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#### THE JUDICIARY

#### SUPREME COURT OF THE U.S. VIRGIN ISLANDS **FIVE JUSTICES**

Hon. Rhys S. Hodge CHIEF JUSTICE

Hon. Maria M. Cabret **ASSOCIATE JUSTICE** 

Hon. Ive Arlington Swan ASSOCIATE JUSTICE

Hon. Harold W. L. Willocks **ASSOCIATE JUSTICE** 

Veronica J. Handy, Esquire **CLERK OF THE SUPREME COURT** 

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

Hon. Debra S. Watlington PRESIDING JUDGE

Hon. Alphonso Andrews **ADMINISTRATIVE JUDGE** 

Hon. Kathleen Y. Mackay

JUDGE

Hon. Douglas Brady JUDGE

Hon. Denise M Francois

JUDGE

Hon. Jessica Gallivan

JUDGE

Hon. Sigrid Tejo

Hon. Yvette Ross-Edwards

JUDGE

JUDGE

Hon. Carol Thomas-Jacobs **JUDGE** 

Hon. Ernest E. Morris, Jr.

JUDGE

#### MAGISTRATE DIVISION

OF THE SUPERIOR COURT OF THE U.S. VIRGIN ISLANDS FOUR MAGISTRATE JUDGES

Hon. Paula D. Norkaitis MAGISTRATE JUDGE

Hon. Yolan Brow-Ross

Hon. Simone Vanholten-Turnbull

MAGISTRATE JUDGE

MAGISTRATE JUDGE

Hon. Venetia H. Velazquez **MAGISTRATE JUDGE** 

Tamara Charles **CLERK OF THE SUPERIOR COURT** 

#### **JUDICIAL BRANCH ADMINISTRATIVE OFFICE**

Regina Petersen **ADMINISTRATOR OF COURTS**  Miguel Tricoche

**ASSISTANT ADMINISTRATOR OF COURTS** 





On behalf of the entire Virgin Islands
Judiciary, it is my sincere privilege to present the
2025 State of the Virgin Islands Judiciary which
serves as the preamble to the 2024 Annual
Report of the U. S. Virgin Islands Judiciary and
Court System. The annual report, which is
published by 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.

"May you live in interesting times." That ancient phrase, whose origins remain unknown, is perhaps the textbook example of a *double entendre* or double-edged sword. Taken literally, the phrase conveys goodwill. After all, who wouldn't want to live an interesting life? But one could also interpret the phrase as a curse masked as a blessing, since interesting times often involve periods of revolution, chaos,

conflict, upheaval, or rapid change that result in great hardship. Yet that calls to mind another ancient phrase, that "Where one door closes, another opens." While we may experience adversity during interesting times, we must always stand ready to take advantage of whatever new opportunities may present themselves and come out better than we were before.

It should go without saying that 2025 is an interesting time for the people of the Virgin Islands and the greater United States. As always, the Judicial Branch will uphold its constitutional and statutory mandate to impartially and

promptly dispose of cases in accordance with the rule of law. It is the mission of the Supreme Court to strive to achieve excellence and to earn the trust of the public through transparency, innovation, accessibility, and efficiency, and this applies to the entire Judicial Branch.

To summarize in just one word, the state of the Virgin Islands Judiciary in 2025 is responsive to the needs of its constituents. It may be strange to think of a court system as having constituents when the Judicial Branch has been designed as the sole non-political branch of government. Of course, individual judicial officers do not have constituents in the same way legislators do and must decide the cases that come before them impartially regardless of public opinion or the identities of the parties before them. But as one of the three co-equal branches of the Government of the Virgin Islands, the Judicial Branch as an entity cannot cloister itself away in a silo, and must remain responsive to the broad needs of the public as well as the specific needs of other organizations that contribute to the administration of justice, such as law enforcement, the Department of Justice, the Offices of the Territorial Public

Defender and Conflict Counsel, and of course the Virgin Islands Bar Association. Sometimes the Judicial Branch can meet those needs on its own. But other times, the Judicial Branch must collaborate with the Legislative Branch, the Executive Branch, or other entities to resolve structural problems in the entire Justice System.

I am proud to report that Fiscal Year 2024 bore fruit to one of the most important tribranch collaborations: the commencement of operations of the Virgin Islands Office of Conflict Counsel. For decades, the system of providing constitutionally required legal representation to indigent criminal defendants in the Virgin Islands was broken. While the Legislature created the Office of the Territorial Public Defender in response to the mandate of the U.S. Supreme Court in Gideon v. Wainwright, no separate entity had been created to handle the many cases that the Territorial Public Defender could not accommodate due to an ethical conflict. As such, this obligation fell on all members of the Virgin Islands Bar in private practice, who at any time could be appointed to represent an indigent criminal defendant at rates as low as \$45 an hour, regardless of their level of expertise or whether they even desired such an appointment.

Attorneys resented receiving these compulsory appointments for obvious reasons, especially those attorneys who did not live in the Virgin Islands. Indigent criminal defendants were often dissatisfied with their appointed attorney, particularly if the attorney had no experience whatsoever in criminal law or resided off-island. Cases with appointed attorneys often took longer to resolve due to appointed attorneys filing motions to withdraw from the case or not knowing proper procedure, thus exacerbating an already crowded court docket. And while the pay for individual attorneys was relatively low, the aggregate cost was large and effectively created an unfunded or underfunded mandate in the Judicial Branch budget.

Shortly after the administrative unification of the courts in 2016, the Supreme Court created private attorney panels consisting of members of the Bar willing to take these appointments, who were to be appointed after the Territorial Public Defender. While this certainly helped, it did not eliminate the problem entirely. The number of indigent criminal defendants charged in the Superior Court far outpaced the capacity of the private attorney panels, causing involuntary appointments of members of the Bar to continue. To truly make involuntary appointments a thing of the past, a more comprehensive solution was implemented with the establishment of the Office of Conflict Counsel.

Effective June 3, 2024, the Office of Conflict Counsel became available to accept all appointments in all criminal and family cases where the Office of the Territorial Public Defender cannot represent an indigent defendant due to a conflict. The Office of Conflict Counsel is essentially a second public defender's office administratively connected to the Judicial Branch but largely independent of it, like the Office of Disciplinary Counsel. Our first-ever Chief Conflict Counsel, H. Hannibal O'Bryan, Esq., has more than 25 years of public defender experience, and is well into the process of building up the office. With the private attorney panels still present as a thirdline of appointment for those cases where the Office of the Territorial Public Defender and the Office of Conflict Counsel are both disqualified from representing an indigent defendant, the days of the Superior Court conscripting a tax attorney or a newly-barred lawyer to represent an indigent defendant charged with a serious felony will hopefully now be a thing of the past.

While the idea for the Conflict Counsel's Office came from within the Judicial Branch, that idea transformed into an implemented policy because of collaboration between all three branches of the Government of the Virgin Islands. The initial funding to establish

the Office of Conflict Counsel came from a sub-grant award of federal funds given to the Executive Branch pursuant to the American Rescue Plan Act of 2021 (ARPA). But although these federal funds permitted the Judicial Branch to hire the Chief Conflict Counsel and take other necessary steps towards establishing the Office, a more long-term funding source was needed. With the help of the 35th Legislature and its President, Senator Novelle E. Francis Jr., the Office of Conflict Counsel became memorialized in title 5 of the Virgin Islands Code alongside the provisions establishing the Office of the Territorial Public Defender. That legislation, passed by the Legislature on December 18, 2024 and later signed by the Governor as Act No. 8960, not only recognized the Office of Conflict Counsel, but provided a much-needed appropriation of \$500,000 to fund the Office in the current fiscal year. On behalf of the Judicial Branch, I again thank Senator Francis, the other members of the 35th Legislature, and Governor Bryan for their support and cooperation in turning the Office of Conflict Counsel from an idea into reality.

I would also like to take this opportunity to thank two entities which greatly contributed to the creation of the Office of Conflict Counsel: First, the Standing Committee on Indigent Appointments, whose voting membership consists primarily of five attorneys committed to criminal justice system reforms. Special recognition and thanks goes to Attorney Alisha Udwhani, who began her chairmanship of this Standing Committee during her tenure as President of the Virgin Islands Bar Association, and under whose leadership the Standing Committee has managed the private attorney panels, and exercised oversight in both the establishment and operations of the Office of Conflict Counsel. Second, the Virgin Islands Bar Association which serves as an arm of the Supreme Court of the Virgin Islands and is charged with assisting the Supreme Court in regulating the practice of law in the Territory

as well as promoting improvements to the administration of justice, including monitoring and advocating for public policy issues affecting the judicial system. The Judicial Branch—and the Legislative and Executive Branches as well—need this outside perspective: after all, practicing attorneys understand how court rules and statutes affecting court proceedings impact the day-to-day practice.

The Legislature, the Bar Association, and others have also emphasized the need for the Judicial Branch to deal with case backlogs in the Superior Court, particularly with respect to probate. The case backlog in the Superior Court grew tremendously due to the substantial disruptions caused by the twin disasters of Hurricanes Irma and Maria followed closely thereafter by the COVID-19 pandemic. But while the backlog may have grown due to factors outside of the Judicial Branch's control, the Judicial Branch must do all it can to address the problem.

In my State of the Judiciary accompanying the Annual Report for Fiscal Year 2022, I outlined the "all-hands-on-deck" approach that the Judicial Branch would adopt to deal with the backlogs yet emphasized that it would necessarily take time to see the fruits of that labor. In last year's State of the Judiciary, I reported that our efforts began to bear fruit. In Fiscal Year 2023, the clearance rate for probate cases exceeded 100 percent—the first time it reached that milestone in several years. I am proud to report that the Superior Court performed even better in Fiscal Year 2024, with a 134% clearance rate in probate cases. The clearance rate was particularly high in probate cases originating in the District of St. Croix, where Fiscal Year 2024 began with 359 pending probate cases and ended with only 281 pending cases—a number which includes 117 new filings. I wish to thank all four Magistrate Judges and the Probate clerks for making this possible.

The Superior Court made significant strides in combating its backlog in other case types as well. Criminal Jury cases—which were heavily delayed due to the suspension of jury trials during the COVID-19 pandemic—saw a clearance rate of 140% in both Fiscal Year 2023 and Fiscal Year 2024. While 1,068 Criminal Jury cases were pending in the Superior Court on the first day of Fiscal Year 2023, only 676 were pending on the last day of Fiscal Year 2024—a 37% reduction which includes 756 new filings. Based on these statistics, it is safe to say that the criminal backlog stemming from the COVID-19 pandemic has been largely resolved, at least in the aggregate.

We also continued to succeed in reducing the backlog of civil cases. I was extremely proud to report in last year's State of the Judiciary that the Complex Litigation Division—a special division of the Superior Court which hears the most difficult civil cases—had achieved a clearance rate of 428% in Fiscal Year 2023; a particularly staggering amount given that its clearance rates in Fiscal Years 2022 and 2021 had only been 53 and 33%, respectively. I certainly did not expect the Complex Litigation Division to improve on that success; however, if its Fiscal Year 2023 clearance rate was staggering, then its Fiscal Year 2024 clearance rate of 4,338% is earth shattering. On the final day of Fiscal Year 2024 there were only 1,744 total cases in the Complex Litigation Division, as compared to 2,349 on the first day of Fiscal Year 2023. I again wish to thank the Honorable Alphonso Andrews and Complex Litigation Staff Master Joseph T. Gasper, Esq. for their commitment to resolving these difficult cases. The Superior Court also succeeded in reducing the backlog of other civil cases. Excluding the cases assigned to the Complex Litigation Division, Civil Jury and Civil Non-Jury both saw clearance rates over 100 %, as did small claims cases assigned to the Magistrate Division.

While the clearance rates of individual divisions are impressive, it is important to consider where those numbers stand relative to

the entire substantive caseload of the Superior Court. Excluding applications for marriage licenses and traffic matters and looking only at substantive cases, the Superior Court resolved 3,033 cases while receiving 2,850 new cases, for a clearance rate of 106 %.

While I am greatly pleased with the progress made over the last few years in reducing the case backlogs, the Judicial Branch can still do better. Although every employee of the Judicial Branch contributes in some way to the bread-and-butter work of the courts, the responsibility to adjudicate a case ultimately rests with the judicial officer assigned to it. The Judicial Branch went live with the latest supported version of the case management and e-filing systems at the start of Fiscal Year 2025. With additional configuration, we will use the upgraded system to monitor the progress of each and every case pending in all Virgin Islands courts.

For the past several years, the courts and the Judicial Management Advisory Council (JMAC) have worked to develop reasonable time standards for the final disposition of cases and for deciding substantive motions. The Supreme Court will promulgate those new time standards for both courts later this year as well as a continuance policy to regulate the granting of trial continuances. These new standards will not be merely aspirational like prior standards: they will be binding, and compliance with them shall be monitored by the case management system, with reports being provided to each individual judicial officer as well as the Presiding Judge and Chief Justice. If a judicial officer persistently fails to abide by the standards, there will be consequences, which could include reassignment of cases or referral to the Virgin Islands Commission on Judicial Conduct.

