 Annual Meeting of the Conference of Chief Justices and Conference of State Court Administrators.

In addition to already making use of technology to improve our operations, the Virgin Islands Judiciary had also prepared for the possibility of a pandemic. In May 2019, myself and other representatives of the Virgin Islands Judiciary, the Executive and the Legislative Branches attended the National Pandemic Summit sponsored by the Supreme Court of Nebraska and the National Center for State Courts with a grant from the State Justice Institute. The Summit, which was hosted at the University of Nebraska Medical Center, brought together court leaders, public health officials, and other stakeholders to start a collective conversation on how state and territorial courts should prepare for a health pandemic, including issues related to quarantines, stay-at-home orders, and holding court proceedings remotely.

On behalf of the entire Virgin Islands Judiciary, it is my privilege to present the 2019 Annual Report on the State of the Virgin Islands Judiciary. This report, which is prepared by the Administrator of Courts and the Judicial Branch Administrative Office, provides statistical information and highlights the various accomplishments and activities of the courts of the Virgin Islands during the past fiscal year.

The state of the Virgin Islands Judiciary today is considerably different from what it was even three months ago. The spread of the novel coronavirus (COVID-19) has impacted the operations of court systems around the world, and the courts of the Virgin Islands have been no exception. For this reason, I would summarize the state of the Virgin Islands court system as “resilient.”

Throughout this public health emergency, the courts of the Virgin Islands always remained opened to discharge their constitutional and statutory duties. Although the COVID-19 pandemic was a sudden and unexpected occurrence, the Virgin Islands Judiciary was not completely unprepared to function in such an emergency health pandemic. Over the course of the past decade, the Supreme Court of the Virgin Islands worked tirelessly to transition itself into an “e-everything” court with respect to all aspects of its operations. In addition to electronic filing and online public access to court dockets and proceedings, the Supreme Court already had not just the capability to host remote oral arguments but experience actually doing so. With respect to administrative operations, virtually all tasks were already handled electronically, and

Although we did not expect to apply our newly acquired knowledge so quickly, due to our prior preparedness, the Supreme Court, the Superior Court, and the Judicial Branch Administrative Office responded quickly to protect the health and safety of judicial officers, court personnel, attorneys, litigants, and others who utilize the court system. On March 13, 2020, the Judicial Branch restricted those diagnosed with or exposed to COVID-19 from accessing its facilities, placed a moratorium on new jury trials, suspended the use of its facilities for non-judicial functions, and implemented protocols to avoid situations that bring together large numbers of people in confined areas. This was followed by further restrictions on March 17, 2020, including continuing most in-person hearings, suspending issuance of new marriage licenses, and permitting judicial officers and court staff to work remotely, as well as additional orders of the Presiding Judge supplementing those directives. During these early days of the COVID-19 emergency, the Judicial Branch expedited the completion of the “Bench Book” it began to draft after the National Pandemic Summit, which among other things outlined how court operations would continue in the event a pandemic necessitated the closure of Judicial Branch facilities.

When it became clear that even these measures were no longer sufficient to prevent the potential spread of COVID-19 in our community, on March 20, 2020, I, with the concurrence

of the Presiding Judge and the Administrator of Courts, made the reluctant decision to suspend all non-essential services of the Judicial Branch, effective March 23, 2020. Although both courts would remain open to accept document filings, consider emergency matters and to hold advice of rights hearings, arraignments, bail and release hearings and certain family matters, such hearings would all be held remotely utilizing video or audio technologies. Most filing deadlines were suspended, tolled, or otherwise extended, although the Clerk's Office would remain open to accept any documents that attorneys or self-represented parties chose to file. Moreover, the Office of the Clerk of the Superior Court established a procedure for accepting filings by e-mail, so that individuals could file documents without making an unnecessary trip to the courthouse. And given the uncertainty about how long public health authorities would direct or recommend individuals to stay home or social distance, the July 2020 administration of the Virgin Islands Bar Examination was postponed, with additional bar admissions requirements suspended or otherwise modified, such as the requirement that new members of the Bar be administered the oath of office in-person in the Supreme Court.

After more than two months of operating in this state, the Judicial Branch, like the rest of the Government of the Virgin Islands, is beginning the re-opening process. On May 14, 2020, the Presiding Judge, with the approval of the Supreme Court, designated additional types of matters eligible for remote hearings, including guilty pleas and all fully-briefed civil, criminal, and probate matters. We also established the Virgin Islands Judicial Branch COVID-19 Task Force, which was charged with developing a proposed plan for the resumption of some or all of the operations of the Judicial Branch. The Task Force timely submitted its report on May 27, 2020, and on May 28, 2020, I issued an administrative order implementing many of its recommendations, including authorizing the resumption of certain in-person proceedings on June 15, 2020, and the resumption of jury trials on August 1, 2020.

Although I am proud of how both courts and the Judicial Branch Administrative Office responded to the COVID-19 crisis, there were unnecessary obstacles that made it significantly more difficult for the Virgin Islands Judiciary to act quickly and decisively. In the State of the Judiciary delivered on May 31, 2018, I outlined the response of the Virgin Islands Judiciary to the twin disasters of Hurricanes Irma and Maria in 2017, and emphasized the need for legislation addressing

continuity of operations for the Judicial Branch, including explicit authorization to extend statutes of limitations, jurisdictional time limits, and other legislatively-set deadlines in the event a hurricane or other disaster interfered with the orderly operations of the Judicial Branch. On June 12, 2019, Senate President Novelle E. Francis, Jr. acted on our recommendation by introducing Bill No. 33-0092, a comprehensive piece of legislation which would provide for the continuing operation of the Judicial Branch in the event of a natural disaster or other emergency. Unfortunately, although the Legislature unanimously passed the bill, it was vetoed and never became operative. It is our hope that the Legislature act to provide the Judicial Branch with the authority contained in Bill No. 33-0092, so that the response of the Virgin Islands Judiciary to a future disaster, pandemic, or other emergency is not unnecessarily delayed or hamstrung.

While the coronavirus pandemic affected nearly all aspects of our society in a relatively short period of time, it should not overshadow our accomplishments, or the other challenges facing the Virgin Islands Judiciary. On October 18, 2019, the Judicial Branch launched its new website, located at www.vicourts.org. The new website serves as a "one-stop shop" for the public and the Bar for all Judicial Branch services and information, so that the Bar and the public may access information for all judicial business in both the Superior Court and the Supreme Court on a single website. Among the new features implemented on the website is the ability to pay for traffic citations online.

On February 24, 2020, the Judicial Branch officially launched the Superior Court Enterprise C-Track Case Management System. This system replaces the Superior Court's legacy system, ENACT, and will enhance and streamline case management as well as otherwise improve the level of service we provide to the public. The launch of the enterprise system represents the conclusion of Phase I of this project, which will culminate in enabling electronic filing for all Superior Court matters. Although the pandemic necessarily slowed some of our progress, I am happy to report that the Judicial Branch remains on track to enable e-filing in the Superior Court this year as promised, with online public access to Superior Court dockets becoming available in just a matter of weeks and electronic filing in the Superior Court commencing by the end of August. We are looking forward to the commencement to electronic filing in the Superior Court as the culmination of a decade long effort to achieve the paperless processing in that court with the full implementation of e-filing.



The Advisory Committee on Rules has also continued its important work, under the leadership of its new Chair, the Honorable Douglas A. Brady. I am pleased to report that on January 1, 2020, all of the provisions of the Virgin Islands Rules of Family Division Procedure went fully into effect, along with the new Virgin Islands Traffic Rules. This concludes the first phase of a multi-year effort to establish rules of practice and procedure for the Superior Court, which previously resulted in the promulgation of the Virgin Islands Rules of Civil Procedure, the Virgin Islands Rules of Evidence, the Virgin Islands Rules of Criminal Procedure, the Virgin Islands Small Claims Rules, the Virgin Islands Habeas Corpus Rules, and the Virgin Islands Rules of Probate and Fiduciary Procedure. The Advisory Committee will now move to the next phase of its important work, which will include assessing the effectiveness of the previously promulgated rules and proposing amendments, as well as evaluating the Virgin Islands Rules of Appellate Procedure. Moreover, the Committee on Virgin Islands Model Jury Instructions established last year has continued to meet and is actively drafting a set of Model Criminal Jury Instructions for use in the Superior Court.

In the past year, the Supreme Court also adopted several important rule changes with respect to the regulation of attorneys and judges. On February 5, 2019, in response to concerns from the Virgin Islands Bar Association and the Executive Branch, the Supreme Court amended the rules governing admission to, among other things, clarify what matters an attorney admitted *pro hac vice* may work on without obtaining an additional *pro hac vice* admission, and establish a streamlined procedure for a *pro hac vice* attorney to obtain such additional admissions on an expedited basis. These procedures were consistent with the unwritten practices of the Supreme Court and its Office of Bar Admissions, but were codified in order to provide clarity to *pro hac vice* attorneys and their sponsors.

In two promulgation orders issued on March 1, 2020, the Supreme Court acted on separate requests of the Office of Disciplinary Counsel and the Virgin Islands Bar Association. The first order, docketed as S. Ct. Prom. No. 2019-0006, enacted Supreme Court Rule 207.30 to reestablish a fee mediation program. The purpose of fee mediation to provide an informal way to resolve fee disputes between attorneys and their clients which do not involve allegations of serious ethical misconduct, and therefore are not necessarily appropriate for resolution through the ordinary grievance process. The fee mediation service is free for both the attorney and the client, and the mediation proceeding remains confidential even if the attorney and client cannot reach a resolution.

The second order docketed as S. Ct. Prom. No. 2019-0008, makes significant changes to Supreme Court Rule 208, which governs mandatory continuing legal education (CLE) for Virgin Islands attorneys. The amended Rule

208, which went into effect on January 1, 2020, adopts new requirements, including requiring that in each reporting period attorneys earn a certain number of credits in the areas of Technological Competence, Mental Health and Substance Use Disorders, and Virgin Islands Law. With these amendments, the Virgin Islands established itself a leader in the field of attorney regulation, becoming only the third jurisdiction—besides Florida and North Carolina—to adopt the Technological Competence requirement, and the fourth jurisdiction—besides Illinois, Nevada, and South Carolina—to make Mental Health and Substance Uses Disorders its own requirement. In addition to these substantive changes, the amended Rule 208 changes several procedural aspects of the CLE compliance process, such as switching to a two-year reporting cycle.

With respect to judicial regulation, on April 9, 2020, the Supreme Court promulgated the Virgin Islands Code of Judicial Conduct as Supreme Court Rule 213. Although the Code of Judicial Conduct has been previously adopted by the Supreme Court through case law, the formal promulgation of the Code as Rule 213 will minimize confusion going forward by ensuring that any future amendments to the American Bar Association’s Model Code of Judicial Conduct will not automatically modify the Virgin Islands Code of Judicial Conduct unless the changes are approved by the Supreme Court.

Also, on the judicial regulation front, on June 20-21, 2019, the Virgin Islands Judiciary held its inaugural Judicial Conference in accordance with 4 V.I.C. § 6. The Judicial Conference was a gathering of all active justices, judges, and magistrate judges, as well as other invited guests, and included two days of educational programming, as well as a meeting of all judicial officers to discuss matters related to the administration of justice in the Virgin Islands. The Judicial Conference was a great success, and the Judicial Branch Administrative Office is currently in the early stages of planning the next such event which has had to be rescheduled due to the COVID-19 emergency conditions.

In the coming year, the Supreme Court will consider further changes to the professional regulation system. During the COVID-19 pandemic, it came to the attention of the Supreme Court that some attorneys had difficulty during the application process for Paycheck Protection Program loans from the United States Small Business Administration because they could not provide documentation showing that their law firm had a business license. Because the Virgin Islands Department of Licensing and Consumer Affairs (DLCA) has ceased issuing business licenses to law firms in 2015 as a result of the judgment entered against it in *Pate v. Gov’t of the V.I.*, 62 V.I. 271 (V.I. Super. Ct. 2015), in which the DLCA was ordered to “immediately cease issuing, revoking or suspending attorney business licenses” law firms and attorneys were unable to demonstrate that they were authorized to operate a legal practice in the Virgin

Islands. Although these attorneys were ultimately able to submit a certificate of good standing from the Supreme Court in support of their loan applications, it is clear that a certificate of good standing—which only signifies that one is authorized to practice law—does not perform the same function as a business license. The Supreme Court, with input from the Virgin Islands Bar Association and other stakeholders, will explore the feasibility of establishing a licensing mechanism for law firms and other legal services providers who cannot obtain a license from the DLCA.

The Supreme Court will also again re-examine the efficacy of the current system for disciplining attorneys and enforcing the prohibition on the unauthorized practice of law. The Supreme Court first established the Office of Disciplinary Counsel (ODC) in 2010, after receipt of a report from the American Bar Association providing recommendations as a result of its study of the attorney discipline system in the Virgin Islands, and gradually expanded the role of the ODC so that by January 1, 2015, the ODC was vested with the authority to investigate and prosecute all allegations of attorney and judicial misconduct and disability, as well as all unauthorized practice of law complaints. These changes to the disciplinary system were not taken lightly, and were enacted for the stated purpose of reducing the backlog of grievances filed against attorneys, and substantially increasing the speed in which new grievances were resolved. In the coming year, the Supreme Court will evaluate the processes employed by the ODC and the Board on Professional Responsibility, with the goal of improving disposition rates so that disciplinary matters are investigated, prosecuted, and adjudicated in a timely manner.

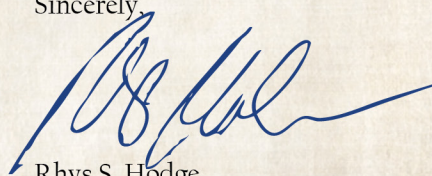
In the state of the judiciary delivered on May 31, 2019, I announced that the Judicial Branch would begin developing its first five-year strategic plan as an administratively unified branch. Unfortunately, due to COVID-19 and other intervening circumstances, we will likely not be able to commence the strategic planning process in 2020, as had been previously envisioned. Strategic planning, however, remains an important priority for the Judicial Branch, and it is my hope that we will formally kick-off the process in 2021.

I conclude by recognizing those who have become new members of the Judiciary, been elevated to other positions within the Judiciary, or have concluded their judicial service. On September 27, 2019, the Honorable Harold W.L. Willocks succeeded the Honorable Michael C. Dunston as Presiding Judge of the Superior Court – the first such succession to occur under the new selection system established by Act No. 7888. Although Judge Dunston officially retired from active service on September 26, 2019, I am pleased to report that he has agreed to continue to serve temporarily as a senior sitting judge. I also wish to recognize the Honorable Jessica Gallivan, who in 2019 was elevated from the Magistrate Division to that of Judge of the Superior Court in the Family

Division of the Superior Court, as well as the Honorable Ernest E. Morris, Jr., who has succeeded her as a Magistrate Judge, as well as the Honorable Douglas A. Brady and the Honorable Denise M. Francois, who were both confirmed to second terms as Superior Court judge. On behalf of the Judiciary, I would also like to thank two departing judicial officers—the Honorable Denise Hinds Roach and the Honorable Robert A. Molloy—for their service to the Superior Court. I also congratulate Judge Molloy, who has left the Superior Court bench in order to serve as a judge of the United States District Court of the Virgin Islands and wish him continued success in that new position. Finally, I would like to acknowledge the departure of two long-tenured court employees, Director of Bar Admissions Elsie-Mae King, and Clerk of the Superior Court Estrella George. Ms. King and Ms. George have made significant contributions to the success of the Judicial Branch, and I wish them all the best in their future endeavors.

There is much uncertainty, not just in the Virgin Islands and the United States but throughout the whole world, about when COVID-19 will be fully behind us and things will return to normal. However, the people of the Virgin Islands can be certain that the judicial officers, administrators, and staff of the Virgin Islands Judiciary will remain resilient and continue to rise to the occasion, and that the courts of the Virgin Islands will remain open and operational during these difficult times. Because of the foundation laid over the last decade with respect to utilizing technology and attempting to transition to an “e-everything” court system, the Virgin Islands Judicial Branch was able to act quickly and avoid some of the issues encountered by courts in other states and territories. The Judicial Branch, however, does not and cannot operate in a silo, particularly during a public health crisis such as COVID-19. I took forward to working with my colleagues in the Judicial Branch as well as the leaders of the Executive and Legislative Branches to ensure not just the safe resumption of Judicial Branch operations, but that the Judicial Branch has sufficient resources to adapt to the “new normal,” whatever that might look like.

