



## Judicial Branch Administrative Office

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October 10, 2023

The Honorable Kenneth L. Gittens  
Chair, Committee on Homeland Security, Judiciary and Public Safety  
35th Legislature of the Virgin Islands  
3022 Est. Golden Rock  
Christiansted, VI 00820

**Re: Bill No. 35-0086**

Dear Chairperson Gittens,

I extend my sincerest apologies for not being able to attend today's hearing on Bill No. 35-0086. Regrettably, unavoidable conflicts and pressing matters in the District of St. Croix require my immediate attention. As you are aware, the 3<sup>rd</sup> Branch of Government is responsible for the interpretation of law and the resolution of legal disputes. In this regard, the Judiciary rarely takes or should be asked to take a position on any proposed legislation, especially where such legislation does not have explicit or specific application to the administration of justice, the operations of the branch and/or its role and authority within the structure of our government.

Bill No. 35-0086 seeks to amend Title 3 of the Virgin Islands Code which specifically governs the operations of the Executive Branch, its departments, agencies and instrumentalities, and the bill neither explicitly identifies the other branches of government, although all have been asked to provide testimony on this bill, nor does it specify its applicability generally to the government of the Virgin Islands. Accordingly, the judiciary takes no position on this bill, but only states as a matter of record that the Judicial Branch has always required background checks not only for its personnel hires but also for all applicants to the Virgin Islands Bar. Specifically, attorneys applying for admission to practice law in the Territory of the United States Virgin Islands must submit to a thorough background investigation through the National Conference of Bar Examiners, and the applicant bears the financial responsibility for that investigation. Additionally, as a condition for employment within the Judicial Branch -ALL prospective hires are informed throughout the employment process that employment with the branch is contingent upon a successful or otherwise positive background check. More specifically, the background investigation is conducted through the Virgin Islands Police Department, as the principle operator in Territory of the National Crime Information Center (NCIC) system. The Judiciary covers

the cost of this service provided by VIPD. To this end, a government wide mandate would have little to no direct impact on the operations of the Judicial Branch, since such a mandate already exists within its operations.

Again, I do apologize for my absence.

Respectfully Submitted,



Regina Petersen  
Administrator of Courts

CC: The Honorable Rhys S. Hodge, Chief Justice  
The Honorable Debra S. Watlington, Presiding Judge