Unfortunately, despite these efforts on the part of the Judicial Branch, there are also new barriers that may negatively affect our progress in Fiscal Year 2025 and beyond. The "all-hands-

on-deck" approach that the Judicial Branch utilized to address the backlog was clearly working, as illustrated by our clearance rates and overall reductions in the total number of pending cases. But as I explained in last year's State of the Judiciary, the scarcest resource available to the Judicial Branch is also one of the most necessary: judges. Without a judge, a case cannot proceed to resolution. And because judges are humans, if too many cases are assigned to the same judge, then the natural result will be slower dispositions since a judge can only devote so many hours to the cases on the docket. But while other government agencies can simply hire more people to address a heavy workload, the Judicial Branch cannot, even if it has the financial support to pay for more judges. This is because, generally speaking, a new judge may only be appointed by the Governor with the advice and consent of the Legislature.

Nevertheless, there are (or at least were) some exceptions. In last year's State of the Judiciary, I announced that I would invoke one such exception: the authority under title 4, sections 24(b) and 74a of the Virgin Islands Code to recall as many former and retired judges for temporary service as Senior Sitting Judges of the Superior Court as the Judicial Branch budget would allow. For more than fifty years, the Virgin Islands Code authorized former judges to serve as Senior Sitting Judges and hear cases when the Presiding Judge saw a need for their assistance. Many judges have served in this capacity over the decades. including former Police Court Judge Alphonso Christian; former Chief District Court Judge Almeric L. Christian; former Territorial Court Judge Eileen Petersen; former Superior Court Presiding Judges Daryl Dean Donohue and Michael Dunston; and current Supreme Court Associate Justices Maria M. Cabret and Harold W.L. Willocks. Senior Sitting Judges were appointed for three distinct purposes:

- (1) To temporarily oversee the docket when one of the ten (10) authorized Superior Court judgeships or four (4) authorized magistrate judgeships is vacant due to the incumbent's elevation, death, resignation, retirement, or term expiration;
- (2) To combat case backlogs and other delays by hearing a defined class of cases to permit active judges and magistrate judges to concentrate on more serious matters; and
- (3) To hear a specific case when every active judicial officer qualified to hear the case has recused due to an ethical or other conflict.

Senior Sitting Judges were an absolutely critical and necessary tool. To give a recent example, five separate occasions in Fiscal Years 2023 and 2024, a judgeship had become vacant for prolonged periods of time—often for several months—either due to the elevation of the incumbent or the untimely nomination by the Governor and/or confirmation by the Legislature. Since a case must always have a judge assigned to it, there are only two options available to the Judicial Branch when an active Superior Court judge leaves the bench: temporarily or permanently reassign hundreds of cases from the vacant judgeship to other judges who already have high caseloads of their own to deal with, or appoint a Senior Sitting Judge to oversee those cases until the vacancy is filled on a permanent basis. The answer is obvious: appoint a Senior Sitting Judge. So, as has been the practice for many decades, we appointed Senior Sitting Judges to temporarily manage the caseloads for all five vacancies when they occurred, to ensure that the work continued on those cases without compromising the ability of other judges to resolve the cases on their own dockets.

Unfortunately, the Judicial Branch no longer has the ability to utilize Senior Sitting Judges for these purposes. Section 14 of Act No. 8919, which went into effect on October 10, 2024.

amended title 4, chapter 5, section 74a of the Virgin Islands Code to change the qualifications to serve as Senior Sitting Judge by requiring service of at least 12 years as a Judge of the Superior Court or Justice of the Supreme Court - a requirement that none of the individuals serving as Senior Sitting Judges are able to satisfy. Section 14 of Act No. 8919 further prohibits the appointment of a Senior Sitting Judge except when all active judicial officers are unavailable due to conflict - meaning that even if a former judge meets the new requirements to serve as a Senior Sitting Judge, the Judicial Branch could not use that person to temporarily oversee the cases assigned to a suddenly vacant judgeship. Section 14 of Act No. 8919 eliminated one of the most effective tools available to the Judicial Branch to address the case backlog in the Superior Court and to ensure continuity of operations during periods of prolonged vacancies like those that occurred in Fiscal Years 2023 and 2024. Notably, Act No. 8910 went into effect without a traditional committee hearing or the opportunity for the Judicial Branch to testify or otherwise explain the negative effects of the legislation.

Unless the Legislative and Executive Branches rectify the problem, when a vacancy occurs the Judicial Branch will have no choice but to reassign potentially hundreds or even a thousand cases amongst the remaining active judges of the Superior Court, potentially increasing their dockets by 10 to 20 percent literally overnight—and then attempt to reassign those or other cases a few weeks or months later when a new judge is confirmed to a docket that now has no cases assigned to it. This is not a hypothetical problem: the terms of four Superior Court judges expired on May 13, 2025, and so far only one of those judges has been renominated to a new term. These judges may continue to serve pursuant to a provision in the Virgin Islands Code permitting an incumbent judge to continue to sit for up to 180 days after expiration of their term if a replacement nominee has not been confirmed. However, once the 180-day grace period for these three judges expires in November of this year, the Judicial Branch will not be able to appoint any Senior Sitting Judges to replace them, leaving no choice but to reassign literally thousands of cases to the remaining judges.

The Judicial Branch has submitted draft legislation to the Legislature to modify the language of Act No. 8910 to minimize or eliminate these catastrophic side effects, and to provide the Judicial Branch with additional tools to fill temporary vacancies and to manage case backlogs. It is my sincere hope that, just as the Judicial Branch has responded to the concerns of the Legislative and Executive Branches, those branches will likewise take the necessary action to address the concerns of the Judiciary.

Another such concern is the Judicial Branch budget. The Revised Organic Act establishes the Legislative Branch, the Executive Branch, and the Judicial Branch as separate and coequal branches of the Government of the Virgin Islands. In recognition that the Legislative Branch and Judicial Branch are co-equal and not under the authority or supervision of the Executive Branch, title 33, section 3104(a) of the Virgin Islands Code provides that the Legislature and the Judiciary have exclusive authority over their own appropriations, title 33, section 3106(b) provides and title 2, section 26(g) expressly further precludes the Director of the Office of Management and Budget or any other officer or employee of the executive branch to apportion, withhold, reduce, or otherwise alter the operating budgets of or any appropriations to the Legislature or the Judiciary.

Title 4, section 31(4)(A) of the Virgin Islands Code requires that the Chief Justice submit the proposed annual budget of the Judicial Branch directly to the President of the Legislature on or before May 30th each year. The clear intent of this language is to establish a procedure where the Chief Justice submits the Judicial Branch budget to the Legislature for its direct

consideration, just as the Governor submits the Executive Budget to the Legislature on or before May 30th pursuant to title 2, section 24. The Judicial Branch budget submitted by the Chief Justice is prepared with significant input from the Presiding Judge, the Administrator of Courts, and other Judicial Branch leaders, and carefully balances the needs of the Judicial Branch with the fiscal condition of the Territory and other important considerations. In almost every other jurisdiction, the Judicial Branch prepares its own budget request, separate and apart from the budget submitted by the Governor for the Executive Branch. In most states and territories, the Judicial Branch budget is determined pursuant to a preestablished formula (i.e. a fixed percentage of the overall budget), or through collaborative discussions and negotiations between court administrators and the members and staff of the appropriate legislative committees. In fact, in approximately 75% of all states and territories, the Executive Branch lacks the authority to even propose amendments to the Judicial Branch budget.

Yet despite the clear language of section 31(4)(A), for decades the Executive Branch has included a proposed budget amount for the Judicial Branch within the Executive Budget. The budget proposed by the Executive Branch for the Judicial Branch does not take into account the Judicial Branch budget proposed by the Chief Justice, and in fact is determined without regard to the budget numbers presented by the Judicial Branch. This unfortunately makes the proposed Judicial Branch budget recommendation submitted by the Executive Branch arbitrary in the true sense of the word.

It has not always been this way. Prior to 2007, the Legislature duly considered the budget request submitted by the Judicial Branch and typically appropriated most or all the funds requested. But in the nearly twenty years since then, the budget proposed by the Executive Branch has served as the baseline used by

the Legislature's Committee on Finance. The disparities between the Judicial Branch budget proposed by the Chief Justice and those proposed by the Governor are striking, and in some years have been as large as \$10 million. While in recent years the Legislature's appropriations have been slightly more than the amount proposed by the Governor, there remains a significant shortfall in the Judicial Branch's appropriation relative to the operating needs of the Judicial Branch.

The Judicial Branch has also been responsive to the needs and challenges facing the legal profession in the United States as a whole. On May 17, 2024, the American Bar Association Section of Legal Education and Admissions to the Bar altered a longstanding policy statement, first promulgated in 1921, which had urged that "every bar candidate should be examined by public authority to determine fitness for admission," and replaced it with a new policy encouraging jurisdictions to adopt admissions frameworks "that effectively protect the public, enable license portability, and increase access to justice and diversity in the profession" and "create diverse pathways to licensure" besides the bar exam which are based on "the assessment of competency and ability to successfully practice law." This ABA action followed announcements by Oregon and Washington of new apprenticeship programs as an alternative to the bar exam, as well as a multi-year effort by the National Conference of Bar Examiners (NCBE) to transform the bar exam so that it produces more practice-ready lawyers.

I am pleased to announce that the Judicial Branch and the Virgin Islands Committee of Bar Examiners studied these and other developments and will formally adopt the NCBE's NextGen Bar Exam effective with the July 2026 administration of the Virgin Islands Bar Examination. The NextGen Bar will test a broad range of foundational lawyering skills such as legal research, investigation and evaluation, client counseling, and

negotiation and dispute resolution in addition to foundational concepts and principles of substantive law. The Supreme Court has amended its bar admissions rules, with a delayed effective date of March 1, 2026, to govern the transition to the NextGen Bar.

The Judicial Branch also recognizes that the demographics of the Virgin Islands Bar Association have greatly shifted. Forty years ago, the Virgin Islands Bar was quite small, and consisted of only residents of the Virgin Islands. Today, the Bar consists of approximately 2,000 members who reside not just in the Virgin Islands but throughout the United States and the world. In fact, even if one were to only look at active regularly-admitted attorneys—those who possess an unrestricted license to practice law in the Virgin Islands—only slightly more than 50 percent provide a business address in the Virgin Islands.

Increased lawyer mobility—brought about both through reduced legal barriers to multijurisdictional practice and younger generations' greater willingness to relocate for professional or personal reasons—changes not just the practice of law, but how attorneys expect to interact with a court system. The days of serving notice of a hearing by placing a physical copy of an order in an attorney's courthouse mailbox are over. So are the days of an attorney filing a document by driving to a courthouse, waiting in line, and giving a paper document to a court clerk. The expectation now is to receive notice electronically and file documents electronically at all hours of the day, without having to leave one's home or office and without needing to interact with another person. And for the hundreds of non-resident attorneys who are now members of the Virgin Islands Bar, they simply cannot practice Virgin Islands law any other way.

The Virgin Islands Judiciary is proud to have been a trailblazer in this area, with the Supreme Court of the Virgin Islands operating as an "e-everything" court nearly since its

inception. But many state and territorial courts do not innovate well or otherwise fail to meet the expectations of local lawyers or the community they serve. Even today, five years after the COVID-19 pandemic forced remote proceedings on virtually every court system in the country, a mere 32 percent of respondents to the 2024 National Center for State Courts' "State of the State Courts Poll" agreed that the word "innovative" describes state courts well. The same study also found a hunger for justice system innovation, with overwhelming majorities of respondents expressing support for state court systems to create specialized problem-solving courts; to utilize artificial intelligence (AI); to provide for transcriptions of proceedings from audio recordings; and to permit trained legal professionals without law degrees to handle straightforward legal issues. But perhaps most unfortunately, only 47 percent of respondents agreed that state courts succeed in providing equal justice to all, with only 27 percent believing that courts provided enough information and assistance to enable self-representation in a proceeding without a lawyer.

The Judicial Branch of the Virgin Islands continues to actively study these issues and has already devoted substantial portions of its last two Judicial Conferences to AI and the possibility of starting a Mental Health Court or Online Court in the Virgin Islands. But in examining these and other issues, the Judicial Branch must remain aware that the people of the Virgin Islands are its main constituents. The results of the National Center for State Courts survey are another indicator of a justice gap: that for a great many people, particularly those in the middle class, it is too expensive to hire a lawyer but also too difficult to navigate the legal system as a self-represented litigant even if you are otherwise well-educated. One lingering question is whether the greater geographical diversity of the Virgin Islands Bar will exacerbate the justice gap in the Virgin Islands, with fewer resident attorneys available to handle the everincreasing legal needs of our community. In

fact, parts of the Virgin Islands—such as the island of St. John—are already considered legal deserts due to the lack of resident attorneys in active private practice relative to the size of the population.