Sincerely,



Rhys S. Hodge
Chief Justice



History of the Judiciary

History of the Virgin Islands Judiciary in Brief

The Virgin Islands judiciary evolved from three (3) Police Courts which existed pursuant to the 1921 Codes of St. Thomas, St. John and St. Croix. On July 22, 1954, the United States Congress approved The Revised Organic Act of the Virgin Islands, and section 21 vested the judicial power in a Court of record to be designated the “District Court of the Virgin Islands.” Thereafter, the three (3) Police Courts were abolished and two (2) municipal Courts were established: the Municipal Court of St. Thomas and St. John, and the Municipal Court of St. Croix.

After a decade of this judicial structure, the composition of the local judiciary changed again in 1965. Legislative enactments which became effective on March 1, 1965, consolidated the two (2) municipal Courts into a unified Court designated as the Municipal Court of the Virgin Islands. By further enactments of the Virgin Islands Legislature, on September 9, 1976, pursuant to Act No. 3876, Section 5, Sess. L. 1976, p. 17, the Municipal Court of the Virgin Islands’ name was changed to the Territorial Court of the Virgin Islands, the antecedent to the current Superior Court of the Virgin Islands. Almost three (3) decades later, authorized by the 1984 amendments to the Revised Organic Act of 1954, and pursuant to enactments in Title 4 V.I. Code Ann. Section 76(a), effective October 1, 1991, the Territorial Court obtained original jurisdiction over all local civil actions. Effective January 1, 1994, pursuant to Act No. 5890, the Virgin Islands Legislature granted expanded jurisdiction in criminal matters to the Territorial Court.

In 1984, the United State Congress amended the Revised Organic Act of 1954 to permit the Virgin Islands Legislature to create a local appellate court whose justices could be nominated by the Governor of the Virgin Islands subject to confirmation by the Virgin Islands Legislature. However, since the Legislature did not immediately create the local appellate court

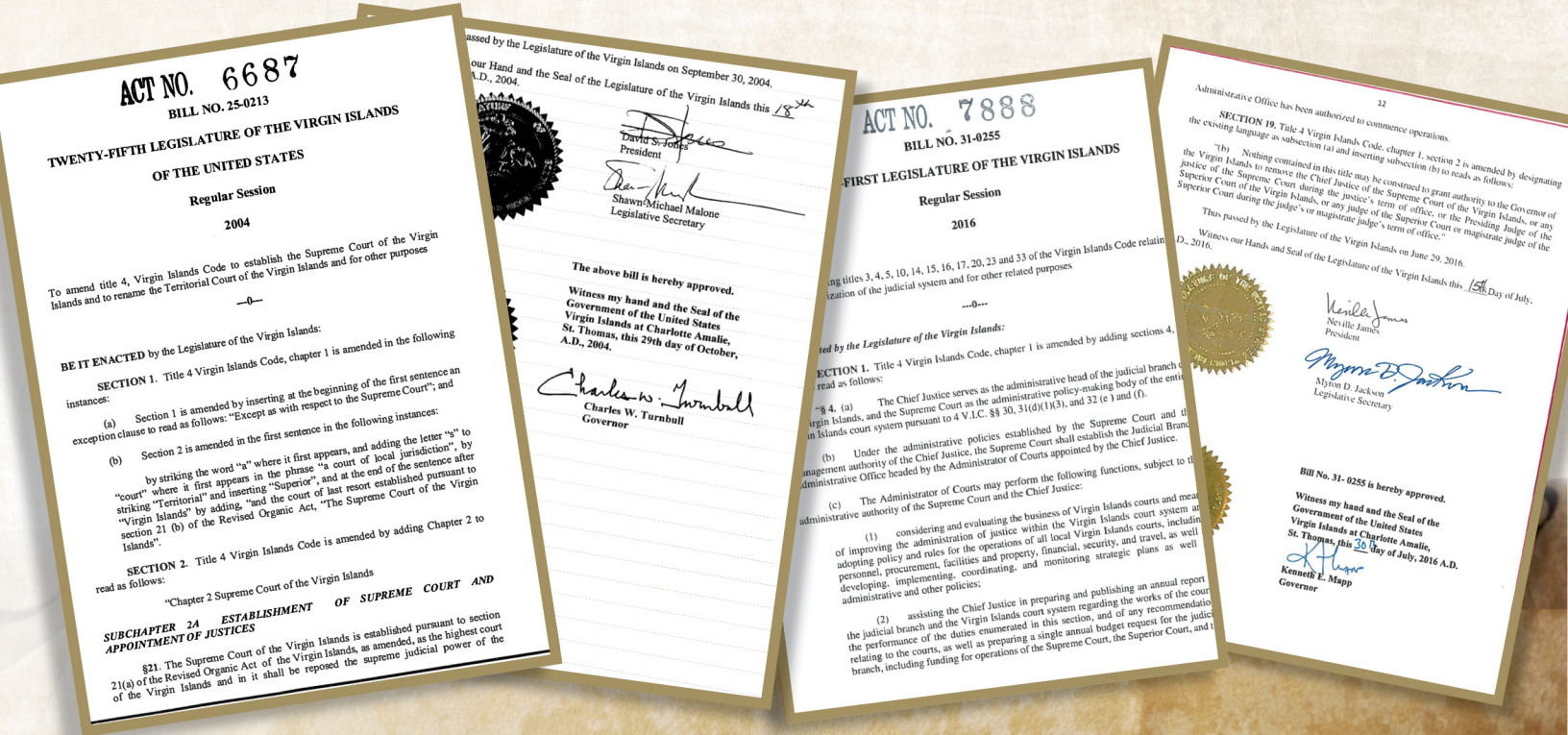
authorized by the 1984 amendments to the Revised Organic Act, two federal courts—the United States District Court of the Virgin Islands, and the United States Court of Appeals for the Third Circuit—continued to review all judgments issued by the then-Territorial Court. On September 30, 2004, Bill 25-0213, which was sponsored by then senator Carlton “Ital” Dowe to establish the Supreme Court of the Virgin Islands, was adopted by a unanimous vote of the member of the 26th Legislature, and signed into law by then Governor, Charles W. Turnbull as Act No. 6687 on October 29, 2004. Act No. 6687 also rechristened the Territorial Court as the Superior Court of the Virgin Islands. On October 27, 2006, the first three Justices of the Supreme Court—Chief Justice Rhys S. Hodge, and Associate Justices Maria M. Cabret and Ive Arlington Swan—appointed by Governor Turnbull, were confirmed by the Legislature and sworn into office on December 18, 2006. On January 29, 2007, the Supreme Court officially accepted appellate and other jurisdictions, thereby divesting the federal District Court of its historic role of overseeing the Superior Court.

Prior to January 29, 2007, when the Supreme Court assumed appellate jurisdiction all appeals were heard by the Appellate Division of the United States District Court and the United States Court of Appeals for the Third Circuit. The 1984 amendments to the Revised Organic Act by Congress also provided that the Third Circuit review decisions of the local appellate court for the first (15) fifteen years of its existence and directed that a comprehensive evaluation of the Court’s operations be conducted every five (5) years. The Third Circuit issued its first report on June 9, 2012, which concluded that the Supreme Court had developed sufficient institutional traditions to end the fifteen (15) year oversight period. On December 28, 2012, President Barack Obama signed Public Law No. 112-226. This bill, sponsored by Delegate to Congress Donna M. Christensen, amended the Revised Organic Act

to eliminate the oversight period. With the elimination of the oversight period, the Supreme Court of the Virgin Islands achieved parity with the highest courts of the several states and its decision would be subject to direct review by the Supreme Court of the United States, as do the highest courts of several States. The Virgin Islands now joins the other States and Territories of the Union in establishing a progressive, 21st century, local court system.

On August 29, 2016, the local judiciary took another leap forward when Bill No. 31-2055, Act No. 7888, was

signed into law by Governor Kenneth E. Mapp, unifying the administrations of the Supreme Court of the Virgin Islands and the Superior Court of the Virgin Islands. This Legislation, sponsored by then Senator Kenneth L. Gittens and Senator Nereida "Nellie" O'Reilly, also authorized the expansion of the appellate bench from 3 to 5 justices. The unification of our local court system is consistent with the organizational structure of a majority of the jurisdictions under the United States Flag. We are proud to present to the people of the Virgin Islands, the members of our unified bench.



We the People
insure domestic Tranquility, provide for the common Defence
and our Posterity, do ordain and establish this Constitution

Article I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.
Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and in each State shall have Qualifications requisite for Electors of the most numerous Branch of the State Legislature.
No Person shall be a Representative who shall not have attained to the Age of twenty five Years, and seven Years a Citizen of the United States, and who, when elected, shall not, when elected, be an Inhabitant of that State in which he shall be chosen.
Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons. The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and in every subsequent Year, in such Manner as they shall direct.

The Judicial Branch



MAGISTRATE DIVISION OF THE SUPERIOR COURT OF THE U.S. VIRGIN ISLANDS FOUR MAGISTRATES

Hon. Carolyn P. Hermon-Percell
Magistrate Judge

Hon. Miguel A. Camacho
Magistrate Judge

Hon. Henry V. Carr, III
Magistrate Judge

Hon. Ernest E. Morris, Jr.
Magistrate Judge

NON-FELONY TRAFFIC CASES • FORCIBLE ENTRY AND DETAINER •
MISDEMEANOR CRIMINAL CASES UNDER • 6 MONTHS PENALTY •
DOMESTIC VIOLENCE CASES • LANDLORD AND TENANT





SUPREME COURT
OF THE U.S. VIRGIN ISLANDS
THREE JUSTICES

Hon. Rhys S. Hodge
Chief Justice

Hon. Maria M. Cabret
Associate Justice

Hon. Ive Arlington Swan
Associate Justice

JUDICIAL BRANCH OVERSIGHT • APPELLATE JURISDICTION OVER FINAL JUDGMENTS OF THE SUPERIOR COURT • ORIGINAL JURISDICTION MATTERS, WRITS OF MANDAMUS, AND HABEAS CORPUS • REGULATION OF VIRGIN ISLANDS BAR



SUPERIOR COURT
OF THE U.S. VIRGIN ISLANDS
TEN JUDGES



Hon. Michael C. Dunston
Retired 9/26/2019

Hon. Harold W. L. Willocks
Presiding Judge

Hon. Robert A. Molloy
Judge

Hon. Denise M. Francois
Judge

Hon. Renee Gumbs Carty
Judge

Hon. Douglas Brady
Judge

Hon. Kathleen Y. Mackay
Judge

Hon. Debra S. Watlington
Judge

Hon. Jomo Meade
Judge

Hon. Jessica Gallivan
Judge

CIVIL MATTERS • CRIMINAL CASES (BOTH FELONY AND MISDEMEANOR) • DOMESTIC RELATIONS CASES • JUVENILE MATTERS • PROBATE CASES AND APPEALS AND REVIEW FROM MAGISTRATE DECISIONS IN SMALL CLAIMS, TRAFFIC, ETC. AND DECISIONS OF ADMINISTRATIVE AGENCIES



U.S. VIRGIN ISLANDS

2019 JUDICIAL CONFERENCE

*“Advancing Justice
Through Collaboration
and Judicial Education”*

JUNE 20 – 21, 2019 • ST. CROIX, USVI



The Supreme Court of the Virgin Islands is the highest local court and supreme judicial authority of the Virgin Islands. Pursuant to title 4, section 32(a) of the Virgin Islands Code, the Supreme Court of the Virgin Islands has appellate jurisdiction to review the final judgments rendered by the Superior Court, as well as a limited number of specified interlocutory orders. The Supreme Court also provides a second level of appellate review for appeals taken from the Magistrate Division of Superior Court. The Superior Court is the court of first impression in the Virgin Islands judiciary. As the trial court, it has broad jurisdiction in addressing the legal needs of the Virgin Islands community and has original jurisdiction to preside over all local civil, criminal, family, probate, landlord-tenant, small claims and traffic disputes. It also acts as a court of appeals for decisions of all governmental officers and agencies.

Pursuant to the authority granted in Act No. 7888, the Supreme Court of the Virgin Islands established the Judicial Management Advisory Council (JMAC) to provide guidance and advice to the Chief Justice and the Supreme Court of the Virgin Islands, the Presiding Judge and the Superior Court of the Virgin Islands, and the Administrator of Courts and the Judicial Branch Administrative Office on the operations and business of the judiciary.

The Judicial Branch Management Advisory Council is a six-member council consisting of the Chief Justice, two Associate Justices, the Presiding Judge, a judge of the Superior Court and a magistrate judge of the Superior Court. The Chief Justice chairs the council and the Administrator of Courts serves as the council's secretary. All judicial officers are ex officio members of the council. In Fiscal Year 2019, the serving members of the council were as follows:

- Hon. Rhys S. Hodge, Chief Justice
- Hon. Maria M. Cabret, Associate Justice
- Hon. Ive Arlington Swan, Associate Justice
- Hon. Michael C. Dunston, Presiding Judge
Retired Effective 9/26/2019
- Hon. Harold W. L. Willocks, Presiding Judge
- Hon. Robert A. Molloy, Judge
- Hon. Carolyn Hermon Percell, Magistrate Judge

During fiscal year 2019, the JMAC acted on several recommendations made by the Advisory Committee on Rules to continue to streamline and improve case management as well as court operations. The following rule changes were implemented in fiscal year 2019:

Promulgation Order No. 2019-0001. In Re Amendments to the Rules Governing Pro Hac Vice Admission to the Virgin Islands Bar.

Promulgation Order No. 2019-0002. In Re Amendments to the Virgin Islands Rules of Civil Procedure to include provisions for how to effectuate service upon the United States of America.

Promulgation Order No. 2019-0003. In Re Amendments to the Rules Governing the Superior Court of the Virgin Islands necessary to reconcile the Superior Court Rules with the Virgin Islands Rules of Criminal Procedure, Virgin Islands Small Claims Rules, and other changes to the rules.

Promulgation Order No. 2019-0004. In Re Adoption of Supreme Court Rule 109. In accordance with 4 V. I. C. § 6, there will be an annual conference of all justices and active judges and magistrate judges of the Superior Court of the Virgin Islands for the purpose of considering the state of business of the courts and advising ways and means of improving the administration of Justice within the Virgin Islands.

The first annual Judicial Conference was held in June 20-21, 2019 on the island of St. Croix. The 2-day conference, “*Advancing Justice Through Collaboration and Judicial Education*”, was expanded to include members of the Virgin Islands Bar Association and other justice partners and covered topics such as Pre-trial Detention and Release Reform, Substance Cases, Behavioral Health and the Courts, and Virgin Islands Arbitration Law as well as educational sessions on Judicial Ethics and Judicial Writing.

In fiscal year 2019, the Honorable Geoffrey Barnard announced his retirement as Chair of the Committee of Bar Examiners after having

served as Chair for 36 years. Judge Barnard was recognized and honored for his service and contributions to the regulation of the Virgin Islands Bar at the Conference Dinner.



Promulgation Order No. 2019-0005. In Re Adoption of the Virgin Islands Rules for Probate and Fiduciary Proceedings establishing rules governing habeas corpus actions, probate, guardianship, trust and other fiduciary proceedings in the Superior Court

Promulgation Order No. 2019-0006. In Re Establishment of Fee Mediation Program.

Promulgation Order No. 2019-0007. In Re Amendments to the Virgin Islands Rules of Civil Procedure, Criminal Procedure and Evidence.

Promulgation Order No. 2019-0008. In Re Amendments to Supreme Court Rule 208 adopting recommendations from the Virgin Islands Bar Association to Continuing Legal Education requirements.

Promulgation Order No. 2019-0009. In Re Adoption of Rules governing proceedings in the Family Division to provide a just, speedy, and efficient determination of all proceedings, and secure simplicity in procedure and fairness in administration. These new rules are also intended to facilitate access to the court, to save time and expense through active case



management, and to enable the court to coordinate related cases and proceedings to avoid multiple appearances by the same parties on the same or similar issues and to avoid inconsistent court orders.

Promulgation Order No. 2019-0010. In Re Codification of the Virgin Islands Code of Judicial Conduct to minimize confusion as to which rules govern the conduct of judicial officers in the Virgin Islands and formally promulgate local rules governing the conduct of judicial officers in the Territory.