Over the next year I and other Judicial Branch leaders will consider this issue with the leaders of the Virgin Islands Bar Association, Legal Services of the Virgin Islands, and other stakeholders. These conversations will include consideration of how to utilize our ever-growing number of non-resident attorneys to address the justice gap, including improved ways to enable non-resident attorneys to satisfy their aspirational requirement of performing 50 hours of pro bono services in the Virgin Islands without requiring their physical presence.

Another contributor to the justice gap is that the Virgin Islands does not have a law school, and graduation from an accredited law school is a requirement to become admitted to the practice of law in the Virgin Islands. As such, literally every member of the Virgin Islands Bar had to earn their law degree off-island. This has begun to change, with the American Bar Association Council of Legal Education and Admissions to the Bar authorizing the accreditation of a small number of entirely online J.D. programs, such as the one offered by

the St. Mary's University School of Law, which allow one to earn an accredited law degree without leaving their home state or territory. In the coming years, the Judicial Branch will continue to meet with the Virgin Islands Bar Association and individual law schools to identify the ways in which our Bench and Bar may make legal education more accessible to Virgin Islanders who wish to practice law in the Territory. And just as importantly, I hope to work with the Virgin Islands Bar Association and the other two branches of government to identify ways to address the legal deserts within our community.

Lastly, as I and two of my colleagues, Justice Maria M. Cabret and Justice Ive Arlington Swan enter our 20th year of service as Justices of the Supreme Court of the Virgin Islands, I am reminded of the need for the Judicial Branch to serve as a steward of our legal history. The preservation of the records of the courts, and of the justices and judges is extraordinarily important to preserving its history. As we approach the 20th anniversary of the Virgin Islands Supreme Court, the 50th anniversary of the Superior Court and the 70th anniversary of the Virgin Islands Bar Association, the Judicial Branch will examine the feasibility of establishing a formal historical society for the Judicial Branch of the Virgin Islands.

Regarding the rich history of our court system, with immense pride I awarded the 2024 Chief Justice Distinguished Service Award to Presiding Judge Emeritus Verne Hodge Sr. at the Judicial Conference. The honor was bestowed in recognition of his decades long contributions to the legal profession and the Judicial Branch. A fireside chat with Presiding Judge Emeritus Verne A. Hodge Sr., moderated by Associate Justices Maria M. Cabret and Harold W. L. Willocks was a momentous occasion for the Virgin Islands Judiciary and provided the opportunity for him to receive the award in person surrounded by family, colleagues and friends.

Before I conclude, I wish to take this opportunity to formally recognize and acknowledge our newest Superior Court judge in the District of St. Croix, the Honorable Ernest E. Morris Jr., who fills the seat previously occupied by the Honorable Harold W.L. Willocks prior to his elevation to the Supreme Court, as well as our newest magistrate judge in the District of St. Croix, the Honorable Venetia H. Velazquez, who fills the seat previously held by Judge Morris. I also wish to congratulate the Honorable Jessica Gallivan for her renomination and favorable consideration by the Rules and

Judiciary Committee to a second term as the Family Division Judge in the District of St. Croix, as well as the Honorable Alphonso Andrews upon his designation as Administrative Judge of the Superior Court. On behalf of the entire Judicial Branch, I congratulate our Administrator of Courts, Regina D. Petersen, on assuming the Presidency of the Conference of State Court Administrators and for leading that organization to a successful year under her leadership. And of course, I would like to thank all of the dedicated employees of the Judicial Branch, without whom most of the accomplishments of the branch simply would not have been achieved. Thank you for your invaluable service and continued steadfast commitment to access, fairness and justice in our community.

Sincerely,

Hon. Rhys S. Hodge Chief Justice



## History of the Judiciary

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 States' 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 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 members of the 26th Legislature. and signed into law by then Governor, Charles W. Turnbull on October 29, 2004. This pivotal Legislation also changed the name of the Territorial Court of the Virgin Islands to the Superior Court of the Virgin Islands. On October 27, 2006, the first three Justices of the

> Supreme Court appointed by Governor Turnbull —Chief Justice Rhys S. Hodge, and Associate



M. Cabret and Ive Arlington Swan—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, 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

Be it enacted by the Legislature of the Virgin Islands

(1) considering and evaluating the business of Virgin Islands courts and means of improving the administration of justice within the Virgin Islands court system and adopting policy and rules for the operations of all local Virgin Islands courts, including personnel, procurement, facilities and property, financial, security, and travel, as well as leveloping, implementing, coordinating, and monitoring strategic plans as well as diministrative and other policies:

(2) assisting the Chief Justice in preparing and publishing an annual report of the judicial branch and the Virgin Islands court system regarding the works of the courts, the performance of the duties enumerated in this section, and of any recommendations relating to the courts, as well as preparing a single annual budget request for the judicial the branch, including funding for operations of the Supreme Court, the Superior Court, and the

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 five-year review 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

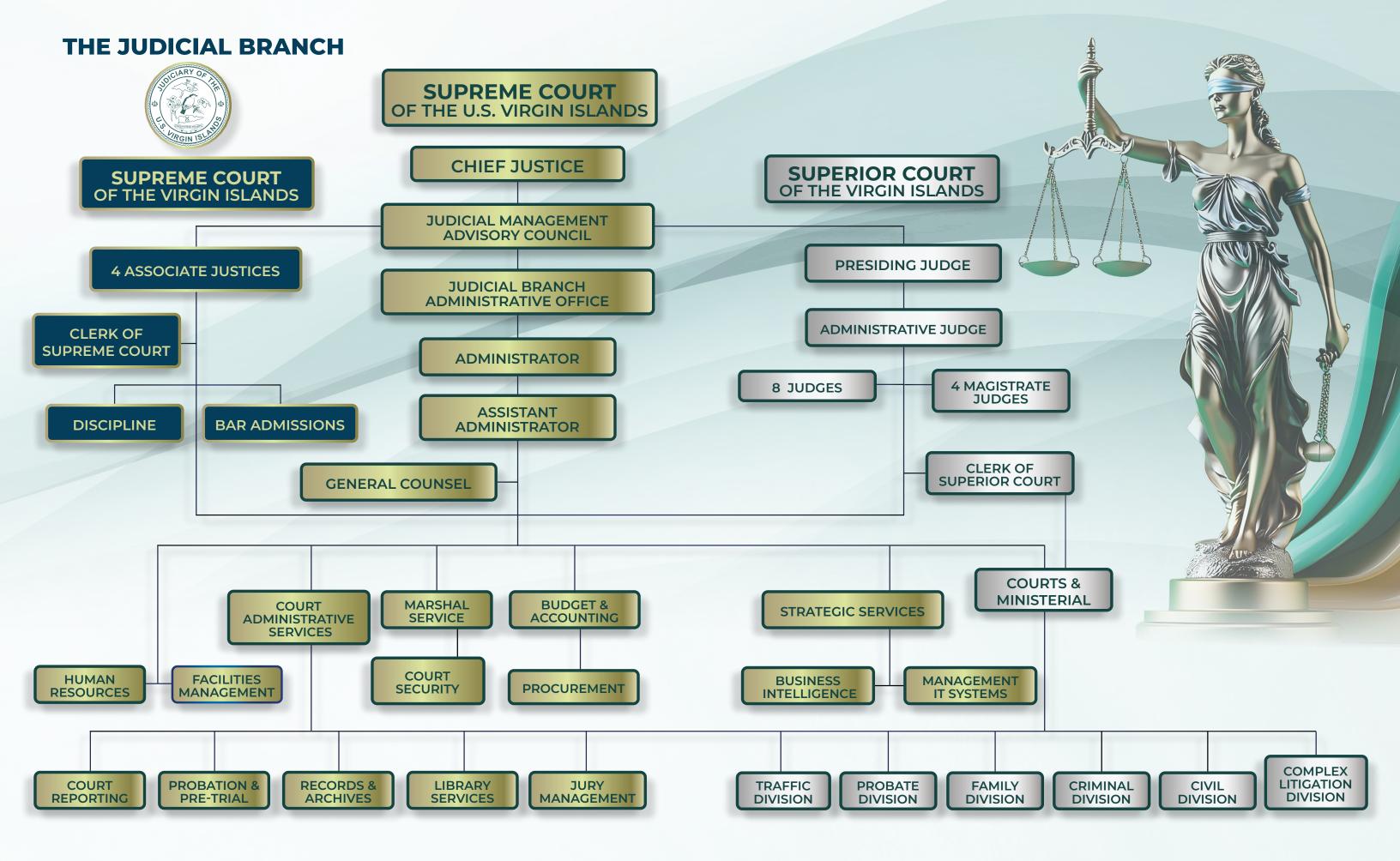
by Delegate to Congress Donna M. Christensen, amended the Revised Organic Act to eliminate the remaining oversight period. With the elimination of the oversight period, the Supreme Court of the Virgin Islands achieved parity with the highest courts of the several states and its decision are now subject 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 United States in

establishing a progressive, 21st century, local court system.

On August 29, 2016, consistent with the organizational structure of a majority of the jurisdictions under the United States Flag, 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.

THIRTY-FIRST LEGISLATURE OF THE VIRGIN ISLANDS a Act amending titles 3, 4, 5, 10, 14, 15, 16, 17, 20, 23 and 33 of the Virgin Islands Code relating SECTION 1. Title 4 Virgin Islands Code, chapter 1 is amended by adding sections 4, 5 istrative head of the judicial branch of ids, and the Supreme Court as the administrative policy-making body of the entire court system pursuant to 4 V.I.C. §§ 30, 31(d)(1)(3), and 32 (e) and (f). or the administrative policies established by the Supreme Court and the ity of the Chief Justice, the Supreme Court shall establish the Judicial Branch the headed by the Administrator of Courts appointed by the Chief Justice.





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 has original jurisdiction over mandamus and habeas corpus, regulations of the Virgin Islands Bar Association, and general supervision over the entire court system.

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.

JMAC 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. By the close of Fiscal Year 2024, 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. Debra S. Watlington, Presiding Judge
- · Hon. Denise M. Francois, Judge
- Hon. Yolan Brow-Ross, Magistrate Judge

JMAC also approves the establishment of various ad hoc committees to assist with the improvement of the administration of justice in the Territory. Specifically, the Advisory Committee on Rules comprised of Judges and members of the Virgin Islands Bar Association meets regularly to discuss the rules governing the practice of law and proposes amendments. During Fiscal Year 2024, the Judicial Management Advisory Council acted on one recommendation by promulgating the following amendment:

**Promulgation Order No. 2024-0001.** Amendments to the V.I. Rules of Appellate Procedure designated as Rule 40 to establish an En Banc rule necessitated by the appointment of a 4th Justice to the Supreme Court of the Virgin Islands. The order also struck Rule 31 in its entirety and replaced it with language establishing 3 Justice Panel Hearing and Rehearing. Following a 30-day comment period, these changes became effective December 1, 2024.

#### **JUDGES APPOINTED TO SENIOR SITTING STATUS**

Pursuant to 4 V.I.C. §72, Judges of the Superior Court are appointed by the Governor with the advice and consent of Legislature and continue in office for a term of 6 years until a successor is appointed and confirmed or until they are renominated and confirmed. Upon the expiration of a judge's 6-year term, they may continue to serve for a period of 180 days, commonly known as the hold-over period, in which they are either renominated and confirmed or a successor is nominated and confirmed. When neither condition is met within the hold-over period, the Presiding Judge may request that the Supreme Court designate the judicial officer whose statutory term has ended, as a Senior Sitting Judge of the Superior Court of the Virgin Islands. The following Administrative Orders were entered in Fiscal Year 2024 to preserve the continuity of judicial administration of cases and ensure the timely appointment of counsel::

Administrative Order No. 2024-0001. In accordance with 4 V.I.C. § 74(a) and Supreme Court Rule 104. Order appointing the Honorable Jomo Meade as a Senior Sitting Judge of the Superior Court to assist with management of the caseload assigned to the Honorable Harold W. L. Willocks following his elevation to serve as a Justice of the Supreme Court of the Virgin Islands.

**Administrative Order No. 2024-0002.** The Supreme Court authorized the commencement of operations of the Office of Conflict Counsel effective June 3, 2024.

Administrative Order No. 2024-0003. In accordance with 4 V.I.C. § 74(a) and Supreme Court Rule 104. Continued service of the Honorable Jomo Meade as Senior Sitting Judge of the Superior Court of the Virgin Islands through December 31, 2024.

Administrative Order No. 2024-0004. In accordance with 4 V.I.C. § 74(a) as amended and Supreme Court Rule 104. Continued appointment of the Honorable Jomo Meade as Senior Sitting Judge of the Superior Court of the Virgin Islands through December 31, 2025, to preside only over cases assigned to him as of September 30, 2024, the effective date of section 14 of Act No. 8919.

Administrative Order No. 2024-0005. In accordance with 4 V.I.C. § 74(a) as amended and Supreme Court Rule 104. Continued appointment of the Honorable Renee Gumbs-Carty as Senior Sitting Judge of the Superior Court of the Virgin Islands through December 31, 2025, to preside only over cases assigned to him as of September 30, 2024, the effective date of section 14 of Act No. 8919.

Section 14 of Act No. 8919 amended title 4, chapter 5, section 74a of the Virgin Islands Code to change the qualifications to serve as Senior Sitting Judge of the Superior Court of the Virgin Islands to a minimum of 12 years of service as a Judge of the Superior Court or Justice of the Supreme Court, and further limited the appointment of a Senior Sitting Judge to only those instances where every active judicial officer is unavailable due to conflict. This change in law effectively removed the authority of the Supreme Court to appoint retired judges as Senior Sitting Judges.

Promulgation and Administrative Orders can be accessed on the Judicial Branch Website at **www.vicourts.org** 

#### **APPOINTMENTS, COLLABORATIONS, AND HIGHLIGHTS**



Hon. Ernest E. Morris, Jr.

The Honorable Ernest E. Morris, Jr. was nominated to serve a 6-year term as Judge of the Superior Court by Governor Albert A. Bryan, Jr., and confirmed on July 23, 2024 by the 35th Legislature of the Virgin Islands. Prior to his elevation to serve as a general jurisdiction judge, he served as Magistrate Judge of the Superior Court from November 10, 2019 through July 22, 2023. A consummate public servant, his legal career includes work as a Territorial Public Defender, and service as an Assistant and then Chief Legal Counsel of the Legislature of the Virgin Islands. Judge Morris previously worked as Corporate Counsel for Viya and had his own law practice, the Morris Legal Group before joining the bench in 2019.

The Honorable Venetia H. Velazquez was appointed November 4, 2024, by Presiding Judge Debra S. Watlington to serve a 4-year term

as Magistrate Judge of the Superior Court of the Virgin Islands in the District of St. Croix. Her legal career includes service as an Appellate Public Defender with the Office of the Territorial Public Defender, Deputy Counsel to the Office of the Governor, and work in the Attorney General's office where she served as a prosecutor, policy advisor, hearing officer, civil litigator and eventually Chief of the Civil Division.

#### **2023 JUDICIAL CONFERENCE**





Hon. Venetia H. Velazquez

The Judiciary hosted its 3rd Annual Judicial Conference at the Westin Beach Resort & Spa at Frenchman's Reef St. Thomas on October 22-23, 2024. Some of the topics included Recent Developments in Virgin Islands Law, Judicial Writing, Artificial Intelligence in Judicial Systems, Case Management and Chamber Management. The 2024 Chief Justice's Distinguished Service Award was also presented to Presiding Judge Emeritus Verne

A. Hodge, Sr. for his contributions to the legal profession and service to the Judicial Branch. A highlight of the Conference was a fire-side chat with Presiding Judge Emeritus Hodge, moderated by Associate Justice Maria M. Cabret and Associate Justice Harold W. L. Willocks.



Hon. Verne A. Hodge, Sr. and Family

#### **USVI CHILD WELFARE ACADEMY**

The Judiciary's Court Improvement Program (CIP) for abuse and neglect cases, co-hosted the 2<sup>nd</sup> Annual Child Welfare Academy with the Department of Human Services' Division



of Children and Families on June 11-12, 2024. The Academy, themed "Constructing the Framework for Children and Families: Together as One," focused on the power of collaboration, unified efforts, and cross-sector partnerships in strengthening child welfare outcomes. Key topics covered included the following: Collaborating at the Level of Co-Creation, Lived Experience, Empowering Futures: Addressing the **Educational Needs of Our** Children, Transitioning to Adulthood: Meeting the Needs of Older Youth (14–21), Supporting Families over Reporting Families, Sex Trafficking, Vicarious

Trauma: Self-Care While Doing the Work, and an Action Planning Session focused on Youth Engagement, Prevention and Outcomes.

# Jurisdiction and Court Data

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 and include proceedings for civil or criminal contempt, applications for writs of mandamus, writs of habeas corpus, attorney discipline and certified question requests from federal courts and the highest courts of other jurisdictions for the Supreme Court to answer an unresolved question of Virgin Islands law.

## JUDICIAL BRANCH SUPREME COURT OF THE U.S. VIRGIN ISLANDS FIVE JUSTICES

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

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

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

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

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 the Magistrate Division and of all governmental officers and agencies.

The Magistrate Division of the Superior Court hears non-felony traffic cases, forcible entry and detainer cases, misdemeanor criminal cases under 1-year, domestic violence cases, landlord tenant actions, small claims, probate and litter cases.

#### **APPELLATE COURT DATA**

In Fiscal Year 2024, the Supreme Court convened 7 sessions in which 13 cases were heard by Oral Argument and 5 cases were considered without Oral Argument. The Court issued 43 opinions, 40 of which were published opinions. The court entertained 152 motions and entered 304 orders during the fiscal year. Twenty-four cases were under advisement at the close of Fiscal Year 2024. All opinions issued by the Supreme Court are available for review on the Judiciary's website at www.vicourts.org.

SUPREME COURT CASELOAD										
Office of the Clerk of Court	PENDING OCT. 1	New Filings	Available for Disposition	Disposed	Pending as of 9/30	% Change in Pending 2023-2024	Clearance Rate			
Civil	66	31	97	28	69	5%	90%			
Criminal	10	12	22	8	14	40%	67%			
Original Proceedings	17	74	91	85	6	-65%	115%			
Total	93	117	210	121	89	-4%	103%			

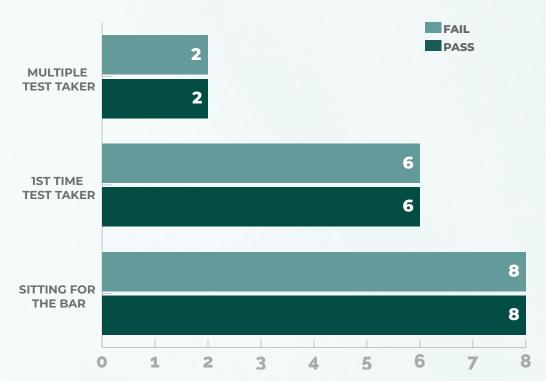
The Supreme Court began the Fiscal Year 2024 with 93 matters pending. One hundred seventeen new matters were filed during the fiscal year, 31 civil appeals, 12 criminal appeals and 74 matters arising from the Court's original jurisdiction for a total pending caseload of 210 cases. The Court disposed of 121 matters including 28 civil appeals, 8 criminal appeals and 85 matters proceeding under the Court's original jurisdiction, for a clearance rate of 115%. By the end of Fiscal Year 2024, 89 matters remained pending—a reduction of 4% when compared to the previous fiscal year.

#### **ARMS OF THE SUPREME COURT**

#### Office of Bar Admissions

The Office of Bar Admissions and the Committee of Bar Examiners assist the Supreme Court in its oversight responsibility for the admission to the practice of law in the Virgin Islands.

#### **TEST TAKING RESULTS**



The Office of Bar Admissions coordinates and supervises the administration of the Bar Exam twice per year, coordinates character and fitness interviews, admissions ceremonies and handles intake of all applications for admission, while the Committee of Bar Examiners ascertains qualifications for admissions, conducts character and fitness examinations and oversees scoring exam questions.

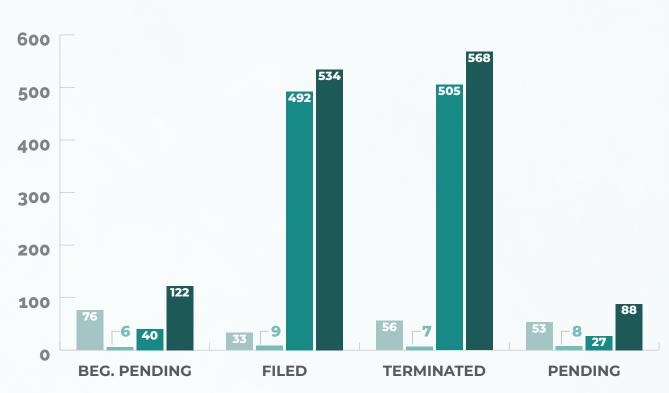
In Fiscal Year 2024, 16 applicants sat for the

Virgin Islands Bar Exam. Thirty seven percent of those examined took the Bar for the first time.

The Virgin Islands Law Component (VILC) of the bar exam was also administered 4 times during the fiscal year on December 7, 2023, March 7, 2024, June 6, 2024, and September 5, 2024, with a total of 31 applicants sitting for the VILC.

There are three classes of admissions to the Virgin Islands Bar: regular admission, special admission, and *pro hac vice*, which are governed by Supreme Court Rules 201, 202 and 204. During Fiscal Year 2024, the Office of Bar admissions evaluated 534 new applications for admission and concluded 568 admissions cases. Three in-person bar admission ceremonies were held on November 29, 2023, March 6, 2024, and June 26, 2024, in which 34 attorneys were admitted to the practice of law in the Virgin Islands. By the close of Fiscal Year 2024, 88 admissions cases remained pending.

#### **BAR ADMISSIONS**

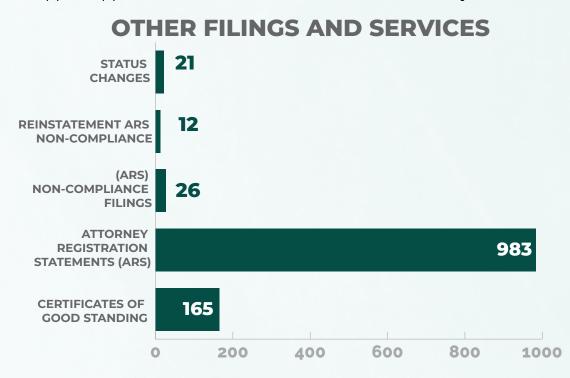


	BEGIN PENDING	FILED	DISPOSED	END PENDING
REGULAR ADMISSION	76	33	56	53
SPECIAL ADMISSION	6	9	7	8
PRO HAC VICE ADMISSION	40	492	505	27
TOTAL	122	534	568	88

**Status Changes.** Regular members of the Virgin Islands Bar Association may petition the Supreme Court to be either "active" or "inactive". The Supreme Court may grant an attorney permission to resign or resume his or her VI Bar membership. During Fiscal Year 2024, the Office of Bar Admissions received 21 petitions from members electing to change their membership status. Thirteen members requested inactive status, 3 petitioned for resumption of active practice of law and 5 members filed petitions to voluntarily resign from the Virgin Islands Bar Association.

**Attorney Registration.** In accordance with Rule 203, effective January 1, 2018, the VISCR 203 requires all active members of the Virgin Islands to file an Annual Registration Statement with the Office of Disciplinary Counsel along with a \$50 registration fee. Nine hundred and eighty-three registration statements were filed during Fiscal Year 2024. By the close of the fiscal year 29, the ODC had filed 29 Notices of Non-Compliance with 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. Members may 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 continuina legal education requirements, and be presently authorized to practice law in the Virgin Islands. **During Fiscal** Year 2024, 165 certificates of good standing were processed and issued.

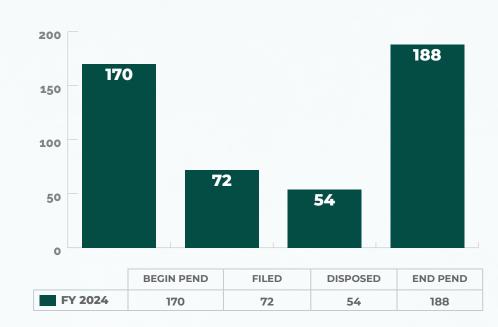
#### **Office of Disciplinary Counsel**

The Office of Disciplinary Counsel (ODC) exists to investigate and prosecute allegations of misconduct against judges and attorneys. In keeping with its responsibility to assist the Supreme Court in preserving trust and confidence in the judicial system, the ODC tracks data for judicial discipline, judicial disability, attorney discipline, attorney disability, and receiverships, and also works with the IOLTA Board under the revised Trust Account Rules in Rules 211.

Pursuant to VISCR 209, the ODC investigates complaints under the direction of a three-member investigative panel. Upon completion of an investigation, the panel determines whether formal charges are warranted, and if so, the ODC prosecutes the complaint before a hearing panel.



#### **DISCIPLINE CASELOAD**



In Fiscal Year 2024, 63 attorney conduct grievances were filed, 1 new case alleging unauthorized practice was filed, and 8 complaints regarding judicial conduct were received. The ODC disposed of 45 misconduct cases. 36 related to attorney misconduct, and 9 cases involving the Unauthorized Practice of Law (UPL). Twenty other matters are pending review before the Board on Professional Responsibility, and 5 discipline cases are pending before the Supreme Court.