JUDICIAL BRANCH COLLABORATIONS AND HIGHLIGHTS

During Fiscal year 2019, the Judiciary was invited to participate in a National Pandemic Summit made possible by a grant awarded by the State Judicial Institute. The goal of the Summit, which was held from May 22-25, 2019 Omaha, Nebraska, was to build on the successful work of the Conference of Chief Justices' and Conference of State Court Administrators' Pandemic and Emergency Response Task Force. The Nebraska State Courts hosted the Summit in the city that is home to one of the premier medical centers equipped to handle U.S. victims of Ebola and other highly communicable diseases and summit participants had the opportunity to tour the biocontainment unit.



On February 12, 2019, Chief Justice Rhys S. Hodge was awarded the 2018 National Center for State Courts' (NCSC) Distinguished Service Award for his significant contributions to the justice system and continued support of the mission of the National Center for State courts. The award was presented by the Honorable Paul Reiber, Chief Justice of Vermont and President of the Conference of Chief Justices, at the Conference of Chief Justice's midyear meeting which was held in Clearwater, Florida



The Virgin Islands Judiciary assembled a team which included Chief Justice, Rhys S. Hodge, Administrator of Courts, Regina Petersen, Deputy Marshal, Kellen Phillips, Executive Director of Virgin Islands Legislature, Pamela Richards and Department of Health epidemiologist, Dr. Esther Ellis.

In addition to his leadership of the Supreme Court since its establishment in 2006, and the administrative unification of the Virgin Islands judiciary since 2016, the award was presented to Chief Justice Hodge in recognition of his leadership during and after the devastation caused by hurricanes Irma and Maria in 2017. In fact, Chief Justice Hodge participated in a panel discussion, "*Dusting Off your COOP*", along with Chief Justice Maite Oronoz of Puerto Rico, Chief Justice Nathan Hecht of Texas, Chief Judge of the Court of Appeals of Maryland, Mary Ellen Barbera, and State Court Administrator of Florida, Patricia Jameson, at the 2018 Conference of Chief Justices and State

Court Administrators. As a direct result of these leadership efforts, the Virgin Islands Judiciary was asked to participate in a national focus group on Court's Emergency Management Lessons Learned. The meeting, which was held in Denver Colorado on April 12-13, 2019, included participants from seven states and territories affected by recent natural disasters/emergencies: California, Florida, Hawaii, North Carolina, Puerto Rico, Texas, and the US Virgin Islands. Courts discussed what they had experienced in recent natural disasters, response measures in place in terms of COOP planning and emergency management resources, and how their respective positioning and planning affected their ability to respond to their respective disasters. The goal of the focus group was to provide an opportunity to share experiences and leverage the expertise of key court officials to improve state courts' performance in the areas of emergency management and continuity of operations planning and to produce a report as guidance to State courts across the nation. Contributors to the focus group discussions included Administrator of Courts, Regina Petersen, Assistant Administrator of Court, Kevin A. Williams, Sr. and Deputy Virgin Islands Marshal, Kellen Phillips.

The Virgin Islands judiciary also participated on a Panel discussion entitled "*Keeping the Courts Open in Crisis*". This panel presentation at the 2019 Court Technology Conference in New Orleans was coordinated by the National Center for State Courts. Panel members included Virgin Islands Court Administrator, Regina Petersen, Ed Wells, Court Manager for Harris County, Texas, Judge Ricardo Marrero-Guerrero of Puerto Rico, and Gary Hagan, Chief Technology Officer of the 14th Judicial Circuit in Florida. The panel moderator was Nathan Hall from the National Center for State Courts.

COURT IMPROVEMENT PROGRAM

- Since 2017, when the Judiciary of the U.S. Virgin Islands received its first Federal Court Improvement Grant, it has been working diligently to facilitate various collaborative efforts among the key stakeholders in the handling of abuse and neglect cases in the Virgin Islands. In this regard, the judiciary has brought together social workers, legal aid providers, prosecutors, defense attorneys, judicial officers and court administrators, all in an effort to identify and address barriers to

permanency, and to improve child safety, family well-being and permanency in the Territory.

During the first quarter of 2019, The Virgin Islands CIP Team visited the Judicial System of Puerto Rico to observe their Court Improvement Program. Participants in this training collaboration



the judiciary's CIP Management Committee, Family Court Judges, and representatives from the Virgin Islands Department of Human Services and Region II of the Administration for Children and Families. The USVI and PR teams participated in Peer to Peer Discussions, learned about the operation of the Program within PR's judicial system, the implementation and utilization of the CIP grants, interactions with the various Title IV-E agencies and observed several family court proceedings in Puerto Rico.

USVI CIP also hosted the 2nd Annual Retreat in May. The video conferenced session was held at the Superior Court in St. Thomas; and, at Juan Luis



Cardiac Center on St. Croix. Seventy-three (73) individuals attended this activity, including Judges, Family Court Staff, Social Workers, Commissioners, Attorneys and other stakeholders.

Presenters at this event included the following: USVI CIP Coordinator, Kamilah Joseph; Mr. Alfonso Nicholas and Ms. Shari Browne of the Administration for Children & Families (Title IV-E)/ Children's Bureau; Mr. Bill Stanton of the Casey Family Programs (Family First Act); Ms. Charrise Hart of the V.I. Department of Human Services Children and Families Division (Foster Care in the Virgin Islands); and, Juvenile and Guardian Ad Litem Panel member, Attorney Renee Andre (Quality Legal Representation). Attorneys who attended received a certificate of participation and six (6) Continuing Legal Education (CLE) credits.

During the last quarter of 2019, the Virgin Islands Judiciary also assembled a team of seven (7) representatives to attend the National Judicial Leadership Summit IV on Child Welfare. The Conference of Chief Justices, Conference of State Court Administrators, Casey Family Programs, the Children's Bureau, the National Center for State Courts, and the Annie E. Casey Foundation invited state teams to Minnesota to examine the current approach to foster care, reimagine a different way for the legal and judicial system to partner with communities so that families can safely care for their children. The Summit also focused on innovative practices from across the country on critical issues including ensuring high-quality legal

representation for children and parents, enforcing reasonable and active efforts requirements, capturing the voice of families in legal proceedings, and preventing kids from needlessly entering foster care by working with community leaders even before a family comes to the attention of child welfare agencies. The Team from the Virgin Islands included the Administrator of Courts, Regina Petersen; Family Court Judges Debra Watlington (STT) and Jessica Gallivan (STX); Assistant Attorney General Ziska Anderson; Attorney Gail Shearer of Virgin Islands Volunteer Advocates for Children; Department of Human Services Administrator, Charrise Hart; and, Court Improvement Coordinator, Kamilah Joseph.

JUDICIAL BRANCH APPOINTMENTS AND RETIREMENTS

Presiding Judge Michael C. Dunstan announced his retirement in fiscal year 2019. Effective September 27, 2019, the Honorable Harold W. L. Willocks, former Administrative Judge of the Superior Court, replaced Judge Dunstan as Presiding Judge of the Superior Court. The Judiciary also welcomed a new Family Court Judge and a new Magistrate Judge. The Honorable Jessica Gallivan was appointed Family Court Judge in the District of St. Croix. Judge Gallivan replaced the Honorable Denise Hinds-Roach, who also retired in 2019. The Honorable Ernest E. Morris, Jr. was appointed Magistrate Judge in the District of St. Croix. Magistrate Judge Morris replaced Judge Gallivan following her elevation to Family Court Judge.





**NEW PRESIDING JUDGE
HAROLD W. L. WILLOCKS**

Harold W. L. Willocks was first nominated by the Honorable John P. de Jongh, Governor of the Virgin Islands of the United States, to serve a six-year term as a Judge of the Superior Court of the Virgin Islands. He was confirmed unanimously by the 28th Legislature of the Virgin Islands with his first term commencing effective January 24, 2010. During this term of office, he was designated by Presiding Judge Michael C. Dunston to serve as Administrative Judge in the District of St. Croix. In 2016, Judge Willocks was nominated to serve a second 6-year term as Judge of the Superior Court of the Virgin Islands by the Honorable Kenneth E. Mapp, Governor of the Virgin Islands, and unanimously confirmed by the 31st Legislature of Virgin Islands. His second term began effective June 2, 2016. Prior to his 9 years of distinguished service on the Superior Court Bench, Judge Willocks served 22 years in the Office of the Territorial Public Defender, 18 of those years as the Chief Public Defender.

Presiding Judge Willocks succeeds the Honorable Michael C. Dunston, who retired from service effective September 26, 2019.



HON. JESSICA GALLIVAN

In April of 2019, the Honorable Albert Bryan, Jr., Governor of the U.S. Virgin Islands, nominated Magistrate Judge Gallivan to serve as Family Court Judge of the Superior Court in the district of St. Croix. She graciously accepted the Governor's call to further serve her community. On May 14, 2019, Judge Jessica Gallivan was confirmed by the 33rd Legislature of the Virgin Islands to serve a term of six years as Judge of the Superior Court of the Virgin Islands.

Judge Gallivan is a graduate of Southern Methodist University School of Law (SMU) in Dallas, Texas. She began her legal career as an Associate with the Law Offices of Andrew L. Capdeville, P.C. on St. Thomas. Later, from 1996 to 1998, she completed a clerkship at the then Territorial Court of the Virgin Islands under the guidance of the Honorable Judge Ishmael A. Meyers. Following that clerkship, Jessica served with distinction, from 1998 to 2004, as an Assistant Attorney General and Senior Assistant Attorney General assigned to the Office of Collective Bargaining. From 2004-2007 she served as an Associate for the Law Offices of Michael J. Sanford, primarily in the areas of insurance defense and labor law. In early



2007, then Attorney Gallivan was nominated by then Governor John P. de Jongh, Jr. to serve as a member of his Cabinet in the position of Chief Labor Negotiator in the Office of Collective Bargaining.

In June 2009, Jessica expanded her service in the Virgin Islands legal community when she was appointed by then Presiding Judge Darryl Dean Donohue, Sr. to serve for a term of four years as one of the first magistrate judges for the Superior Court of the Virgin Islands. At the end of that term in 2013, she was re-appointed to serve a second term by Presiding Judge Michael C. Dunston and to a third term in 2017.



HON. ERNEST E. MORRIS, JR.

Ernest E. Morris, Jr. was appointed Magistrate Judge in the District of St. Croix by then Presiding Judge, Michael C. Dunston. Magistrate Judge, Ernest E. Morris Jr. Ernest E. Morris, Jr. earned his Juris Doctor degree in 2005 from Howard University School of Law. Upon completion of law school, Magistrate Judge Morris worked as a Judicial Law Clerk at the Superior Court of the Virgin Islands from June of 2005 through July of 2007, and as an Appellate Law Clerk with the Supreme Court from July 2007 through July of 2008. During this period he had the distinction of serving as one of the first law clerks of the then newly established Supreme Court of the Virgin Islands. He first clerked for the Honorable Edgar D. Ross, and later clerked for the Honorable Julio A. Brady, upon Judge Ross' retirement. During his judicial clerkship, Ernest was sworn in as a member of the Virgin Islands Bar Association on June 29th, 2006. Magistrate Judge Morris then worked as an Appellate Law Clerk for the Honorable Maria M. Cabret at the Supreme Court of the Virgin Islands

from July of 2007 through July of 2008, and went on to work as an advocate for indigent defendants as a Territorial Public Defender from December of 2008 through March of 2011. He then served as Assistant Legal Counsel at the Legislature of the Virgin Islands from March of 2011 through February of 2014.

Prior to his appointment as Magistrate Judge, then Attorney Morris entered the private sector in February of 2014 to work for the Innovative family of companies, and continued to serve as Corporate Counsel for the same family of companies after a transition of ownership and rebranding as Viya. He served in that position until November of 2017 when he opened his own private practice, the Morris Legal Group.

JUDICIAL BRANCH DESIGNATIONS

Legal or ethical conflicts may arise from time to time requiring recusal of one or more sitting justices, or any justice may temporarily be unable to serve. In such instances, the Chief Justice may appoint a retired, senior, or active judge of the Superior Court or the District Court to serve as a Designated Justice. This designation bestows on the appointee all of the rights and responsibilities of an Associate Justice. In the rare event where all the justices of the Supreme Court are recused from a case, the most senior Designated Justice on the panel may exercise all the powers of the Chief Justice with respect to that particular case.

There were 5 recusals and 13 new designations in Supreme Court in fiscal year 2019. Accordingly, the following judicial officers served as Justices on an Appellate Panel during the course of the fiscal year:

- Douglas A. Brady, Judge, Superior Court of the Virgin Islands
- Darryl Dean Donohue, Senior Sitting Judge, Superior Court of the Virgin Islands
- Michael C. Dunston, Senior Sitting Judge, Superior Court of the Virgin Islands
- Robert A. Molloy, Judge, Superior Court of the Virgin Islands
- Harold W. L. Willocks, Presiding Judge, Superior Court of the Virgin Islands

Pursuant to section 74 (a) former judges of the Courts of the Virgin Islands not actively engaged in the practice of law before the Superior Court may be utilized as ‘Senior Sitting Judges’ in the Superior Court. During fiscal year 2019, the honorable Michael C. Dunston was designated Senior Sitting in the judicial district of St. Thomas and St. John, and the honorable Darryl Dean Donohue was designated Senior Sitting in the judicial District of St. Croix.

INDIGENT APPOINTMENT OF COUNSEL

The Office of the Territorial Public Defender possesses a statutory mandate to represent indigent defendants in criminal proceedings including appeals. On occasion however, the Public Defender is unable to provide indigent representation on a matter due to an ethical conflict, and the Courts must then appoint an attorney to represent the indigent defendant. Supreme Court Rule 210 established a panel of attorneys who would volunteer to represent indigent parties, and set compensation at \$75.00 per every in-court and out-of-court hour in which services were provided, subject to a presumptively reasonable cost for indigent representation, which has been defined as either \$5,000.00 or \$7,500.00, depending on the seriousness of the offense. The caps however, may be waived by the Chief Justice under special circumstances. The Judiciary nonetheless retains the authority to involuntarily appoint an attorney in the rare instance that the Office of the Public Defender and all of the attorneys on the appellate indigent defense panel are unable to represent a particular defendant. In fiscal year 2019 there were no new appointments of counsel for indigent defense for appeals before the Supreme Court. However, one previous appointment did conclude during the fiscal year.

In the Superior Court of the Virgin Islands, there were 188 Indigent Appointments of Counsel in fiscal year 2019. 98 appointments were made to attorneys participating on the Family Panel; 39 appointments were made to attorneys on the Criminal Panel; and 51 appointments were made from the regular listing of licensed attorneys. During fiscal year 2019, the Judiciary expended \$441,469 on indigent defense including payment to attorneys and experts.

The Vision

OF THE SUPREME COURT OF THE VIRGIN ISLANDS



The Supreme Court of the Virgin Islands strives to be a model of judicial excellence to serve the public, and earn its trust and confidence through innovative leadership; professional, efficient, accountable, and accessible services; and the impartial, prompt disposition of appeals in accordance with the rule of law.