**Discipline History Requests and Notices of Non-Compliance.** The ODC 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. In Fiscal Year 2024 the Office of Disciplinary Council issued 69 disciplinary histories.

**Receiverships.** Pursuant to Rule 207.24, the ODC 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. One new receivership was opened in Fiscal Year 2024.

**Annual Registration Compliance.** The ODC is also responsible for the filing of notices of non-compliance against attorneys who fail to comply with Annual Registration requirements. By the close of Fiscal Year 2024, 29 attorneys had been certified as non-compliant by the Office of Bar Admissions.

#### **Indigent Appointments and Conflict Counsel**

Supreme Court Rule 210 governs the indigent appointment process and was amended in Fiscal Year 2023 to establish the Office of Conflict Counsel (OCC) for automatic appointment in all cases where the Office of the Territorial Public Defender has a conflict with indigent representation. As an independent arm of the Judiciary, the OCC operates under the supervision of the Standing Committee of Indigent Appointments and manages the appointment process once a conflict with the Office of the Territorial Public Defender is established. Nonetheless, the private attorneys may still be appointed as counsel in the rare instance that the Office of the Public Defender, the OCC, and all of the attorneys on indigent defense panel are unable to represent a particular defendant.

During Fiscal Year 2024, 737 orders related to the appointment of counsel were entered. By the close of Fiscal Year 2024, despite operations having only commenced in June, the OCC had been appointed in 42 cases, 15 in the District of St. Thomas/St. John and 27 in the District

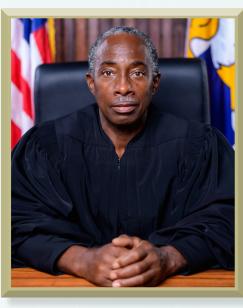
of St. Croix. Even with these appointments to the newly established OCC, The Judiciary nonetheless expended \$541,845 to compensate private attorneys for indigent defense in Fiscal Year 2024.

#### TRIAL COURT DATA

The Superior Court of the Virgin Islands consists of 10 judges and 4 magistrate judges, divided equally between the two judicial districts of St. Thomas & St. John and St. Croix. The Judges are appointed by the Governor to serve 6-year terms with the advice and consent of the Legislature. The four Magistrate Judges are appointed by the Presiding Judge with the approval of a majority of the other judges for terms of 4 years.



**Hon. Debra S. Watlington**Presiding Judge



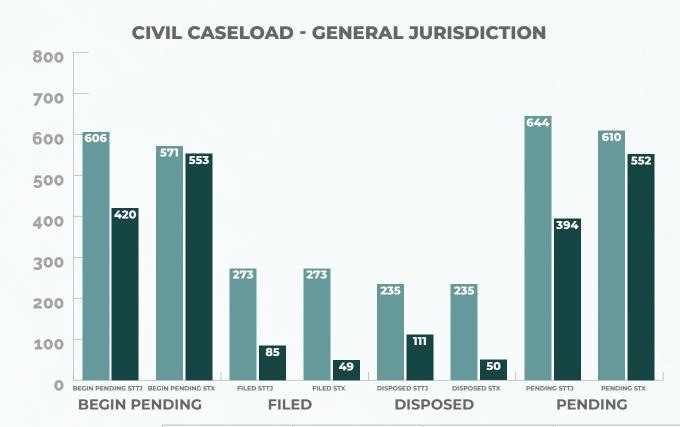
**Hon. Alphonso G. Andrews** Administrative Judge

The Presiding Judge is the administrative head of the Superior Court and is responsible for the observance of rules adopted by the Supreme Court governing the practice and procedure of the Superior Court, and prescribes the duties of its judicial officers, as well as the times and places of holding court (4 VIC §§ 31(d)(5), 72b). Additionally, excluding family court judges who are assigned by law, the Presiding Judge is tasked with designating the judges who are to sit in each judicial division and dividing the business in a manner that secures the prompt dispatch of the court's business and equalizes the case loads of the several judges. The Presiding Judge also has the authority to supervise and direct magistrate judges in the performance of their duties, as magistrate judges are judicial officers of the Superior Court.

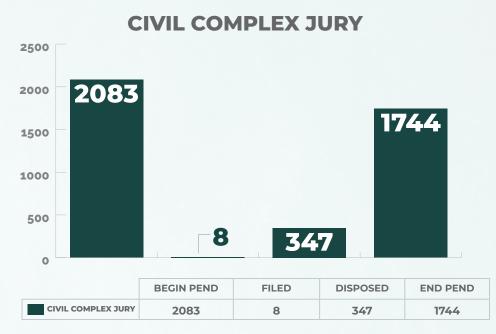
During Fiscal Year 2024 the Honorable Debra S. Watlington continued to serve as the Presiding Judge of the Superior Court of the Virgin Islands. With the elevation of the Honorable Harold W. L. Willocks to serve as a justice of the Supreme Court of the Virgin Islands, Presiding Judge Watlington named the Honorable Alphonso G. Andrews to serve as the Administrative Judge in the District of St. Croix.

Subject to the Authority of the Presiding Judge, the Clerk of the Superior Court is the custodian of records for the trial court and manages case processing in the CMS, including but-not-limited to accepting filings, docketing and order entry, records of proceedings, and case closure/disposition entry. T The Clerk's Office also facilitates the availability of interpreting services, including American Sign Language, and coordinates with the Judicial Branch Administrative Office to generate and validate statistical reports from the automated case management system. In Fiscal Year 2024, 11,902 cases were filed in the Superior Court, and 11,666 were disposed, resulting in a cumulative case clearance rate of 92%. The following caseload trends are reported by the Superior Court for Fiscal Year 2024.

**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 Superior Court began Fiscal Year 2024 with 1,177 Civil bench trials pending. During the fiscal year, 417 new cases were filed. By the end of the fiscal year, the Superior Court had disposed of 421 civil non-jury matters, for a 101% clearance rate. With regard to non-complex civil jury cases, 134 new cases were filed in Fiscal Year 2024, and the Superior Court disposed of 161 cases, reducing the civil non-complex jury caseload by a total of 3%.



	BEGIN PENDING		FILED		DISPOSED		PENDING	
	STT/STJ	STX	STT/STJ	STX	STT/STJ	STX	STT/STJ	STX
CIVIL NON - JURY	606	571	273	273	235	235	644	609
CIVIL JURY	420	553	85	49	111	50	394	552

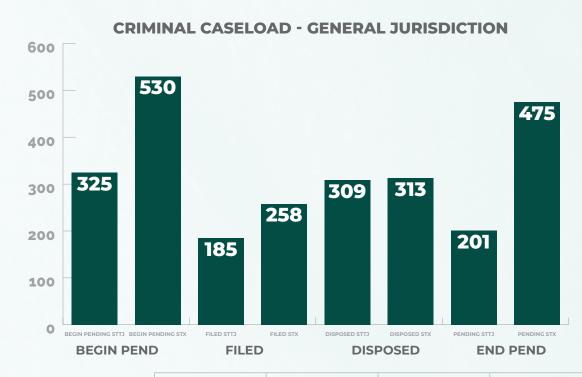


#### Complex Litigation.

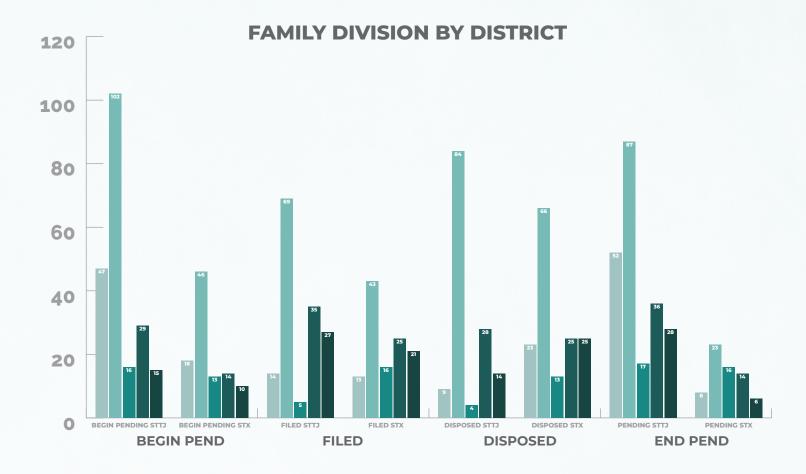
Effective October 1, 2018, a Complex Litigation Division was established by Court Rule to create a special docket for class action. mass tort and toxic tort cases, with an assigned judge, chamber staff and court clerk dedicated to providing those cases with the attention needed to move them towards disposition. The Division opened Fiscal Year 2024 with 2083 pending cases. Eight new cases were filed, and 347 cases were

disposed for a 16% reduction in the number of pending complex litigation cases.

**Criminal Division.** 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. During Fiscal Year 2024, 443 new criminal jury cases were filed, and 622 cases were disposed, for an annual case clearance rate of 140%, and a 21% reduction in the pending criminal jury caseload.

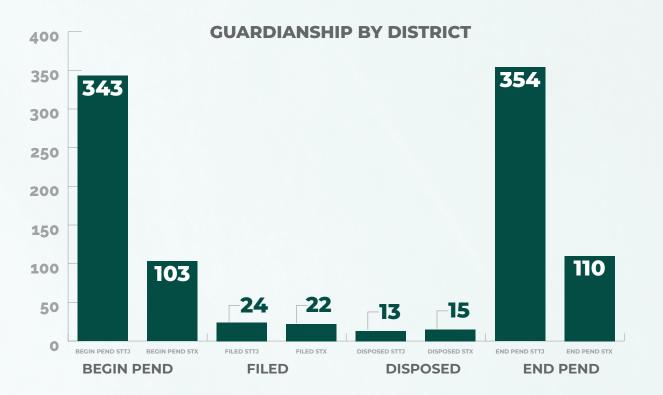


	BEGIN P	BEGIN PENDING		FILED		DISPOSED		PENDING	
	STT/STJ	STX	STT/STJ	STX	STT/STJ	STX	STT/STJ	STX	
CRIMINAL JURY	325	530	185	258	309	313	201	475	



	BEGIN PEND		FILED		DISPOSED		END PEND	
	STT/STJ	STX	STT/STJ	STX	STT/STJ	STX	STT/STJ	STX
DEPENDENCY/ CUSTODY/ ABUSE & NEGLECT	47	18	14	13	9	23	52	8
DOMESTIC RELATIONS	102	46	69	43	84	66	87	23
INVOLUNTARY COMMITMENT	16	13	5	16	4	13	17	16
JUVENILE	29	14	35	25	28	25	36	14
<b>MISCELLANEOUS</b>	15	10	27	21	14	25	28	6

**Family Division.** The Family Division was established in accordance with Title 4 V.I.C. § 79, and includes one Family Court Judge in each judicial district. The division manages all filings related to marriage, divorce, separation, and annulment; actions relating to support of relations; adoption; changes of name; paternity suits; actions to appoint and supervise guardians; and actions relating to juvenile matters. During Fiscal Year 2024, a combined total of 314 new cases were filed, and 342 cases were disposed for an annual case clearance rate of 109%. At the close of Fiscal Year 2024, there were a total of 755 cases remaining pending within the Family Division including guardianship and involuntary commitment cases.



#### **GUARDIANSHIP BY TYPE**

ADULT GUARDIANSHIP

64%

Guardian extent the and mean guardian on guardians on guar

Guardianship cases are unique to the extent that they require court intervention and monitoring for the life of the guardianship, and as such remain on court dockets for indeterminate

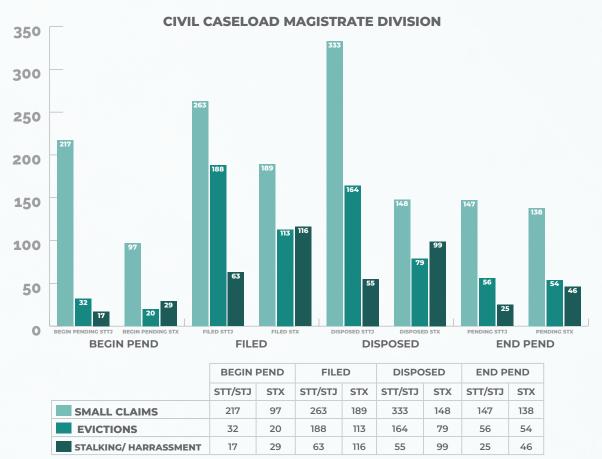
periods of time. Of the 451 pending Guardianship cases in Fiscal Year 2024, 273 were Adult Guardianships and 156 involved guardianship of a minor. 13 conservatorships were also pending by the end of the year, all in the St. Croix District. By the close of Fiscal Year 2024, the Family Division achieved a 4% reduction in caseload.