SUPREME COURT
OF THE
UNITED STATES VIRGIN ISLANDS

The Supreme Court

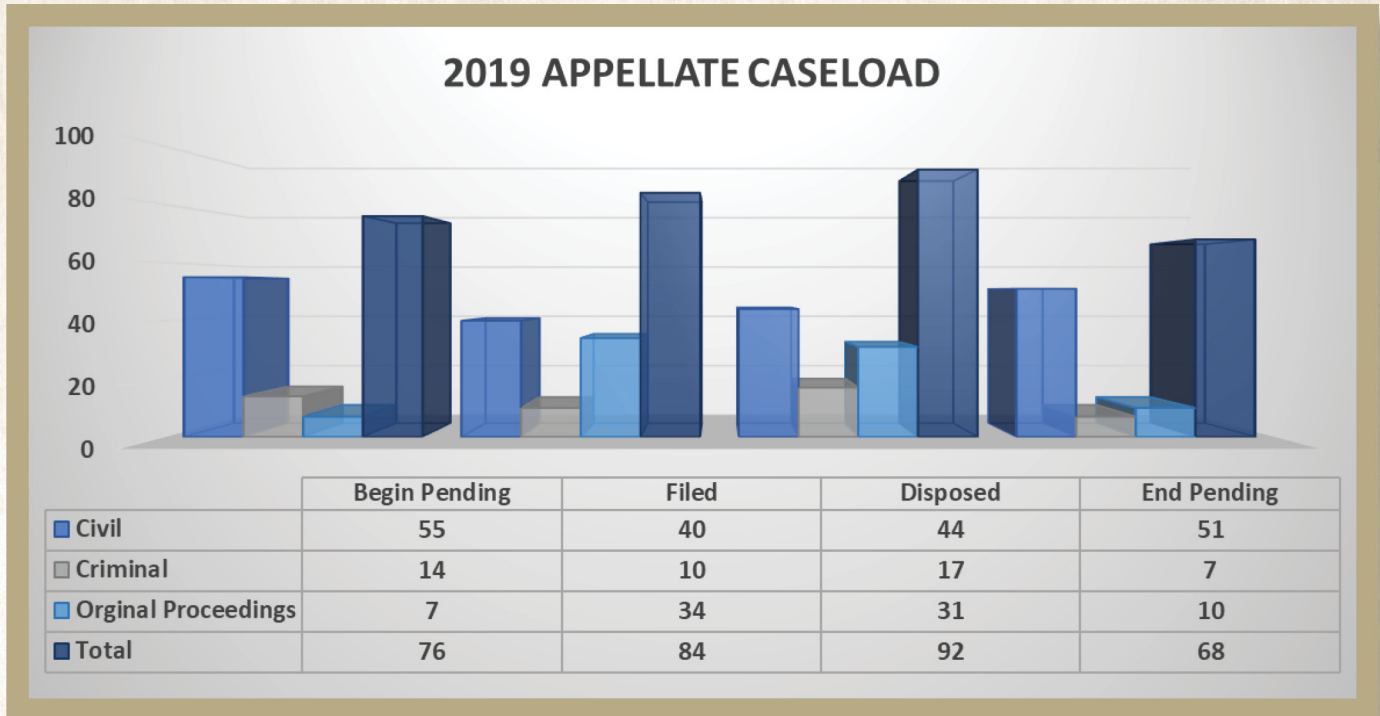
The Supreme Court of the U.S. Virgin Islands



The role of the Supreme Court is to review the factual determinations of the Superior Court for clear error while exercising plenary review over its legal conclusions. The Supreme Court also hears cases that do not originate in the Superior Court. These cases are referred to as original jurisdiction matters. The most common exercise of the Court's original jurisdiction are in actions for writ of mandamus, in which the Supreme Court may order a government official—including a Superior Court judge—to perform a discrete, ministerial act. However, there are various other types of actions that may arise pursuant to the Supreme Court's original jurisdiction, which include proceedings for civil or criminal contempt, applications for writs of habeas corpus, attorney discipline and certified requests from federal courts and the highest courts of other jurisdictions for the Supreme Court to answer an unresolved question of Virgin Islands law. Although Act 7888 authorized the expansion of the Supreme Court, the current court consists of a Chief Justice, the Honorable Rhys S. Hodge and two Associate Justices, the Honorable Maria M. Cabret and the Honorable Ive Arlington Swan.

OFFICE OF THE CLERK OF THE SUPREME COURT

The Office of the Clerk of the Supreme Court is responsible for the management of cases throughout the appellate process, and the maintenance of certain statistical data regarding case processing. Accordingly, the following caseload trends are reported for fiscal year 2019.



Fiscal year 2019 began with 76 matters pending before the Supreme Court of the Virgin Islands. There were 84 new matters filed during the course of fiscal year 2019 for a total pending caseload of 160 cases. The Court disposed of 44 civil appeals, 17 criminal appeals and 31 matters proceeding under the Court's original jurisdiction for a combined clearance rate of over 100%. Fiscal year 2019 ended with a total pending caseload of 68 cases, a reduction of 11% in cases pending over the previous fiscal year.

During the course of the fiscal year 2019, final judgments were issued in 41 cases. Of the Court's 41 opinions, 39 were published opinions. Case summaries and all published opinions issued by the Supreme Court can found on the Judiciary's Website www.vicourts.org. Opinions are automatically distributed free of charge to individuals who have subscribed to the Supreme Court's mailing list.

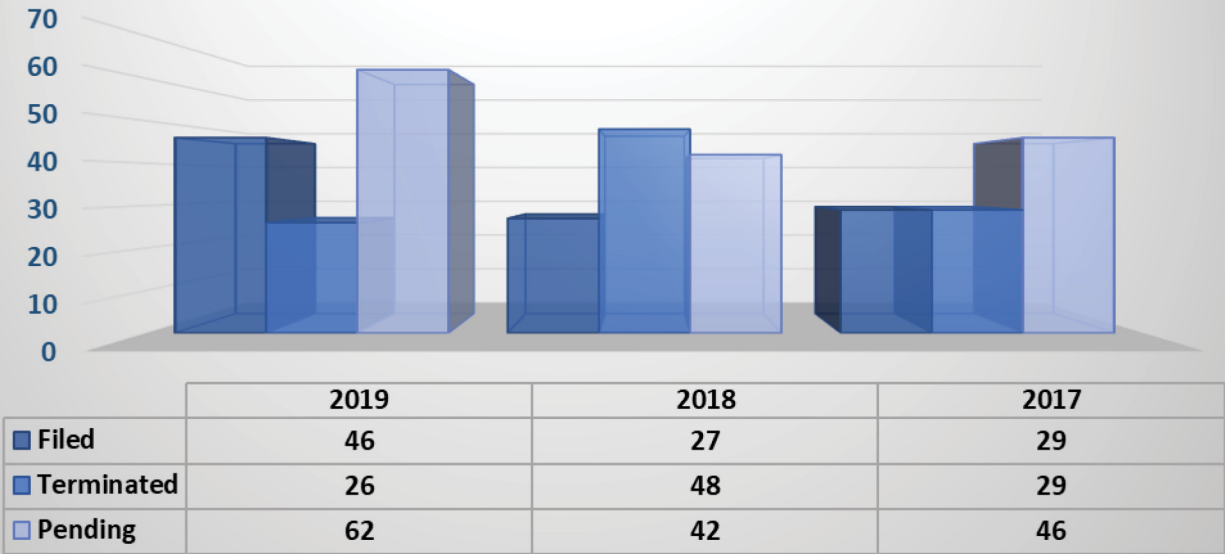
ARMS OF THE SUPREME COURT

OFFICE OF BAR ADMISSIONS

The Supreme Court of the Virgin Islands oversees the Virgin Islands Bar Association, which includes the processing of applications to the Bar, and approval of rules and bylaws of the organization. The Office of Bar Admissions and the Committee of Bar Examiners are 2 arms of the Supreme Court which assist with this oversight responsibility in conducting character and fitness investigations and ascertaining the qualification of all applicants for admission. The Office of Bar Admissions coordinates and supervises the administration of the Bar Exam, which occurs twice annually.

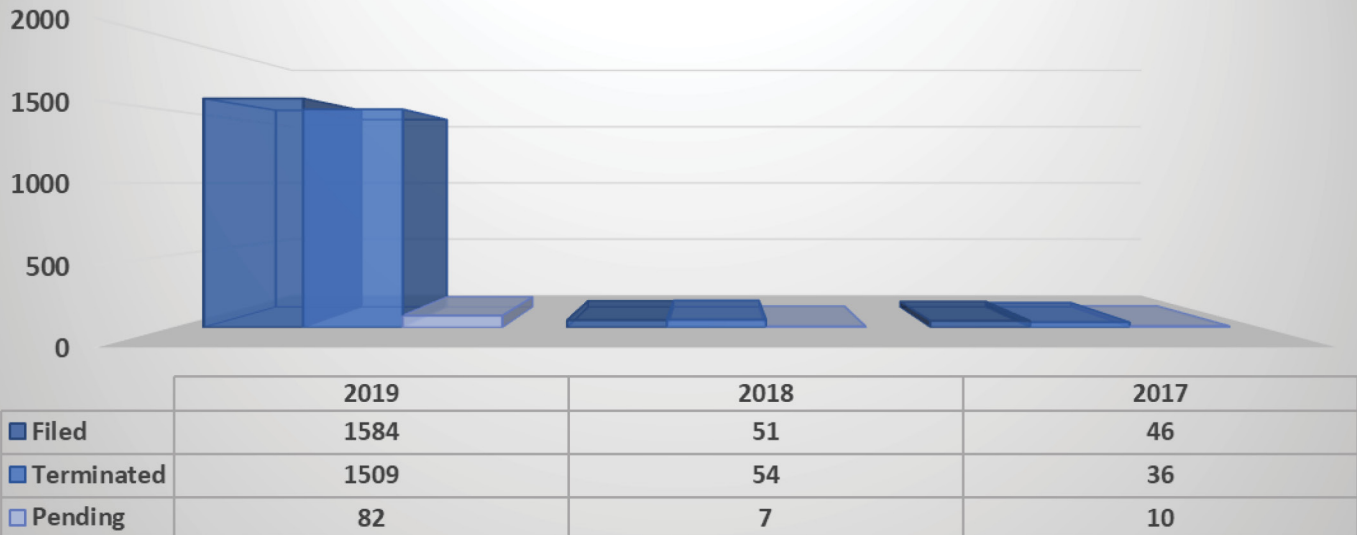
Admission to the Virgin Islands Bar is governed by Supreme Court Rules 201,202, and 204. These rules establish three classes of membership: regular, special, and *pro hac vice*. During fiscal year 2019, for all reporting types, the office of Bar admissions evaluated 2,868 applications. 1,251 oaths were administered during the same period. Statistical information for each admission type is presented below:

REGULAR ADMISSION



Regular Admission. During the course of fiscal year 2019, there were 46 new petitions for regular admission filed, and the Office of Bar Admissions conducted 37 Character and Fitness Interviews. By the end of the fiscal year, the Court had terminated 26 application cases. As of September 30, 2019 there were 62 pending applications. the Supreme Court held 4 Bar Admissions Ceremonies, resulting in 17 new attorneys being admitted to the practice of law in the Virgin Islands in fiscal year 2019.

PRO HAC VICE ADMISSION



Pro Hac Vice Admission. Attorneys admitted to the practice of law in other United States jurisdictions, may be permitted to practice law in the Virgin Islands with respect to a single client matter, provided that the attorney is associated with a regularly admitted member of the Virgin Islands Bar, and that member has agreed to take full responsibility for the actions of the out-of-territory attorney. During fiscal year 2019, 1,584 new applications for *pro hac vice* admission were filed, representing a substantial increase in the number of applications filed in the previous year. This increase was pursuant to Promulgation Order No. 2019-0001, amending VISCR 201 and clarifying when multiple *pro hac vice* petitions were required. Immediately following the issuance of the order on February 5, 2019, the number of filings increased to address the deficiency.



As of September 30, 2019, 1, 509 *pro hac vice* petitions had been granted for a clearance rate of 95%. There were 6 pending *pro hac vice* petitions at the end of the fiscal year.

Special Admission. Pursuant to Supreme Court Rule 202, an attorney admitted to the practice of law in another state, territorial jurisdiction, or to the District of Columbia, may, under the supervision of a regular member of the Virgin Islands Bar Association, practice law in the Virgin Islands on behalf of a federal or territorial government department or agency, or a specified public interest organization. During fiscal year 2019, 10 petitions for special admission were filed with the Supreme Court. The Court granted special admission to 9 attorneys, during the reporting period.

Services to Existing Members of the Virgin Islands Bar

The Virgin Islands Bar Association performs several administrative services on behalf of the Supreme Court, to include the collection of annual membership dues and maintenance of records evidencing compliance with continuing legal education requirements. Attorneys are nevertheless required to request certain forms of relief directly from the Supreme Court.

Certificates of Good Standing. Certificates of Good Standing are issued by the Clerk of the Supreme Court and indicate that an attorney has complied with all membership requirements of the Virgin Islands Bar. At least once per year, members of the Virgin Islands Bar Association, must file requests with the court for Certificates of Good Standing to satisfy licensing requirements. Members may also require a Certificate of Good Standing to support applications for admission to the Bar of another jurisdiction. Eligibility to receive a Certificate of

Good Standing, requires that the attorney be current with all membership dues, have satisfied all continuing legal education requirements, and be presently authorized to practice law in the Virgin Islands. During fiscal year 2019, there were 156 requests for certificates of good standing. The Supreme Court issued 156 certificates.

Status Changes. Regular members of the Virgin Islands Bar Association may be either “active” or “inactive.” Inactive status is typically sought by attorneys who have accepted employment that does not require the practice of law, or by retired or non-resident attorneys who wish to maintain a connection to the Virgin Islands Bar Association. Additionally, The Supreme Court may grant an attorney permission to resign his or her membership, which terminates any financial obligation to the VI Bar Association. With the Court’s permission, and provided that certain procedural requirements are met, attorneys may freely transfer between active and inactive status, and may request permission to resume the practice of law. In fiscal year 2019, the Office of Bar Admissions received and processed 15 requests for status changes, 6 Petitions for inactive status, 3 petitions for the resumption of practice, and 3 Petitions for resignation from the Virgin Islands Bar Association.

Continuing Legal Education. In fiscal year 2019, the Supreme Court amended Rule 208, requiring all regularly and specially admitted attorneys to self-report their annual compliance with the completion of 12 continuing legal education credits to the Virgin Islands Bar Association. The amendments granted the Virgin Islands Bar Association’s CLE Committee specific authority to grant extensions of time through April 30th for self-reporting, but did not however vest the Virgin Islands Bar Association with any discretion to waive or excuse a member’s non-compliance. In fact, any request for a complete or partial extension from CLE requirements must be filed with the Supreme Court. Additionally, attorneys who desire an extension of time to satisfy their annual obligation beyond April 30th, must file a formal petition with the Supreme Court. During fiscal year 2019, 3 such requests were filed with the Supreme Court. The rate of compliance with CLE under the new process continues to improve.

Attorney Registration. In accordance with Rule 203, effective January 1, 2018, the Supreme Court implemented the Attorney Registration process. VISCR 203 requires all active members of the Virgin Islands to file an Annual Registration Statement with the Office of Disciplinary Counsel along with the payment of annual registration fee of \$50. During the course of the fiscal year, there were 645 Annual Registration Statements filed.

Additionally, in the first quarter of fiscal year 2015, the Office of Bar Admissions assumed full responsibility over the management and assignment of identification numbers for all new regular and special admitted members of the Virgin Islands Bar Association. During fiscal year 2019, the Office of Bar Admission issued 92 identification numbers to new members.

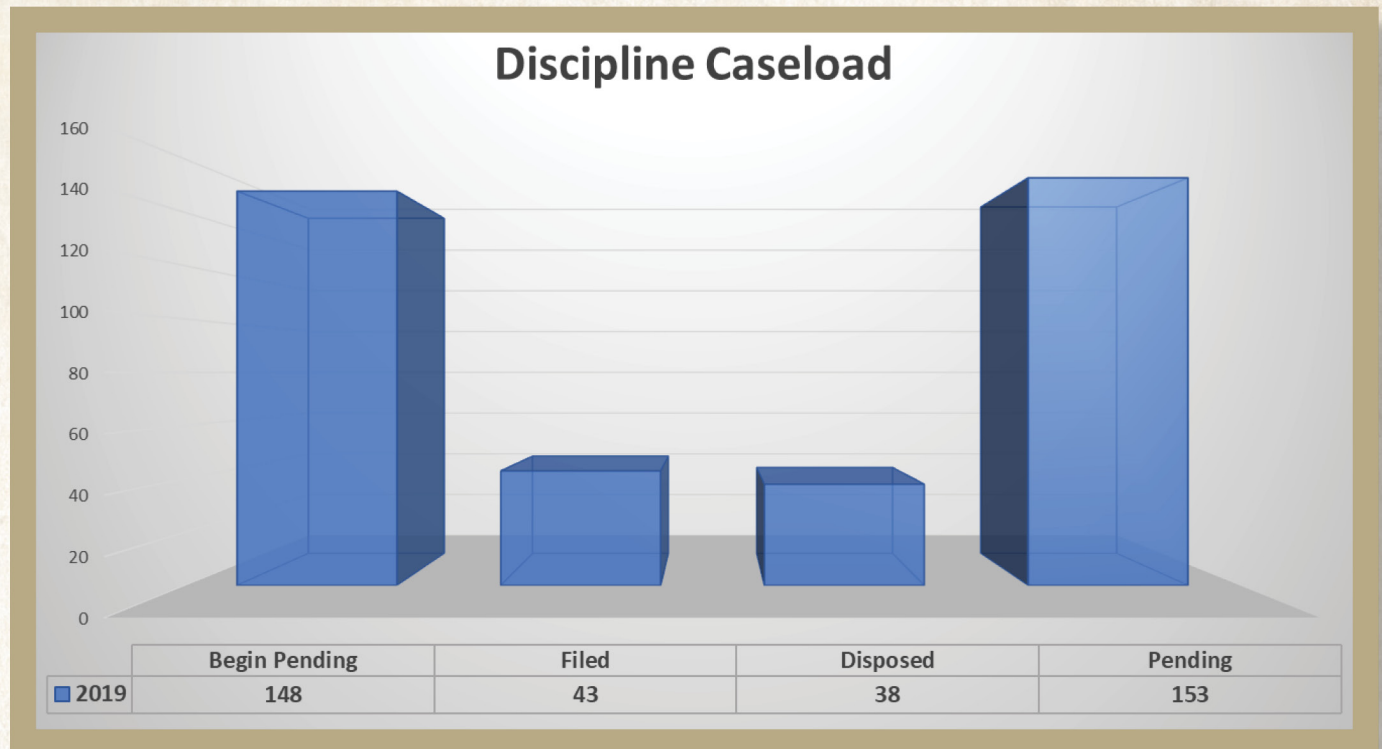
OFFICE OF DISCIPLINARY COUNSEL

Pursuant to Supreme Court Rule 209, the Office of Disciplinary Counsel was established to investigate and prosecute complaints against justices and judges from the Virgin Islands judiciary. Rule 209 also established the Virgin Islands Commission on Judicial Conduct to further assist with preserving the integrity of the judiciary and maintaining public confidence in the judicial system.

In accordance with Rule 209, Disciplinary Counsel is tasked with investigating complaints under the direction of a three-member investigative panel. Upon completion of the investigation, the panel determines whether formal charges are warranted, and if so, Disciplinary Counsel prosecutes the complaint before a hearing panel. In fiscal year 2019, the Office of Disciplinary Counsel successfully closed 68 cases: 50 Attorney Misconduct cases, 7 matters involving allegations of the Unauthorized Practice of Law, and 11 matters involving allegations of Judicial Misconduct. In March of 2019, the Judicial branch Administrative Office, with the approval of the

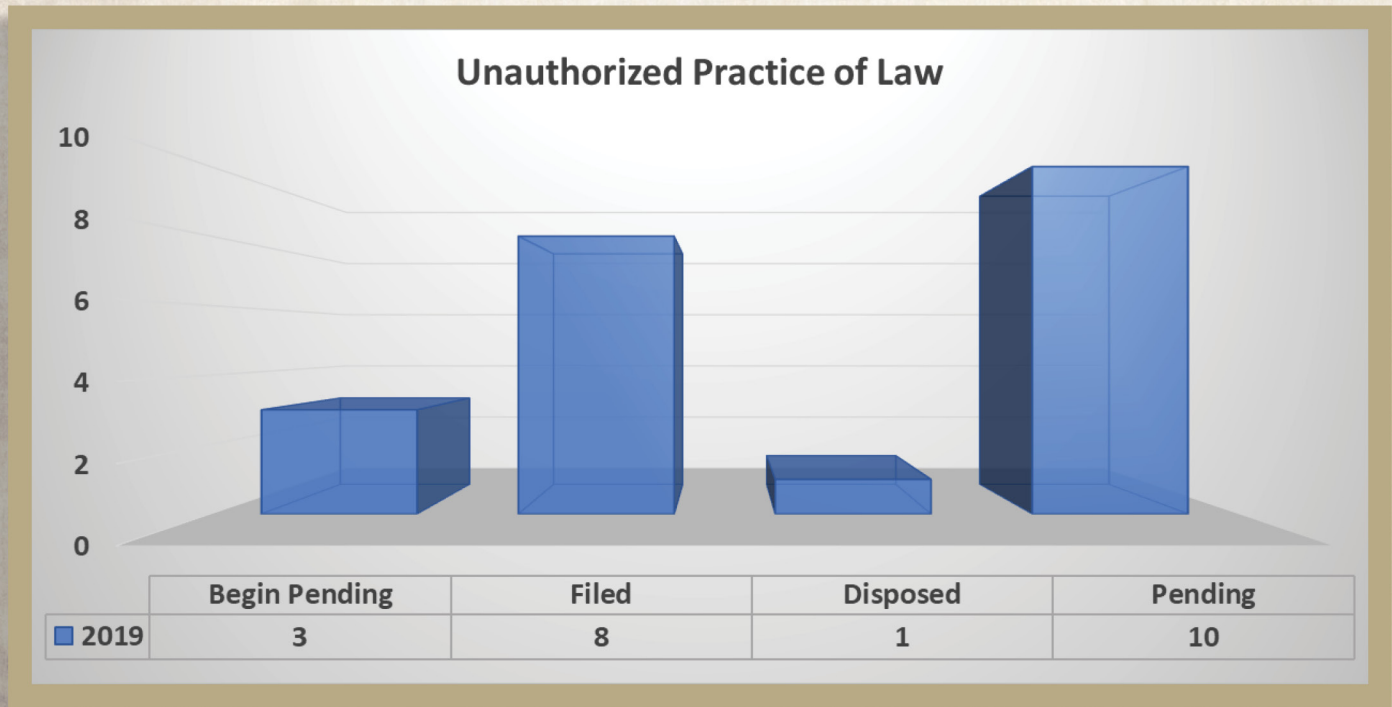
Supreme Court, contracted a “Special” or part-time Disciplinary Counsel to assist with addressing older cases. During the remainder of the fiscal year, the Special Disciplinary Counsel resolved 17 Attorney Misconduct Cases and 6 complaints of the Unauthorized Practice of Law. A total of 91 discipline matters were disposed in fiscal year 2019.

Judicial Discipline and Incapacity. At the close of Fiscal Year 2018 there were 14 pending complaints against judicial officers. 6 new judicial complaints were filed during the fiscal year and 6 were dismissed. By the end of fiscal year 2019, there were 14 pending cases. No complaints alleging judicial disability were filed in fiscal year 2019.



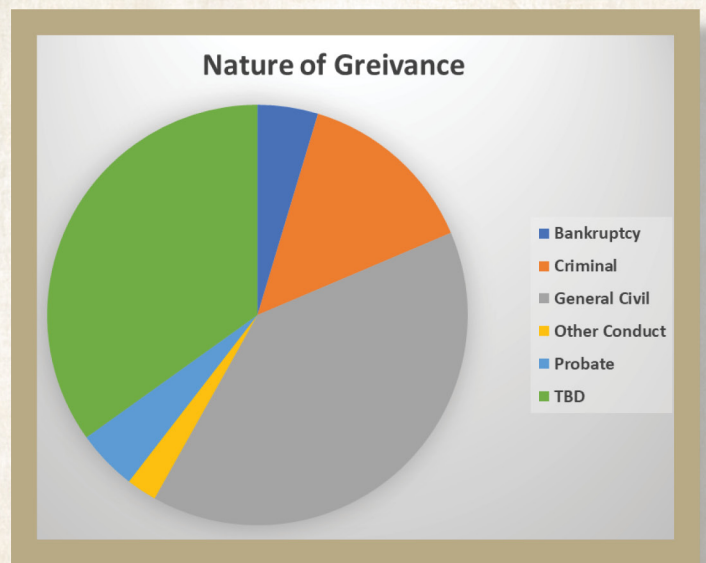
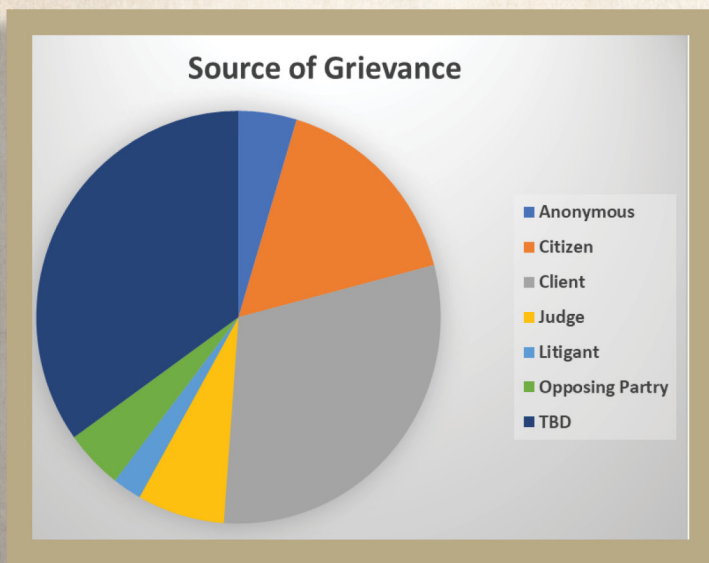
Attorney Discipline. Supreme Court Rule 207 was amended in 2011, expanding the function of Disciplinary Counsel to include the investigation and prosecution of grievances against members of the Virgin Islands Bar. Attorney discipline includes, but is not limited to, private or public reprimand, probation, suspension and the most severe penalty of disbarment from the practice of law in the Virgin Islands. Fiscal Year 2019 began with 148 pending attorney discipline matters. During of the fiscal year 43 new grievances were filed, and 38 cases were resolved. Of those resolved, 28 were dismissed following review and investigation, 4 were dismissed by panel, 3 were withdrawn, 2 were closed on account of death and discipline was imposed in 1 case.





Unauthorized Practice of Law. Disciplinary Counsel is responsible for supervising the receipt, evaluation, investigation and prosecution of complaints of the Unauthorized Practice of Law. The Office of Disciplinary Counsel began fiscal year 2019 with 3 pending matters. 8 files were opened during the fiscal year, and 1 case was resolved with discipline imposed. At the end of FY 2019, 10 cases remained pending.

Discipline Case Demographics. Of the 43 cases filed during the course of the fiscal year, 13 were filed by clients of the respondent-attorney; 3 matters were referred by a judicial officer; 2 cases were filed by opposing parties; 17 cases arose from general civil matters; 6 arose from criminal matters; 2 case arose from probate matters; 2 arose from bankruptcy matters; and 1 arose from other conduct.

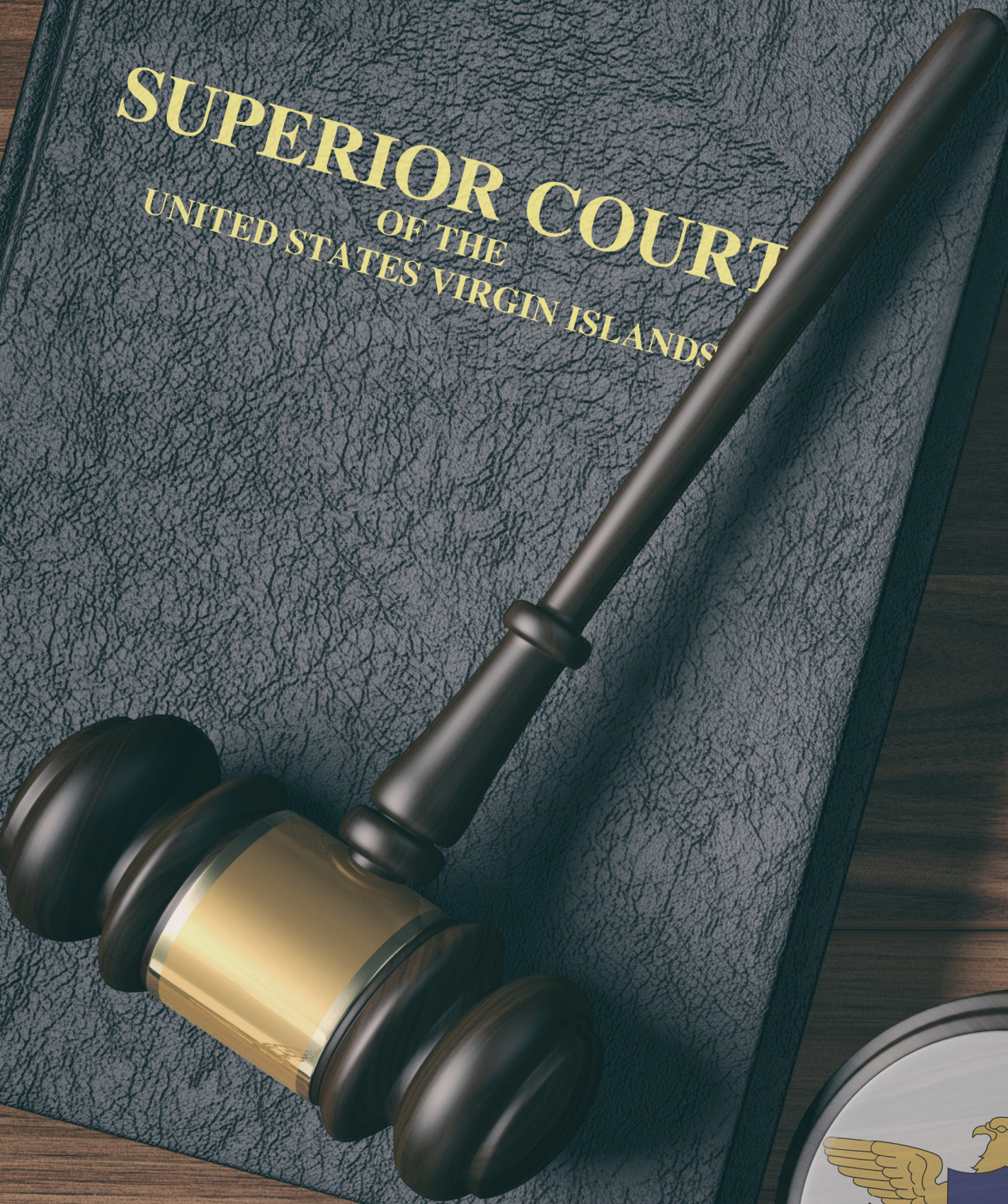


Discipline History. The Office of Disciplinary counsel is also responsible for responding to requests for discipline histories for Virgin Islands' attorneys seeking admission to the bars of other states, or employment in the federal judiciary. The Office of Disciplinary Council fulfilled 15 such requests.

Receiverships. Pursuant to Rule 207.24, Disciplinary Council also has the power to act as or retain the services of an outside lawyer to act as a Receiver in cases of death, disability, abandonment, suspension, or disbarment for active attorneys. For Fiscal Year 2019, Disciplinary Council continues to act as a Receiver for 2 cases, and sought the appointment of an outside Receiver for 1 case.



SUPERIOR COURT
OF THE
UNITED STATES VIRGIN ISLANDS



The Mission

OF THE SUPERIOR COURT OF THE VIRGIN ISLANDS

It is the mission of the Superior Court of the Virgin Islands to protect the rights and liberties of all, interpret and uphold the law, and resolve disputes promptly peacefully, fairly and effectively in the United States Virgin Islands. The Superior Court meets this mandate by providing an optimum level of service to all while maintaining the highest level of integrity, confidentiality, and public trust in the administration of justice regardless of race, sex, nationality, or creed.