#### **MAGISTRATE DIVISION OF THE SUPERIOR COURT**

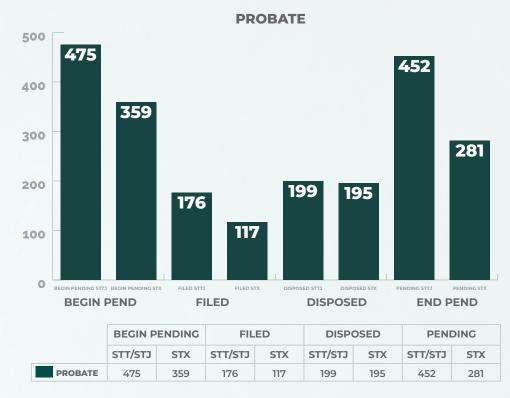
The Magistrate Division of the Superior Court consists of a total of 4 Magistrate Judges with 2 in each judicial district. The Division hears non-felony traffic cases, forcible entry and detainer cases, misdemeanor criminal cases under 1-year, domestic violence cases, landlord tenant actions, small claims, probate and litter cases. In Fiscal Year 2024, 10,751 new matters were filed in the Magistrate Division and 10,361 matters were terminated for a clearance rate of 96%

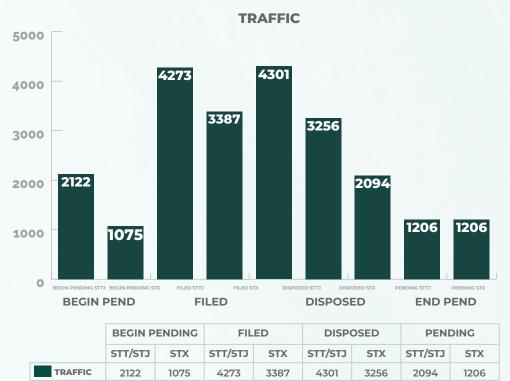
MAGISTRATE CASELOAD											
DIVISION	PENDING OCT. 1	New Filings	Available for Disposition	Disposed	Pending as of 9/30	% Change in Pending 2023-2203	Clearance Rate				
MAGISTRATE DIVISION											
Small Claims	314	452	766	481	285	-9%	106%				
Evictions	73	301	374	243	131	79%	81%				
Stalking/ Harassment	37	179	216	154	62	68%	86%				
Criminal Non-Jury	162	117	279	123	156	-4%	105%				
<b>Domestic Violence</b>	49	357	406	333	73	49%	93%				
Marriages	253	1,392	1,645	1,076	569	125%	77%				
Probate	834	293	1,127	394	733	-12%	134%				
Traffic	3,197	7,660	10,857	7,557	3,300	3%	99%				
Total	2,632	2,460	5092	2,301	2,791	6%	96%				

Regarding civil matters, during Fiscal Year 2024, 932 new cases were filed in the Magistrate Division of the Superior Court. By the close of the fiscal year 878 civil cases were disposed resulting in a 94% case clearance rate.



Probate Division. The Superior Court has original jurisdiction over the probate of wills and the administration of decedents' estates. Consistent with 4 V.I.C. §79. Probate cases are handled primarily in the Magistrate Division. During Fiscal Year 2024. 293 new probate matters were filed and 394 were disposed resulting in an annual case clearance rate of 134%. This resulted in a 12% reduction in the pending caseload when compared to the previous year.





Magistrate Division is also responsible for the disposition of cases related to traffic offenses, the preparation of the traffic applicable records and reports relating to these traffic tickets as directed by the Superior Court. In Fiscal Year 2024. 7660 new traffic matters were filed, and 6485 matters were disposed resulting in a case clearance rate of 85%. We anticipate a more streamlined approach to processing traffic cases with the implementation

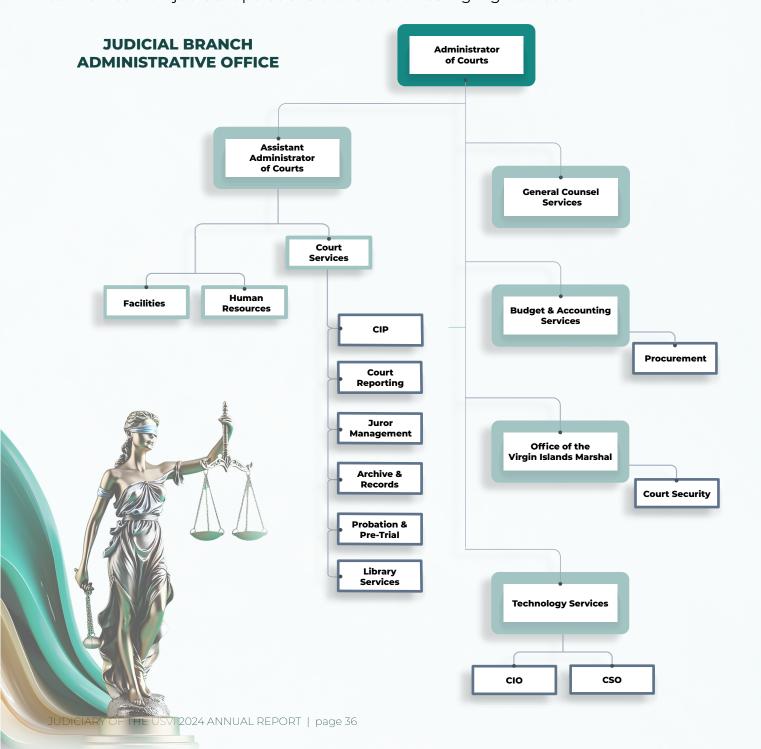
Traffic Division. The

of the e-citation in Fiscal Year 2025.

The cumulative case clearance rate for the Superior Court of the Virgin Islands across all case types for Fiscal Year 2024 was 92%. A total of 11,902 matters were filed and 11,666 matters were disposed of.

# The Judicial Branch Administrative Office

The administrative operations of the Supreme Court of the Virgin Islands and the Superior Court of the Virgin Islands were unified in 2016 pursuant to Act No. 7888, Bill No. 31-2155. Following the passage of this legislation on July 29, 2016, the Supreme Court amended VISCR 101 to establish the Judicial Branch Administrative Office, which is 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 centralized non-judicial operations of the branch as highlighted below.



The Judicial Branch Administrative Office assists the Chief Justice in the preparation and publishing of the annual report of the judiciary, as well as the preparation of the annual budget. For Fiscal Year 2024, the Judiciary of the Virgin Islands requested an appropriation of \$49,571,061 to fund its normal operations and received a general fund appropriation of \$42,500,00.00.

#### **FINANCIAL HIGHLIGHTS**

#### **Expenditures By Program**

• Salary & Fringe: \$29,933,395

• Utilities and IT Network: \$5,297,295

• Capital Expenditures: \$7,050,917

• Buildings & Infrastructure: \$2,470,076

• Operations & Supplies: \$1,761,655

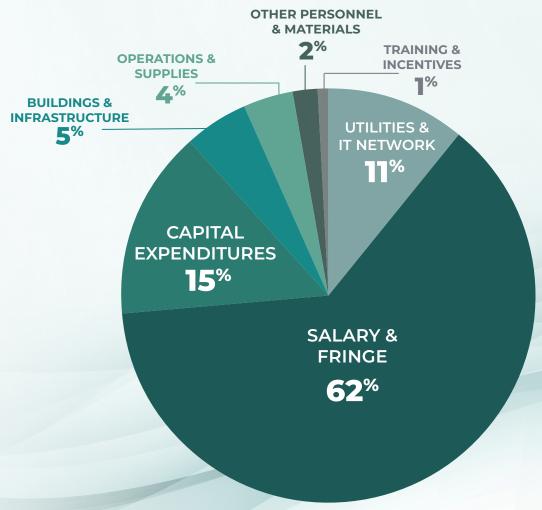
• Other Personnel & Materials: \$987,817

Training and Incentives: \$335,604

#### Total Expenditures: \$47,836,759

\*Includes expenses supported or otherwise reimbursed by grant funding.

#### **EXPENDITURES BY PROGRAM**



**Grant Assistance and Other Funding.** In Fiscal Year 2024, the Judicial Branch Administrative Office continued to manage approximately \$9.1 million in federal grants. By the close of fiscal year, renewed applications for the Edward Byrne Memorial Justice Grant and Violence Against Women Act STOP Formula Grants were processed for additional funding up to \$200,000. Included in the grants managed are approximately \$3.3 million in FEMA Public Assistance projects across both districts, as well as a \$4,977,258 American Rescue Plan Act (ARPA) grant. Except for ARPA grant funding, all federal grants are managed on a purely reimbursement basis. In general, grant funding has been utilized for supply purchases, system upgrades, case backlog management, staffing, community outreach and in territory as well as off-island training opportunities.

#### **Court Expenditure by Funding Source**

General Fund: \$42,500,000ARPA Funding: \$4,977,258

• FEMA PA: \$3,331,808

• Court Improvement Grant: \$517,190

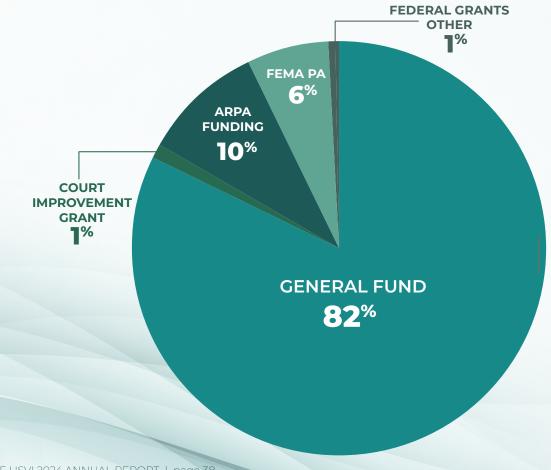
• Federal Grants Other: \$247,703

- Byrne JAG: **\$218,316.47** 

- VAWA Grant: \$29,386.27

Total Funding Available in Fiscal Year 24: \$51,613,487

#### **COURT EXPENDITURE BY FUNDING SOURCE**



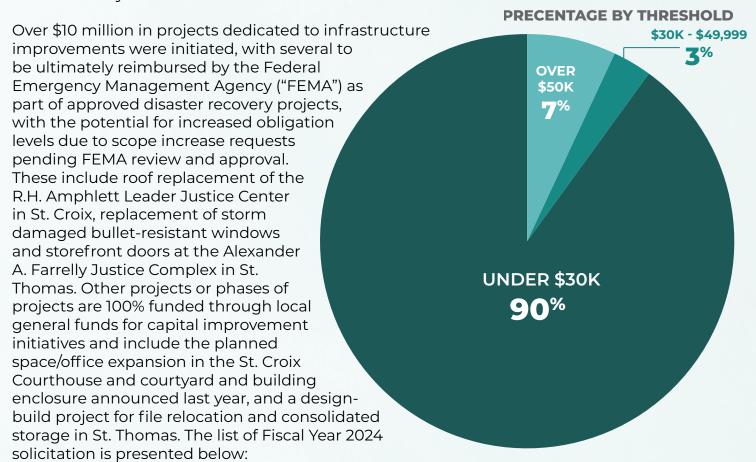
#### **REVENUE GENERATION**

Ninety-eight percent of fees collected by the Judiciary are sent to the general fund. These collections include Marriage Licenses and Ceremony fees, Certified Marriage Returns, Filing Fees, Court Costs and Penalties, Criminal Fines, Probation Administrative Fees, Pretrial Administrative Fees, Certified Documents, Bail Forfeitures, Conservation and Litter Fines, Traffic and Parking Fines and Notary Fees. In Fiscal Year 2024, the Judicial Branch collected a total of \$1,472,820.54 on behalf of the Government of the Virgin Islands.

FISCAL YEAR 2024 COURT GENERATED REVENUE										
ST. THOMAS ST. CROIX TOTAL										
GENERAL FUND	363,090.00	418,925.54	782,015.54							
TRANSPORTATION TRUST FUND	276,697.50	260,852.50	537,550.00							
SPECIAL FUND	38,655.00	41,280.00	79,935.00							
SOLID WASTE FUND	39,400.00	33,920.00	73,320.00							
TOTAL	717,842.50	754,978.04	1,472,820.54							

#### **PROCUREMENT**

The Judiciary continues to make significant infrastructure investments as part of disaster recovery and efforts to modernize and expand useful space in its facilities for improved operational and energy efficiency. In Fiscal Year 2024, the Judicial Branch Administrative Office processed 438 purchase orders with a total value of \$12,321,043.69. This approximate 68% increase in purchases is attributed to new capital projects, case management and other software and equipment upgrades as well as the replacement of 16 fleet vehicles over the course of the year.