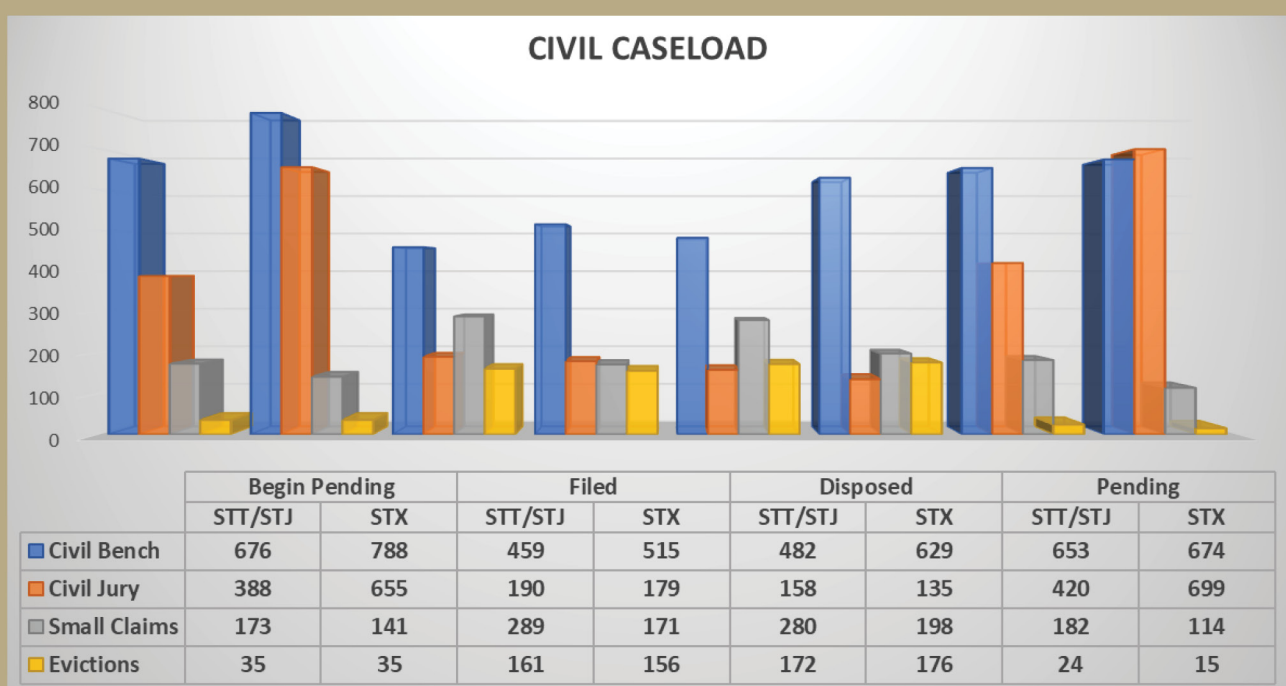
The Superior Court

The Superior Court of the U.S. Virgin Islands

The Office of the Clerk of the Superior Court is responsible for the management of cases at the trial court level. This includes Civil and Small Claims, Conciliation, Criminal, Family, Traffic, and Probate matters. Specifically, the Clerk's Office receives and processes court documents, attends and assists in all court proceedings, maintains the Court's files, facilitates the availability of interpreting services, to include sign language; and, enters the Court's orders, judgments and decrees. In this regard, the following caseload trends are reported for fiscal year 2019.

In fiscal year 2019, the Superior Court issued 115 opinions. Of the opinions issued, 57 were published and made available on the Superior Court's website at www.vicourts.org.

Civil Division. In accordance with Title 4 V.I.C. § 76(a), the Superior Court has original jurisdiction over all local civil actions regardless of the amount in controversy. The Civil Division also encompasses small claims and conciliations. The Small Claims Division has jurisdiction of all civil actions in which the amount in controversy does not exceed the dollar value of \$10,000, exclusive of interest and costs. Additionally, 4 V.I.C. § 142 provides that the Conciliation Division of the Superior Court may endeavor, at the request of any party in a civil controversy, to effect an amicable settlement of the controversy. To that end, it may summon the other party or parties of the controversy to appear before the judge for an informal hearing.

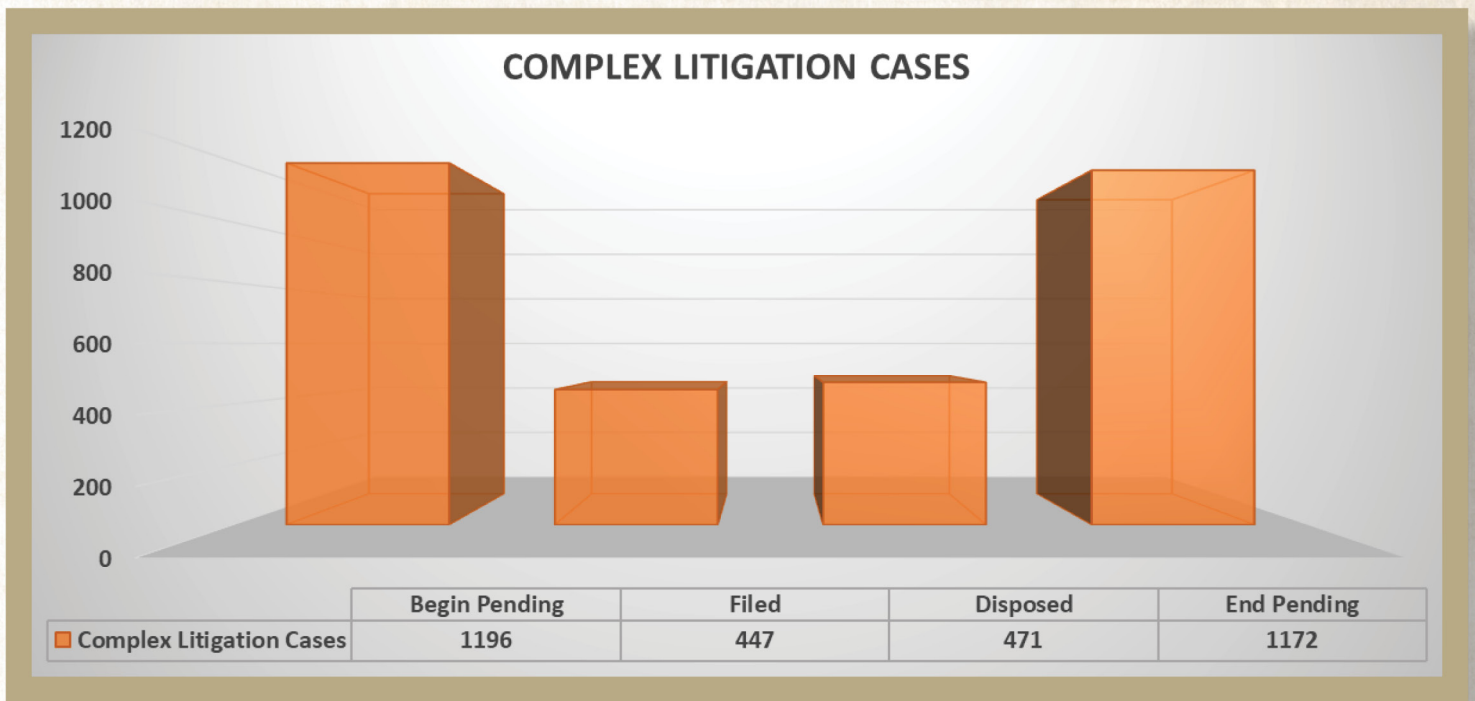


The Superior Court began fiscal year 2019 with 1,464 Civil bench trials pending. During the year 974 new cases were filed, and 1,111 cases were disposed for an overall reduction of 9.4% in the number of pending cases when compared to the previous year. Civil Jury trials began with a pending caseload of 1,043 cases. In fiscal year 2019, 369 new case were filed, and 293 case were disposed for an overall clearance rate of 76%.

With regards to civil matters handled in the Magistrate’s Division, 460 new small claims actions were filed, and 478 cases were disposed for a combined clearance rate of over 100%. By the close of the fiscal year there were a total of 296 pending small claims actions, a reduction of 5.7% in pending small claims cases. During this same period, 317 new Eviction actions were filed, and 348 cases were disposed for a clearance rate of over 100%, a reduction in the pending caseload of 44%.

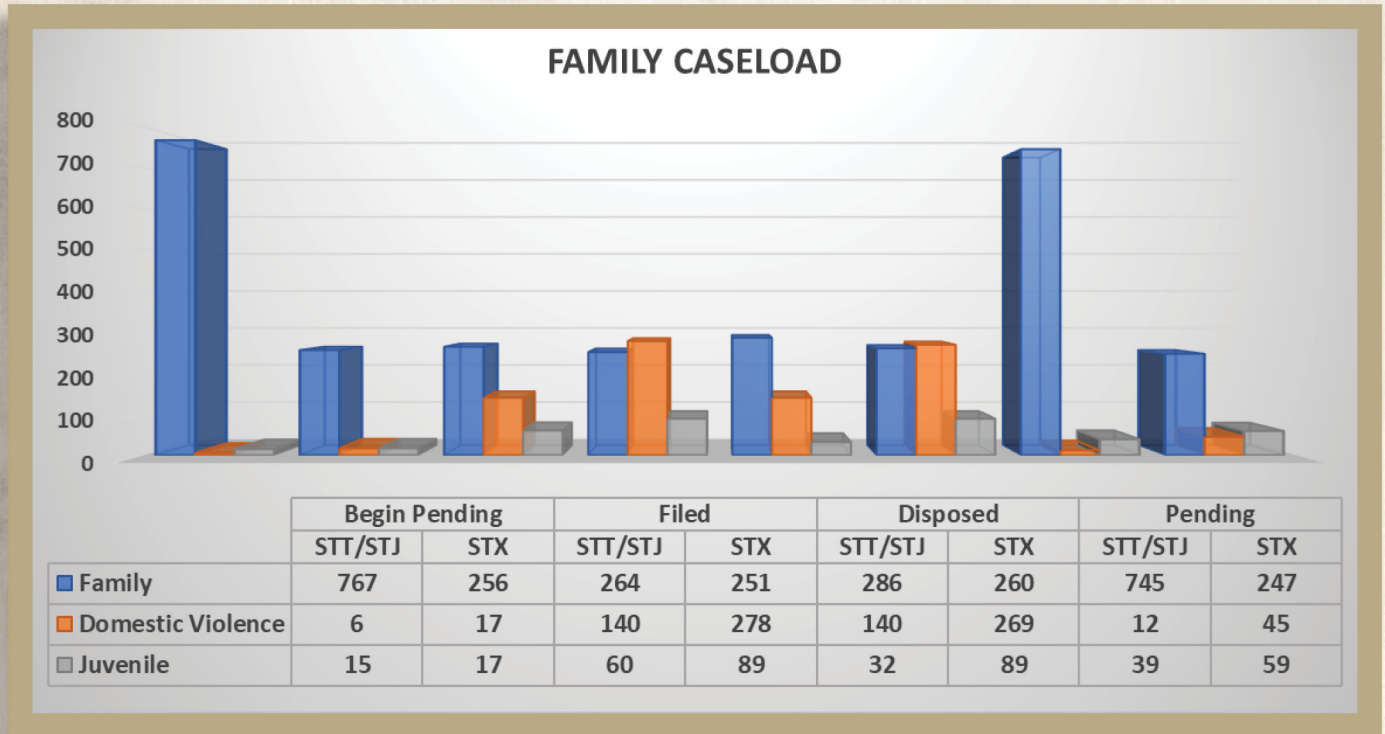
As reported last year, Effective October 1, 2018, a territory-wide Complex Litigation Division was established within the Superior Court of the Virgin Islands, with a dedicated judge assigned, as well as assigned staff support. Rules of procedure for complex litigation cases were also promulgated within the current Virgin Islands rules of procedure for civil cases. As established, the Complex Litigation Division handles all class actions and mass tort and toxic tort cases as well as cases in which several plaintiffs have sued the same or similar defendants. The assignment of a single judge to handle all cases in that Division has already begun to demonstrate improved disposition rates in civil cases.

Fiscal year 2019 was the first full year of statistical reporting for the Complex Litigation Division. The work of the CLD included the consolidation and management of cases under Master Dockets. To date, 1,278 cases have been consolidated under 15 Master cases. Under this new case management structure, the court opened the fiscal year 2019 with 1,196 pending cases. During the year 447 new cases were filed and 471 cases were disposed for a case clearance rate of over 100%, and a reduction in the pending complex litigation caseload of 2%. With the dedicated Complex Litigation Division, significant progress continues to be made in the resolution of pending civil matters. Fiscal year 2019 closed with an overall pending civil caseload of 2,792.

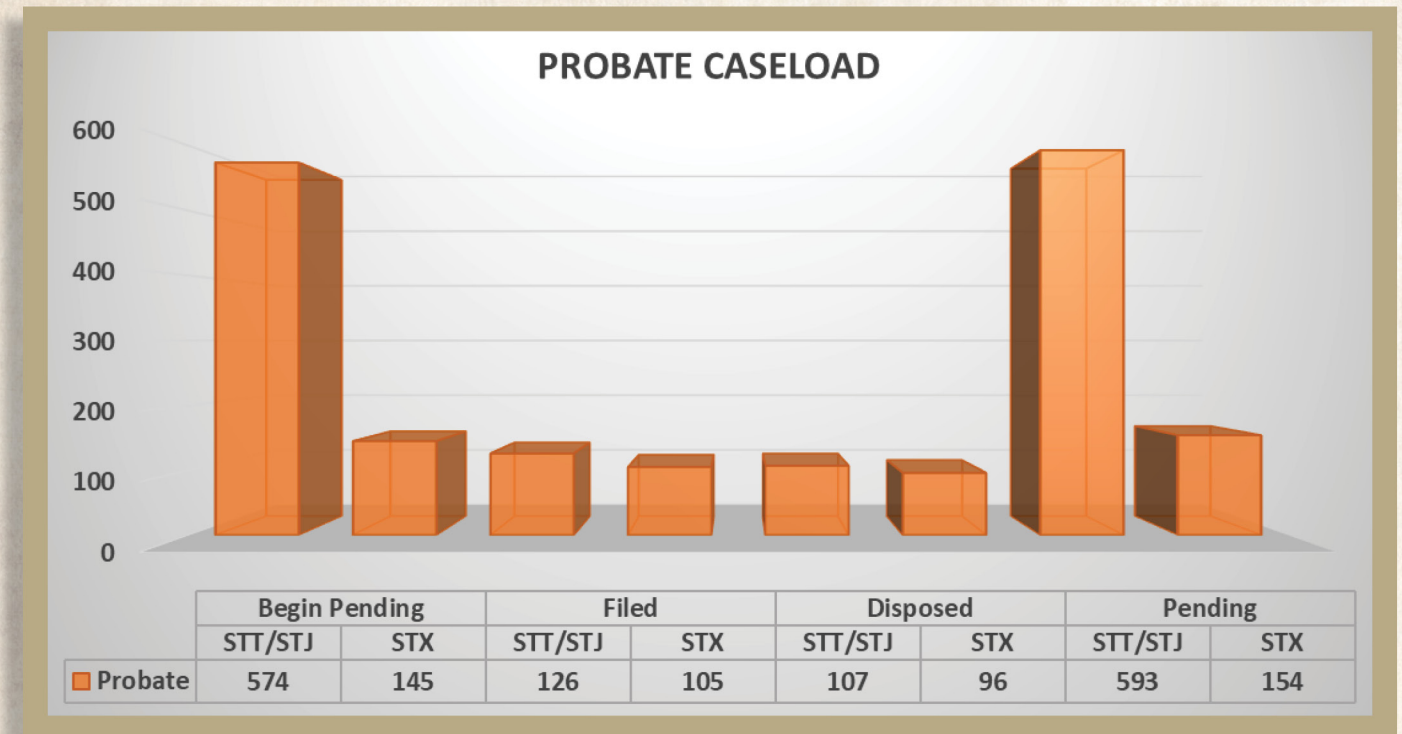


Criminal Division. In accordance with Act No. 5890, on September 30, 1993, the Virgin Islands Legislature granted expanded jurisdiction to the now Superior Court of the Virgin Islands. Effective January 1, 1994, the Superior Court of the Virgin Islands assumed original jurisdiction over all criminal offenses committed in violation of the Virgin Islands Code. At the close of fiscal year 2018, the Superior Court had a pending caseload of 777 cases. During the course of the fiscal year, 804 new criminal matters were filed and 719 cases were disposed. At the close of fiscal year 2019, there were 862 pending cases an increase of 18% in the cases pending over the previous fiscal year.

Family Division. The Family Division was established in accordance with Title 4 V.I.C. § 79. This Division maintains all pending case files pertaining to divorce, separation, and annulment; actions relating to support of relations; adoption; changes of name; paternity suits; actions to appoint and supervise guardians; probate; and actions relating to juvenile matters.



Probate Division. The Superior Court has exclusive jurisdiction over the probate of wills and the administration of decedents' estates. The Division maintains all pending case files and all wills deposited with the Clerk of the Court in accordance with Title 15 V.I. Code Ann. § 22. In fiscal year 2019, 231 new probate matters were filed. During the course of the fiscal year 203 cases were disposed for an overall clearance rating of 88%.