#### **Solicitations**

**Request for Proposal 002/2023.** In the fourth quarter of Fiscal Year 2023, the Judiciary advertised its first design-build project to renovate and convert leased warehouse space to provide a climate-controlled record storage and archival facility for court records. The contract was awarded in Fiscal Year 2024 with an estimated cost of \$1,750,000 to complete the facility, with relocation of court records anticipated to begin by September of 2025.

**IFB No. 001/2024.** In February 2024, the Judiciary issued Invitation for Bids (IFB) No. 001/2024, seeking a vendor to furnish and install new bulletproof windows, storefront glass doors, and perform repairs to interior walls damaged during the 2017 hurricanes. These improvements are part a FEMA Project Worksheet #72444 and support Judiciary's continued efforts to restore critical infrastructure and enhance facility security.

The initial solicitation was canceled due to a lack of competitive responses. The upgrades will strengthen the physical security of the facility, ensuring a safer environment for court personnel and the public. Repairs are scheduled for completion in Fiscal Year 2025.

Request for Proposal 001/2024. On December 29, 2023, the Judiciary re-issued Request for Proposals (RFP) No. 001/2024 for the Roof Replacement and Office Expansion Project at the R.H. Amphlett Leader Justice Complex on St. Croix, following a lack of competitive responses to the initial solicitation. This project represents Phase II of the roof replacement initiative, which began in Fiscal Year 2023, and is partially funded through Federal Emergency Management Agency ("FEMA") disaster recovery assistance.

While the FEMA approved scope includes roof replacement, the Judiciary also seeks to enclose the facility by erecting a ballistic-proof entry wall, and expand operational space through demolition and a reconfigured build-out of the west wing. The solicitation was successfully awarded in the amount of \$8,434,850 as part of a multi-year project.

Request for Proposal 002/2024 and 003/2024. In May 2024, the Judiciary issued Request for Proposals (RFP) No. 002/2024 to procure the services of a qualified roofing specialist or general contractor to assess and repair the flat roof systems at the Farrelly Complex. The project scope included a comprehensive evaluation of the current roof conditions, recommendations on suitable materials and products, and the application of a waterproofing membrane and/or weatherproofing system to restore structural integrity and harden the facility in preparation for the upcoming Hurricane season. The project was re-solicited in July and successfully awarded in the amount of \$214,516.00.

#### **COURT SERVICES**

The Court Services Division is headed by the Court Services Administrator and encompasses the following divisions/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.

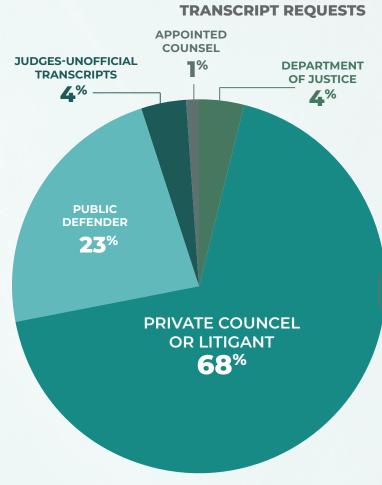
**Court Reporting.** The Judiciary utilized Cares Act funding awarded during the global pandemic to equip 15 courtrooms with audio and video recording technology needed to support remote proceedings. Since 2023, with the added technology, the Court Reporting Division has evolved to include both stenographic shorthand reporters and qualified electronic reporters. Stenographic reporters capture live courtroom proceedings utilizing stenographic machines and appear either in person or remotely with the use of virtual platforms such as Zoom and Microsoft Teams. Qualified Electronic Reporters (QERS) are

certified by examination administered by the American Association of Electronic Reporters and Transcribers (AAERT) and may also appear in-person or remotely to annotate the recorded proceedings. Through a partnership with an online digital court reporting school, BlueLedge, 2 employees have achieved certifications through the American Association of Electronic Reporters and Transcribers (AAERT), becoming the Judiciary's first Qualified Electronic Reporters, capable of utilizing our courtroom technology to digitally capture and annotate the record during court proceedings. The next step in the process is passing the rigorous exam to become Certified Electronic Transcribers with the ability to produce transcripts.

During Fiscal Year 2024, the Court Reporting Division experienced a 16% increase in transcript requests when compared to the previous year. Of the 189 official transcript requests processed, 104 were in the St. Thomas\St. John District and 85 were in the District of St. Croix. Private Counsel accounted for 68% of the total number of transcripts requested, followed by the Office of the Territorial Public Defender at just 23%. Twenty-seven transcripts were related to cases on appeal to the Supreme Court. Of the total 189 transcripts prepared in Fiscal Year 2024, 47% were transcribed utilizing JAVS.

**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 in the Superior Court of the Virgin Islands. The Division secures jurors, representing a crosssection of the community, by sending juror qualification questionnaires to determine prospective jurors' ability to serve and issues corresponding summonses to appear for juror service. In Fiscal Year 2024 the division issued 5,514 summons/juror questionnaires and qualified 3,697 persons for jury duty. This is a 377% increase in qualified jurors when compared to the number in 2023. Of those qualified for service, 1171 persons served on jury panels, which amounts to a 51% increase in jurors service over the previous year.

The following expenses are reported for juror service in Fiscal Year 2024:



FISCAL YEAR 2024 COURT JURY MANAGEMENT EXPENSES											
DISTRICT	JUROR FEES	MEALS	TRANSPORTATION	TOTAL							
ST. CROIX	\$33,480.00	\$9,919.00	\$5,490.00	\$48,889.00							
ST. THOMAS / ST. JOHN	\$14,520.00	\$5,779.50	\$2,640.00	\$22,939.50							
TOTAL	\$48,000.00	\$15,698.50	\$8,130.00	\$71,828.50							

**Pretrial Intervention.** The Pretrial Intervention Program (PIP) provides an alternative to incarceration for first time offenders pursuant to V.I.C. Title 5 § 4612. Participation is voluntary. However, once a client is accepted into the program, they are required to pay an administrative fee in the amount of \$200.00, pursuant to Title 5 V.I.C Section 4612 (d) along with \$75.00 in Court costs. Once a client successfully completes the program and their case is dismissed, they can petition the Superior Court for expungement of their record. Fiscal Year 2024 began with 64 pending cases, 33 cases in the St. Thomas/St. John District and 31 cases in St. Croix. Sixty new cases were filed territorially for the pretrial diversion program, 37 in the St. Thomas/St. John District and 23 cases in St. Croix. A total of 51 cases were successfully terminated during 2024 (35 in St. Thomas/St. John and 16 in St. Croix). Three PIP cases were revoked. The fiscal year ended with 71 active cases.

#### **COLLECTIONS**

• Administrative Fees: \$11,567.00

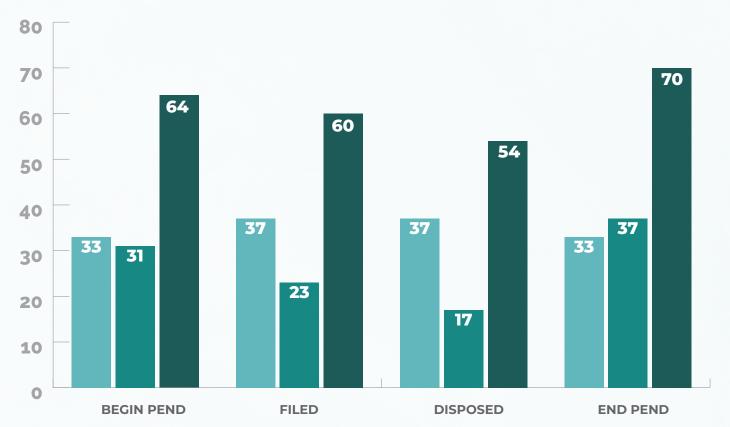
• Court Costs: \$4,547.50

• Fines: \$725.04

• Restitution: \$8,942.28

Total Collections: \$25,781.82

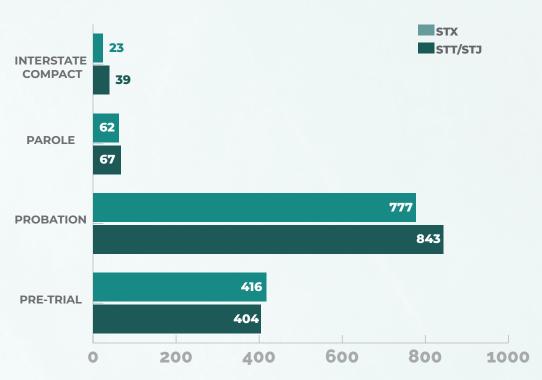
#### **PRE-TRIAL DIVERSIONS**



	BEGIN PEND	FILED	DISPOSED	END PEND
ST. THOMAS/ST. JOHN	33	37	37	33
ST. CROIX	31	23	17	37
TOTAL	64	60	54	70

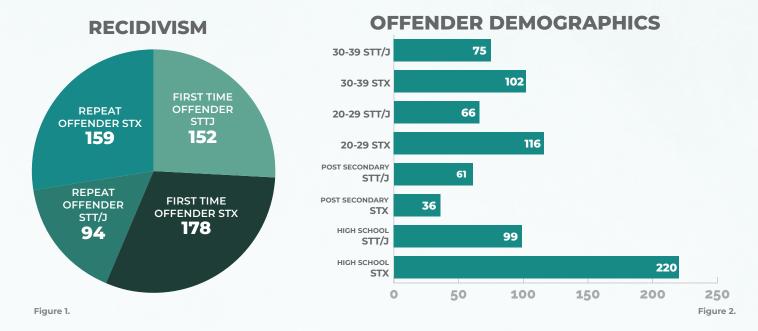
**Probation and Parole.** The Office of Probation and Parole provides a diverse set of services to our community. The Office is responsible for Pre-Trial Release Supervision, and local and interstate Probation and Parole Supervision. In addition to its supervision responsibilities, the office conducts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

#### **PROBATION CASELOAD 9/30**

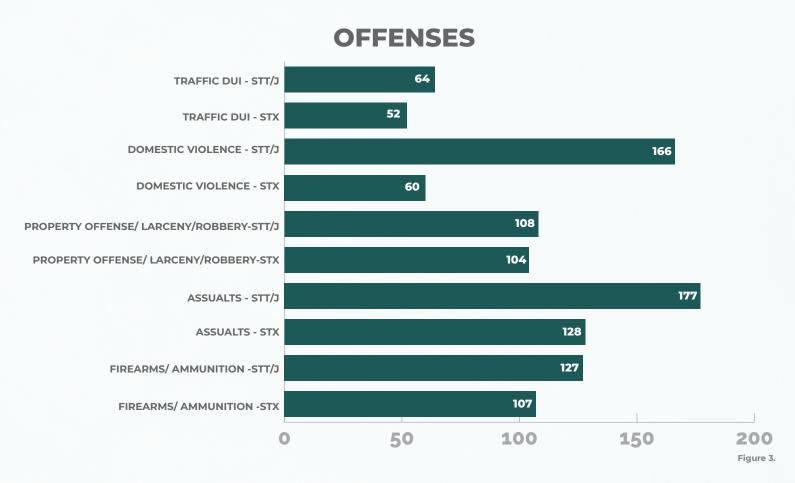


During Fiscal Year 2024, the Probation Division provided service to 28,705 individuals during office visits (17,161 in STX and 11, 544 in STT/J), a 16% increase in visits to local probation offices. Visitors included probationers, parolees, pre-trial release clients, victims and victim's family, family members of defendants, attorneys, police officers, individuals from other agencies and the general public. Probation received 603 new supervision cases (STX: 334 and STT/J: 269), and 761 clients were terminated from supervision (STX: 379 and STT/J: 382), including pretrial release, Probation and parole clients. By the close of Fiscal Year 2024, the Division had submitted 210 pre-sentence reports and collected \$138,909.11 in fees, court costs, fines and restitution.

OFFICE OF PROBATION & PAROLE COLLECTIONS									
DISTRICT	ADMIN FEES	COURT COSTS	FINES	RESTITU- TION	OTHER	TOTAL			
ST. CROIX	9,195.00	1,960.00	10,280.11	10,280.11	930.00	26,455.11			
ST. THOMAS/ ST. JOHN	24,305.00	3,855.00	13,262.00	70,957.00	75.00	112,454.00			
TOTAL	33,500.00	5,795.00	17,372.00	81,237.11	1,005.00	138,909.11			



Additionally, for cases filed in Fiscal Year 2024, 330 were first time offenders and 253 cases involved repeat offenders. Two hundred eighteen offenders were between the ages of 20–49 in St. Croix, while 141 offenders were in the same age range for the St. Thomas/St. John District, making up 60% of the total incoming cases. Nearly 70% or 410 offenders had a high school diploma, vocational or college education. Nine percent had a post-secondary degree or trade, and 80% of the offenders were male ranging between 20–40 years of age. Largest categories of offenses charged in Fiscal Year 2024 shown below in Figure 3.