Traffic Division. The Traffic Division was established in accordance with Title 4 V.I. Code Ann. § 79. The Division is responsible for the appropriate disposition of all traffic offenses and the preparation of the applicable records and reports relating to these traffic tickets as directed by the Court. The Clerk of the Superior Court is the repository for all uniform traffic tickets issued by law enforcement officers and others.

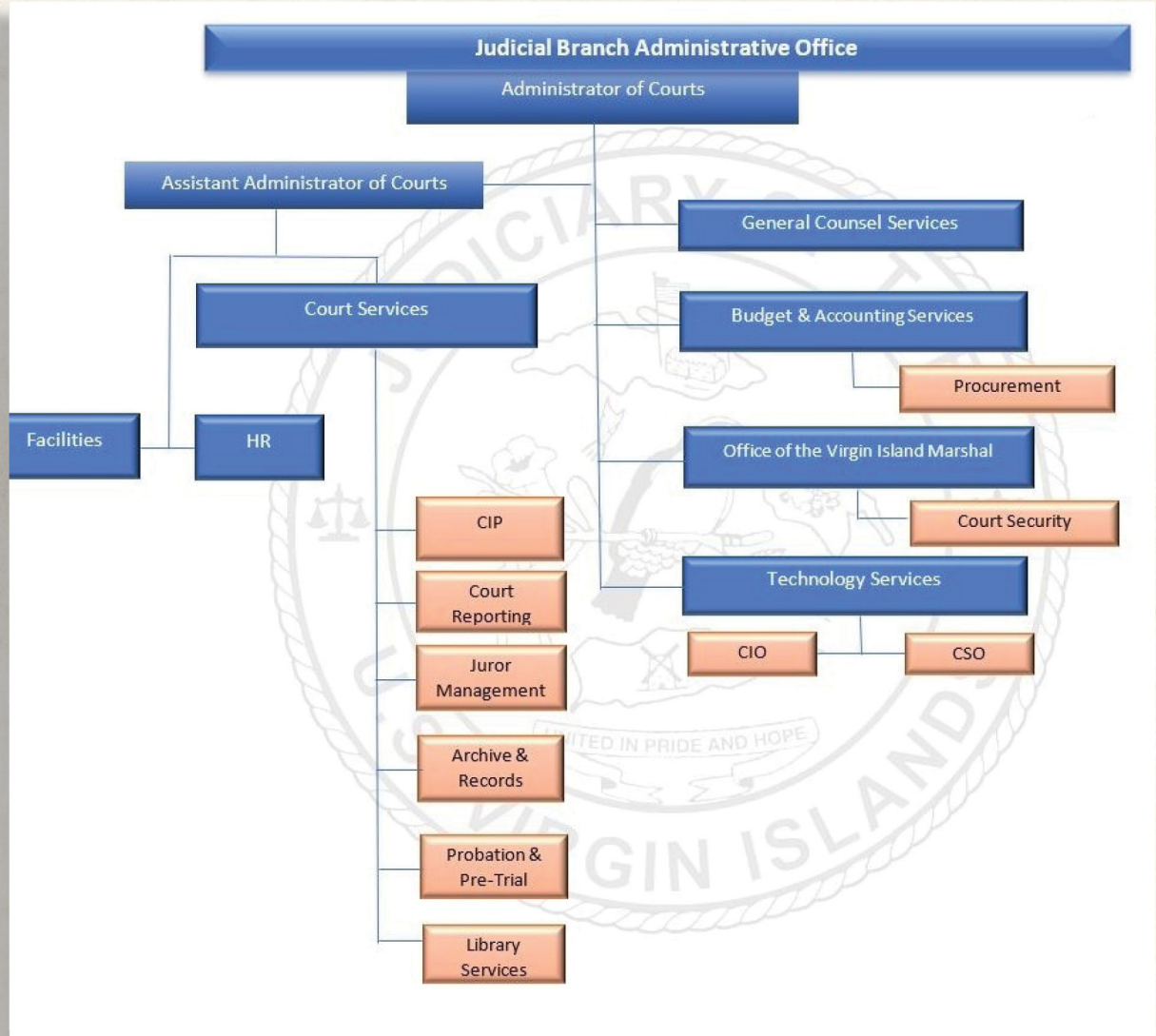
TRAFFIC CASELOAD



	Begin Pending		Filed		Disposed		End Pending	
	STT/J	STX	STT/J	STX	STT/J	STX	STT/J	STX
■ Traffic	4963	9760	3277	2704	2412	1644	5828	10820



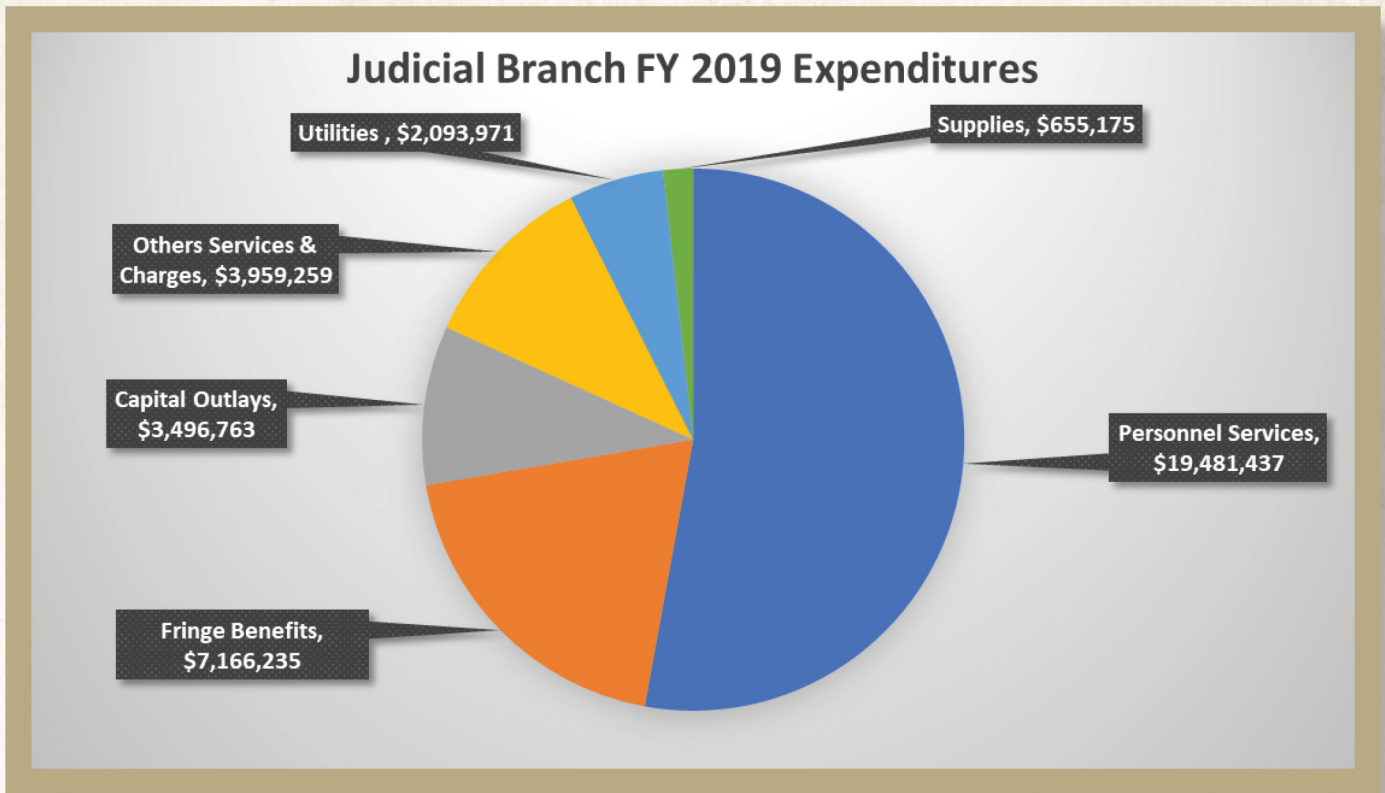
Judicial Branch Administration



Act No. 31-2155, Bill No. 31-2155, unified the administrations of the Supreme Court of the Virgin Islands and the Superior Court of the Virgin Islands. Subsequent to the passage of this legislation on July 29, 2016, the Supreme Court amended VISCR 101 to establish the Judicial Branch Administrative Office. Headed by an Administrator Courts under the direction of the Chief Justice, the primary function of the Judicial Branch Administrative Office is the management and supervision of the day-to-day internal non-judicial operations of the branch. In addition, the Judicial Branch Administrative Office is tasked with assisting the Chief Justice in the preparation and publishing of the annual report of the judiciary, as well as the preparation of the annual budget request for the Judicial Branch.

In fiscal year 2019, the administrative offices of the courts continued to manage and facilitate several distinct areas of court operations, including but not limited to, Budget and Finance, Information Technology, Human Resources, Facilities and Procurement, and Judicial Security.

Budgeting and Financial Management. The fiscal year 2019 budget for the Government of the Virgin Islands was \$869,913,039. Of this amount, approximately 4% was appropriated to fund the operations of the Judicial Branch. For fiscal year 2019, the Courts requested a budget of \$43,236,998 and pursuant to Act. No. 7766, the judiciary was appropriated \$35,246,781 to carry out planned operations during fiscal year 2019. By the close of fiscal year 2019, the Judicial Branch had expended \$36,852,840 including grant and capital projects funding.



REVENUE COLLECTIONS

Revenue collected by the Judicial Branch emanate from numerous sources and are deposited into various funds within the Treasury of the Virgin Islands including but limited to the General Fund, the Transportation Trust Fund, the Solid Waste Revolving Fund and the Special Fund. Revenue sources for these collections include, but are not limited to, Marriage Licenses and Ceremonies, Certified Marriage Returns, Filing Fees, Traffic and Parking Fines, Court Costs and Penalties, Criminal Fines, Probation Administrative Fees, Pretrial Administrative Fees, Certified Documents, Bail Forfeitures, Conservation and Litter Fines, and Notary Fees. In fiscal year 2019, the Judicial Branch deposited a total of \$ 2, 551, 613.70 into the Treasury of the Government of the Virgin Islands, an increase of 83% when compared to collections in the previous year.

Source	St. Thomas	St. Croix	Total
General Fund	617,240.87	348,832.00	966,072.87
Transportation Trust Fund	313,870.00	261,660.00	575,530.00
Special Fund	18,055.00	34,315.00	52,370.00
Solid Waste Revolving Fund	949,540.87	8,100.00	957,640.87
TOTAL	\$ 1,898,706.74	\$ 652,907.00	\$ 2,551,613.70

HUMAN RESOURCES

Staffing: The judiciary continues to be an employer of choice. Working at the judiciary provides opportunities for growth and advancement. The Judicial Branch commenced fiscal year 2019 with 317 employees. During the fiscal year, the judiciary experienced 42 separations of employees with an average tenure of six years in the judiciary and hired 37 new employees. 3 new employees were hired within the Supreme Court, and the remaining 16 new employees filled positions within the Superior Court and the Judicial Branch Administrative Office. During fiscal year 2019, the judiciary also promoted 16 employees, 6 within the Superior Court; 1 in the Supreme Court, and 9 within the Judicial Branch Administrative Office. .

37 new employees were also hired during the course of the year to fill vacancies throughout the judiciary. 3 new employees were hired within the Supreme Court, the remaining 16 new employees filled positions within the Superior Court and the Judicial Branch Administrative Office. For fiscal year 2019, we are happy to report some stabilization in the number of separations. During this period, the judiciary experienced 42 separations of employees with an average tenure of six years in the judiciary.

Employee Development. The Judicial Branch’s mandatory Annual Training for all employees within the trial and appellate courts was held during the period July 8, 2019 to July 19, 2019. This year, all employees were trained on “Understanding Personality Styles”. This critical training allowed employees to identify their personality style, key traits, and characteristics as well as that of others recognizing the value of other personality preferences. Employees learned how to use different communication strategies suited to each personality style as well as how to work effectively with different personality styles. Our employees have now been equipped with the knowledge needed to develop and maintain good relationships that lead to success. All supervisors were trained on “Coaching and Teambuilding Skills for Managers”. This training provided additional tools to assist them in being effective and positive leaders who can develop their teams, move them forward and get them to consistently perform at their peak potential while turning conflict into opportunities.

Employee Honors. The Judicial Branch celebrated the service of 2 exemplary employees across districts. The Employees of the Year were Mrs Anita Aubain, Administrative Secretary in the St. Thomas/St. John District, and Mrs. Kasai Rondon-Seales, Senior Accounting Clerk in the District of St. Croix. The exemplary service and dedication displayed by these employees in the performance of their duties is noteworthy, appreciated and celebrated.



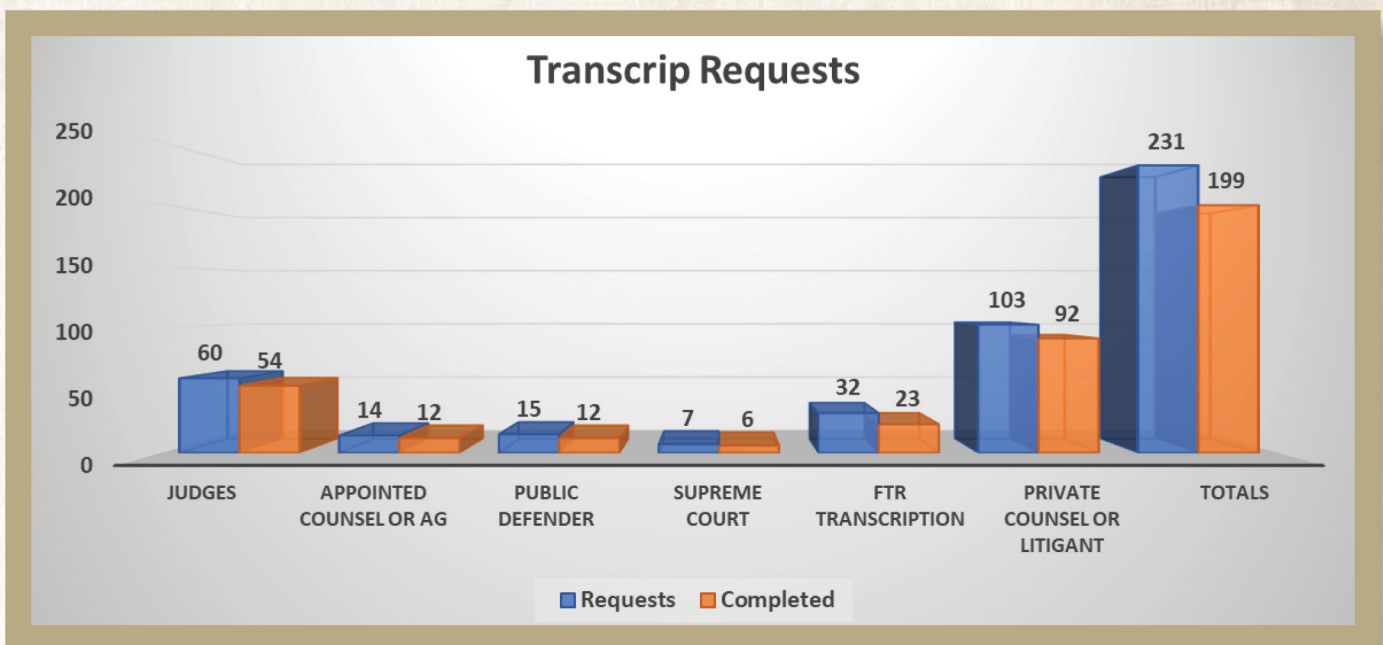
ANITA AUBAIN
ST. THOMAS/ST. JOHN DISTRICT



KASAI RONDON-SEALS
ST. CROIX DISTRICT

The Court Services Division is headed by the Court Services Administrator and encompasses the following divisions and services and responsibilities within the Judiciary: Archiving and Record Retention; the federally funded Court Improvement Program, the Office of Court Reporting; Court Interpreting Services; Jury Management; the Law Library; the Pretrial Intervention (Diversion) and the Rising Stars Youth Steel Orchestra Program, as well as the Office of Probation and Parole

Court Reporting. The Court Reporting Division is a core operational division of the judiciary responsible for making a verbatim stenographic record of all proceedings in the Superior Court. In addition to creating records for all court proceedings during fiscal year 2019, the division also processed 231 requests for official court transcripts, 116 in the St. Thomas/St. John District and 115 in the District of St. Croix. By the close of the fiscal year, court reporting had completed 199 transcripts, 15 requests were cancelled and 17 requests remained outstanding. Private Counsel/ litigants represented almost 50% of the total requests made.



Court reporting is an area of court services which is becoming more challenging to support. The rate of decline in the profession and competition for what is becoming a scarce resource pose a serious threat to the manner in which courts have historically recorded and maintained records of court proceedings. A minimum of seven (7) Reporters are required in each district. In fiscal Year 2019 there were 13 court reporters on staff territory-wide, 6 in the St. Thomas/St. John District and 7 in the District of St. Croix. Although staffing levels remained relatively stable during the year, 3 reporters, each with more than 30 years of service are poised to retire in FY 2020. With a national shortage of court reporters, and dwindling funding to remain competitive in the market, we will have to look towards technology in the coming years to fill the gap.

Jury Management. The Jury Management Division is responsible for overseeing the preparation of the master list of qualified prospective jurors for criminal and civil jury trials conducted by the Superior Court of the Virgin Islands. The Office secures jurors, representing a cross-section of the community, by sending Juror Qualification Questionnaires to determine prospective jurors' ability to serve and by issuing summonses to potential.

During fiscal year 2019, the division mailed out a total of 10,970 Summons/Juror Questionnaires. After processing the number of excused and rescheduled jurors, a total of 7,510 persons were eligible to serve on jury duty. However, more than 6,400 potential jurors failed to appear for jury service. Notwithstanding the number of cases that did not go to trial due to pleas and settlements, 1082 persons actually served on jury panels in fiscal year 2019. Based on this rate of service, the following expenditures for juror service are reported.

The following expenses are reported for juror service in fiscal year 2019:

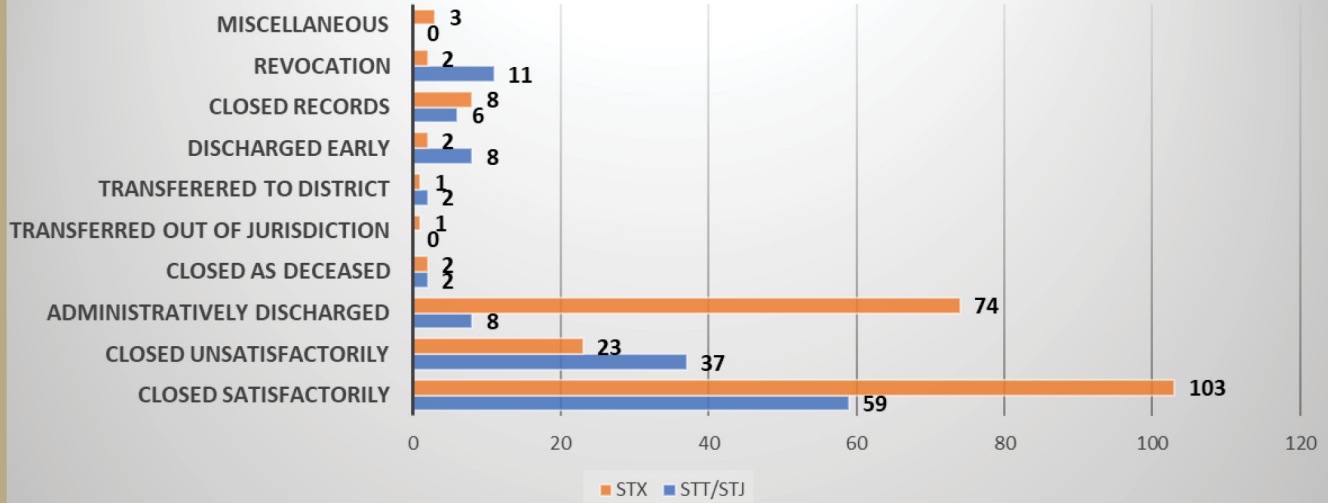
FISCAL YEAR 2019 JURY MANAGEMENT EXPENSES				
District	JUROR FEES	MEALS	TRANSPORTATION	TOTAL
ST. CROIX	\$50,520.00	\$20,539.27	\$8,590.00	\$79,649.27
ST. THOMAS/ST. JOHN	\$49,395.00	\$13,067.15	\$10,320.00	\$72,782.15
TOTALS	\$99,915.00	\$33,606.42	\$18,910.00	\$152,431.42

Pretrial Diversion. The Pretrial Diversion program continues to provide an alternative to incarceration for first time offenders in the court system pursuant to V.I.C. Title 5 § 4612. It provides a cost-effective means of supervising first time offenders of misdemeanor offenses in the community while guiding them towards complying with the various conditions ordered by the Court. Diversion allows offenders to avoid criminal prosecution through successful completion of a term of community supervision, making restitution or participating in other Court ordered wellness programs, i.e. anger management, counseling or substance abuse treatment. The goal of the program is to provide that individual with a plan to address their needs and deter them from the criminal justice system. During fiscal year 2019, 19 offenders were diverted from prosecution and afforded the opportunity to participate in treatment programs.

Probation and Parole. The Office of Probation and Parole provides a diverse set of services to our community as a direct function of its office. The Office is responsible for Pre-Trial Release Supervision, and local and interstate Probation and Parole Supervision. In addition to its supervision responsibilities, the office conducts and prepares Pre-sentence Investigation and Reports, and Interstate Investigations and transfers.

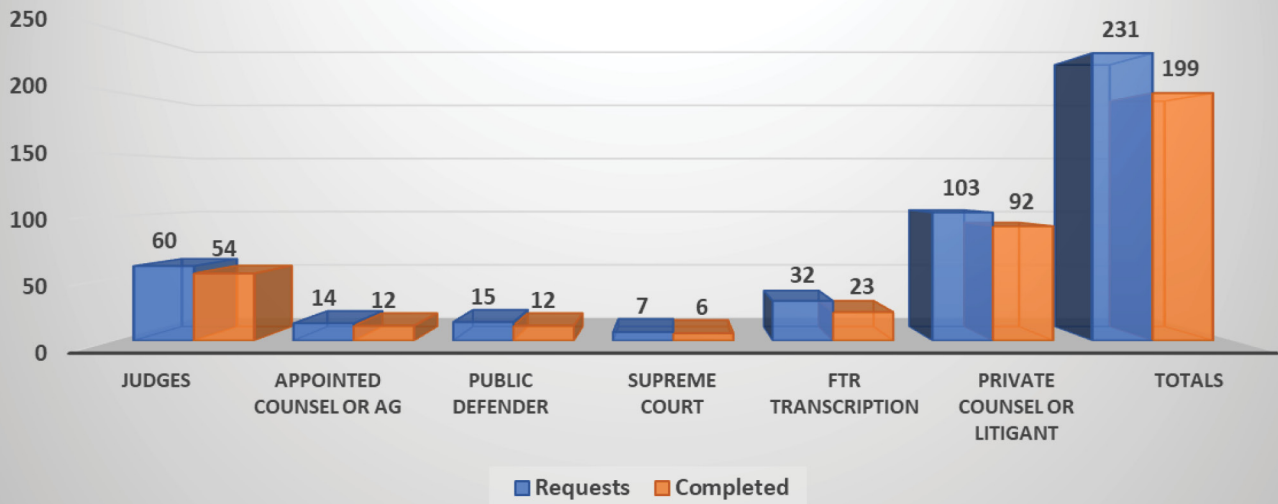
During fiscal year 2019, the Probation Division provided service to 12,180 individuals during office visits (7,502 in STX and 4,678 in STT/J). Visitors included probationers, parolees, Pre-trial Release clients, victims and victim’s family, family members of defendants, attorneys, police officers, individuals from other agencies as well as the general public. During the course of the fiscal year, 423 new supervision cases (STX: 201 and STT/J: 222) were received, and 352 clients were terminated from supervision (STX: 219 and STT/J: 133), including Pretrial Release, Probation and Parole clients. During the reporting period, the Division also received 149 new requests for pre-sentence reports and completed and submitted 160 reports.

2019 Probation Caseload



Pursuant to the Interstate Compact for Adult Offenders Supervision, the Division of Probation and Parole receives and processes a number requests for transfer of probation or parole for persons relocating to the United States Virgin Islands. In fiscal year 2019, 23 new Interstate Probation clients were processed (STX:12 and STT/J 11), and supervision for 11 new Interstate Parole clients (STX: 5 and STT/J: 6) was also accepted.

Transcript Requests



COMMUNITY PARTICIPATION AND OUTREACH



DHS Foster Care receives check from Community Partner

Later, the Lodge donated \$4,000.00 to the DHS Foster Care Program.

YOUTH ENRICHMENT DAY – USVI CIP

collaborated with the Family Court Judges and the Department of Human Services' Juvenile Justice Division to host a CIP Youth Enrichment Day activity in both districts. The first one was held in the District of STT/J in May, in honor of National Foster Care Month. The second event was held in the District of St. Croix in September. The themes of these events were: Embracing the Upside, the Power of Positive Thinking (STT/J); and, Breaking the T.H.U.G. Life: The Hate U Give (STX). Both activities were well attended by forty-eight (48) youth in the St. Thomas/St. John District and thirty (30) youth from the Annas Hope Group Home and the Youth Rehabilitation Center (YRC) in the District of St. Croix. In addition to watching movies with similar titles to the themes, the participants were engaged in various discussions and presentations by several guest speakers: Fire Service Director Daryl George (STT/J); and, the Honorable Judge Robert A. Molloy, Criminal Defense Attorney Emile Henderson, III, and Territorial Public Defender Leslie E. Davis, Esq. (STX). At the culmination of these events, the participants were presented with backpacks that contained CIP YED embossed items and treated to a variety of snacks, including pizza and refreshments among other things.



Daryl George speaks to the youth at the St. Thomas/St. John Youth Enrichment Day



Judge Jessica Gallivan speaks to the youth at the St. Croix Youth Enrichment Day.

to promote and recruit students into the field of court reporting. Presentations were made to students from public and private schools in the St. Thomas/St. John District. Presenters from the Superior Court included Kai Mulley, Suzette Descartes and Jasmine Wade-Francis.

COURT REPORTING/CAPTIONING WEEK.

The Court Reporting Division has also been actively participating Court Reporting/Captioning Week. This collaborative community initiative with Court Reporters from the Legislature of the Virgin Islands and other free-lance reporters, is an effort



STT/J Court Reporter Suzette Descartes, Jasmine Wade-Francis and Kai Mulley join other Court Reporters at the Senator Janelle Sarauw sponsored Court Reporting/Court Captioning Week held at the Legislature of the Virgin Islands in the District of St. Thomas/ St. John

MOOT COURT. The Judicial Branch hosted the first and final rounds of the 25th Annual Moot Court Competition held in May of 2019. Participating schools included Charlotte Amalie High School, Good Hope Country Day School, Antilles School, St. Croix Central High School, Ivanna Eudora Kean High School, All Saints Cathedral School, and Seventh Day Adventist School with a total of 12 teams. The championship round of the competition was held at the Supreme Court in Crown Bay on St. Thomas on Thursday, May 23, 2019. First place was awarded to KiAndre Thomas and Dorrencia Gray of Ivanna Eudora Kean High School. Best Orator was awarded to Avery White of the Good Hope Country Day School.



SUPERIOR COURT RISING STARS YOUTH STEEL ORCHESTRA

While the Superior Court Rising Stars are well known for their annual Carnival activities in each district, the programs dedicated a lot of time to youth enrichment and enlightenment activities.

During fiscal year 2019, the Summer Recruitment Program provided the students with basic steelpan instructions with a major focus on learning major chords and scales while building and enhancing their playing skills. In addition to classroom instruction, recruits were tested on their knowledge of the history of the program, the origin of steel pan music, types of pan instruments, maintenance and care of the instruments and also engaged in sessions on percussion and rhythm.



Rising Stars recruits engaged in classroom work in the District of St. Thomas/ St. John

Presenters at the Rap and Enlightenment sessions includes subject matter experts from within our community, such as: Probation Officer John Briscoe (Dangers of Fake Drugs: Over the Counter, Illicit Drugs); Deputy Marshals Dale “Buck” Brathwaite and Shawna Wesselhoft (Self Defense and Safety); HR Coordinator Nissa Bailey (Effective Communication, Dressing for Success and Interview Techniques); Immigration and Customs Officers Dennis Carter and Eugene Thomas (Cyber Bullying and Internet Safety Rules); DVSAC’s Staff: Darlene Springer, Berlina Wallace and Jeanette Jean Baptiste (Healthy Relationships, Body Image and Self Love/Self Esteem; Teenagers Relationships and Bullying); O. Williams Jackson (The Importance of Healthy Eating); Delroy “Ital” Anthony (Types and Uses of Local Herbs); and, Aben Marrero (The Making and Tuning of the Steelpan). The students also participated in a number of field trips and



Rising Stars recruits participate in Rap Session/Enlightenment activities in the District of St. Croix

fun activities during the summer, which included: Buck Island Tour with Benito Vegas and Hilroy Humphries; VI Fire Service where they received information on Fire Safety, Prevention and Career Opportunities; Hike of Blue Mountain with Professor Olasee Davis where he discussed the importance of preservation; UVI’s Health and Safety Day with their 4H Division; and, bowling.

In the District of St. Croix, the Summer Recruitment Program culminated with a finale which showcased the participants’ musical ability and displayed their handy leather crafts and jewelry that were created with the assistance of Valerie Hendrickson.



Rising Stars, members, in the District of St. Croix hiking with Professor Olasee Davis



In the District of St. Thomas/St. John, the Summer Recruitment Program culminated with an Open House and concert for parents, friends and supporters. In attendance at this event from the administration were the Court Services Administrator, Ms. Glendia B. Caines and the Honorable Debra Watlington – who was the first director of the Pretrial and Rising Stars Program. Alumni member and Assistant Health Commissioner, Dr. Nicole Syms, provided remarks to the recruits about her experience in the Rising Stars Program. At the end of the concerts, all of the participants received a Certificate of Participation.

Case Management. As reported last year, the judiciary's Case Management System Project has been the cornerstone of technological advancement within the judicial branch since administrative unification in 2016. The official launch of this 2-year implementation project occurred on January 24, 2018. Management System Power User Training began as early as June 25, 2018 and was held in regular intervals throughout 2019 as part of a change management strategy to engage users as early as possible in the case management process.

Phase II of the implementation project includes the upgrade of the Supreme Court C-Track application to the Enterprise platform hosting the Trial Court C-Track application. This phase is scheduled for summer of 2019 with the anticipated launch of a singular e-filing platform for the entire branch. We take this opportunity to commend all of the hard work of the project team and judicial branch employees whose contributions to date have made the project a success.

Judicial Branch Web Portal. During the last quarter of fiscal year 2019, the Supreme Court of the Virgin Islands and Superior Court of the Virgin Islands transitioned to a single Judicial Branch Web Portal. The new portal at www.vicourts.org provides enhanced access to information and resources to the public, the media and the Bar, and is designed to integrate with the enterprise case management platform to provide public access to the dockets of both the trial court and appellate court, as well as facilitate online payment processing for all case and court fees.

Contract Management Solution. In late 2019 the Judicial Branch Administrative Office engaged the services of its document management vendor to develop a contract management solution which will serve not only as a single repository for all existing and future contracts, but will automate the building of contract templates with all required boilerplate language for ease of drafting. The solution will also maintain an electronic copy of all procurement documents including solicitations and integrate with the branch's financial management software for up to date contract payment and balance information. Finally, the contract management solution will also facilitate electronic routing for contract review, version control and approval.

The Judiciary of the Virgin Islands remains cognizant of the shifting legal demands within the territory and especially within the local judiciary. Our Courts remain prudent in rule making, in the manner in which change is effectuated within the courts and the legal profession, and in how the Branch reacts and adapts to the fiscal constraints of the Territory.

Our Courts continue to search for innovative ways to do more with less, striking an almost impossible balance between trying to reduce costs while increasing services and improving performance. Despite the challenges faced, the Judiciary looks forward to the coming completion of the CMS system, eFiling and full public access to court records on line, plus automated on-line payments to continue to move the courts even further into the future reality of court operations. As we look towards fiscal year 2020 and beyond, we continue to strive to provide greater access to justice for the public and a more efficient judiciary.



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