#### **JUDICIAL SECURITY**

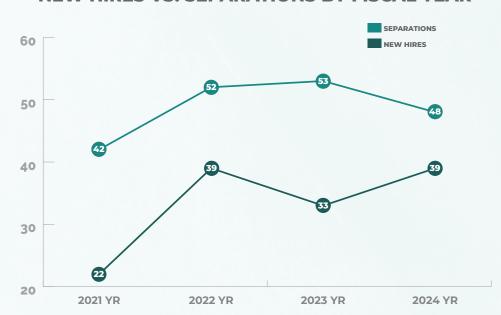
The Office of the Virgin Islands Marshal (OVIM) is responsible for ensuring the safety and security of Judicial Officers, Judicial Proceedings and facilities, as well as that of staff and visitors at 5 courthouse locations across both Districts. By the close of Fiscal Year 2024, OVIM was staffed by just 46 sworn peace officers, 25 in the District of St. Thomas/St. John and 21 in the District of St. Croix. These staffing levels represent an 11% decrease from last fiscal year and a 15% reduction in staffing over 2 fiscal years, with retirements and resignations the leading cause of dwindling numbers. However, during the fiscal year, 4 Marshal candidates were identified for matriculation in the January 2024 police academy. Court security officers are also included within this division, with a total of 12 out of 15 security officer positions filled by the close of Fiscal Year 2024. This brought the total number of employees within the Division to 61 employees, including 3 administrative assistants.

During Fiscal Year 2024, OVIM processed 11,787 service documents, (5,986 in the District of St. Croix and 5,819 in the District of St. Thomas/St. John), executed transactions totaling \$2,520,346.90 in personal property & real estate sales. By the close of Fiscal Year 2024, OVIM was monitoring 40 individuals on house arrest.

#### **HUMAN RESOURCE MANAGEMENT**

Compensation Study. In Fiscal Year 2024, the Judiciary of the U.S.V.I. contracted with the National Center for State Courts to complete a compensation study of all judicial branch positions excluding Judicial Officers. This project included staff interview, the review and revision of job descriptions, training of internal subject matter experts, and a determination of fair and competitive salaries using market surveys and compensation recommendations. Eighty benchmark jobs were identified, and comparison markets were found for 71.4% of the benchmark jobs, representing 70% of Judicial branch staff. Although the study is scheduled

#### **NEW HIRES VS. SEPARATIONS BY FISCAL YEAR**



to be completed during Fiscal Year 2025, the preliminary feedback showed a need to increase salaries by 4% to be competitive.

Staffing. As in previous fiscal years and despite increasing mandates on the Judiciary, employee retention and recruitment continues to be one of the greatest challenges facing the Judiciary, second only and definitively related to funding. Again, in Fiscal Year 2024, the HR division struggled to keep pace with hiring and onboarding

new employees given to the high rate of separtions. The HR Team welcomed 39 new staff members while 48 judicial branch employees separated. Of the 48 separations, 25 staff members left voluntarily, 11 law clerks completed their terms of service, 8 retired, 3 persons were involuntarily separated, and we mourned the loss of one member in our Judicial Branch family. In addition to onboarding staff members, the Judiciary promoted a total of 26 staff members, an increase of 44% over the promotions of Fiscal Year 2023. Nonetheless, the Judiciary continues to examine our recruitment and hiring process and data, exit interviews, salary decisions, the job market and changing demographics and expectations of the new generation workforce.

**2024 Employee of the Year.** The Judicial Branch expressed "heartfelt gratitude and kudos" to the 2024 Employees of the Year, Ms. Brenda Meyers, Court Supervisor in the St. Croix District and Mrs. Cassandra Benjamin-Sells whom we honored all year and gave special appreciation during Public Service Recognition Week. These employees are the true embodiment of the phrase "service above self".

Brenda Meyers, Court Clerk Supervisor in the St. Croix District is a thirty-year member of the Judiciary and has earned the designation Employee of the Year three times. She currently manages the daily operations of the Family Division in the Clerk's Office with proficiency and accuracy. She is recognized for her positive demeanor and willingness to assist internal and external customers. Brenda is committed and can be found after hours and weekends completing the work of the Family Division. She is the true measure of service.

Ms. Cassandra Benjamin-Sells, Accounting Clerk II in the St. Thomas/St. John District is a member of the Budget and Accounting team. She delivers superior customer service to internal and external stakeholders, manages varied personalities, temperaments and situations effortlessly. She is knowledgeable and competent in the division's operations. Cassandra is a collaborator and takes initiative on tasks as she identifies and addresses outstanding and emergency matters. Cassandra



is always available in-person and/or remotely, after hours, and weekends, and even while on leave. Her advanced knowledge makes her the "go to" member of the Budget and Accounting team.

#### **EMPLOYEE TRAINING**

In Fiscal Year 2024 Annual employee training included "Active Shooter" conducted by the Office of the Virgin Islands Marshals, in addition to customer service training conducted by the National Center for State Courts. Active Shooter training was aimed at preparing staff to identify warning signs and effectively respond to an active shooter incident, with an emphasis on minimizing loss of life. The customer service training highlighted the role of employees and customer service standards in the public's trust and confidence in our court system. The employees engaged in a review of the Judiciary's customer service standards and techniques for maintaining positive interactions with court users, colleagues, supervisors and judges in both verbal and written communications. The sessions included sensitivity training on providing service to people with disabilities or behavioral health challenges; tips for recognizing non-verbal communication characteristics and how body language impacts communications with colleagues, supervisors and the public. Additionally, trainers discussed

strategies promoting listening skills and self-calming techniques during difficult interactions. Supervisors also had tailored breakout sessions to learn how to employ CourTools 1: Access and Fairness to collect court user feedback about their experience in order to identify areas for improved services; model professional communication styles to their staff; and de-escalate interactions with staff or court users to resolve conflicts.



The Office of the Virgin Islands Marshal also completed Parts 1 and II of annual Peace Officer Standards Training (POST), as well as the mandatory firearms qualifications training for Deputies in St. Thomas/St. John District with qualification for St. Croix are to be held in December. CPR/AED recertifications were also completed during the fiscal year.

#### 47TH NATIONAL CHILD WELFARE LAW CONFERENCE

The Court Improvement Program (CIP) sponsored the participation of ten (10) judicial employees and attorneys in the 47th National Child Welfare Law Dual Conference, hosted by the National Association of Counsel for Children (NACC). The in-person conference was held from August 12–14, 2024, in Salt Lake City, Utah, with a virtual component that took place on September 11–13, 2024. This year's conference, themed "Working Together, Working Differently: Justice, Compassion, and New Tools for Modern Advocacy," emphasized



the importance of collaborative and innovative approaches in child welfare law. The sessions explored recent legal developments, emerging technologies, and creative client engagement strategies aimed at improving advocacy for children and families. The conference provided attendees with valuable knowledge and practical tools to enhance the quality of legal services, while promoting a system grounded in justice, compassion, and the well-being of those it serves.

#### **COMMUNITY PARTICIPATION AND OUTREACH**

#### YOUTH ENRICHMENT DAY

The Annual Youth Enrichment Day is a dynamic and inclusive initiative organized by the U.S. Virgin Islands Court Improvement Program (CIP) to celebrate and support the well-being of youth involved in foster care and related systems. Hosted annually in collaboration with our Family Court Judges in both judicial districts, the event brings together youth, caregivers, community partners, and stakeholders for a day of engaging workshops, interactive activities, and meaningful dialogue focused on providing youth with access to vital resources, mentoring opportunities, and educational sessions designed to foster resilience, build self-esteem, and promote healthy, positive relationships.

On December 10, 2023, CIP hosted the "Holiday Jingle Mingle" Youth Enrichment Day on St. Croix to strengthen connections between atrisk youth and community role models. The event featured guest speakers on life skills, career readiness, and self-empowerment. Twenty youth ranging from grades 4–12 received developmentally appropriate supplies as gifts from the program.





Enrichment Day on April 5, 2025, at the University of the Virgin Islands 3-D Innovation Center. The theme for the day's activities was "Great Innovation Takes a Great Mind like Yours." The event focused on inspiring youth in foster care and juvenile justice systems through creativity, critical thinking, and innovation. Highlights included seven interactive sessions in fields such as music, aviation, agriculture, culinary arts, construction, gaming, and marine biology. Many of the 30 participants (grades 4–12) expressed interest in pursuing STEM-related education and careers. Over 10 local professionals and one guest speaker supported the event as mentors.

#### YOUTH EMPLOYMENT

During the Summer of 2024, the Judiciary welcomed 21 students through the Department of Labor (DOL) Summer Youth Work Experience Program (SYWEP). The interns were assigned to various divisions within the local judiciary and provided with enrichment opportunities for social growth, work experience, and other positive outcomes. The internships also provide the Judiciary with the opportunity to showcase the Judicial Branch, our vacancies, and groom potential employees while assisting Divisions with the increased workload. Ten high school and college student internships were extended to individuals to work at the Judiciary.

#### **MOOT COURT**

On April 18, 2024, the Virgin Islands Bar Association held the Championship round of its 30th annual Virgin Islands High School Moot Court Competition. Nine schools formed 19 teams. Thirty-eight students presented oral arguments with 17 additional students participating as alternates. The participating schools and teams were as follows:

- St. Thomas-St. John Seventh Day Adventist School: Zion Baptiste, Temple-Ahrie Baptiste, Rosalie Faulkner, Rosalinda Normil, and Esther Desire (A)
- Sts. Peter & Paul Catholic School: Diego Kean, Dayana Esprit, Robert Petersen, Karen Alvarado, Noah Askew (A), and Qui-Neke Bedminster (A)
- St. Croix Central High School: Amaya Hamilton, Hakim Kiture, Jr., Nia Francis, Amiyah Pamphile (A), and Ellany Lopez (A)
- Antilles School: Angeline Nairns, Priya Giyanani, Saba Gever, and Eliise Rogers
- Good Hope Country Day School: Armani Anderson and Aaliyah Boodhoo
- Ivanna Eudora Kean High School: Ellisha Jno Charles; William Metayer, Te'Naii Bernard, Sherona Steven, Gyselle Ready, Teniesha Alcendor, Nillia John-Pierre (A), Kaitlyn Pascal (A), Siana Elskoe (A), and Darnell Birmingham(A)
- St. Croix Seventh-Day Adventist School: Danny Philip, Angelica Griffin, J'john-na Charles, Darnel Nelson, Malkia Robinson (A), and Haysiann Durant (A)
- Virgin Islands Montessori School and International Academy: Andrew Bornn and Miles Tolud
- Charlotte Amalie High School: Shayne'e Cherival, Kemiah Solomon, Alondra James, Ne'Keyla Amey, Abigail Jabioin, Anthony-Marvin Adimando, M'Azhi Harrigan, Denice Demming, Samara Warner, and Sumyah Mark









#### The 2024 Moot Court placements were as follows:

Best Oralist:

First Runner Up:

Second Runner Up:

Third Runner Up:

Fourth Runner Up:

Fifth Runner Up:

Rosalie Faulkner (STT 7th Day)

Angeline Nairns (Antilles)

Robert Petersen (Sts P&P)

Shayne'e Cherival (CAHS)

Ameer Norman (STX Central)

Kemiah Solomon (CAHS)

#### **RISING STARS YOUTH STEEL ORCHESTRA**

Established in the District of St. Thomas/St. John in 1981, and later extended in the District of St. Croix in 2007, the Superior Court Rising Stars Youth Steel Orchestra continues to provide an atmosphere of a "home away from home" for its members. This program is unique in that it is the only steel band intervention program under a judicial system and it is well renowned for its many accomplishments. After more than forty-two (42) years of success, the Rising Stars Program remains a prime example for many other organizations to emulate. The program continues to focus on improving members' academic skills and prepares them for post-secondary education through various social, cultural, and educational initiatives, in addition to the orchestra's ambassadorial duties.

Fiscal Year 2024 began with preparation for the Rising Stars Youth Steel Orchestra's Christmas season in the St. Thomas/St. John District and the Crucian Christmas Festival in the St. Croix District. On December 10, 2023, the Rising Stars hosted its highly anticipated annual Christmas concert themed "A Holiday Tribute to Our Past, Honoring the Legend and the Legacy" at the Elridge Wilburn Blake Sports & Fitness Center. The orchestra paid homage to its founder, the Honorable Verne A. Hodge Sr., and to other original staff of the program. The concert was a huge success.

In May 2024, the Superior Court Rising Stars Youth Steel Orchestras bid farewell to 33 high school seniors (26 in the St. Thomas/St. John district, and 7 in the District of St. Croix). Nineteen seniors were recipients of the of the Jahmal K. Andrew Scholarship in the amount of one thousand dollars (\$1,000.00), including 14 students in the St. Thomas/St. John district and 5 students in the St. Croix district.

We conclude this our annual report with a salute to our Rising Stars graduates!







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