

October 12, 2026

Sent via E-mail

SenatorCliffordJoseph@legvi.org
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Re: *Testimony on Bill No. 36-0338*
Statute of Limitations

Dear Chairman and Honorable Senators of the 36th Legislature's Committee on Homeland Security, Justice and Public Safety, and the listening public:

I am attorney Kareem Leon Todman, and I actively practice law in the U.S. Virgin Islands, Florida, and Georgia. My practice focuses primarily on plaintiff personal injury litigation, employment law, and criminal defense.

I was born on the island of St. Thomas and began my formal education in the Virgin Islands. My roots in this community run deep. My mother, Vilma Vessup, was born and raised on St. Thomas, as were my grandfather, Herbert Vessup, my great-grandfather, and many other members of my family. A few years ago, I made the decision to become a member of the Virgin Islands Bar, in addition to maintaining my memberships in Florida and Georgia, not only to assist my family members with their legal needs, but also to help expand access to affordable legal representation for fellow Virgin Islanders. Throughout my legal career, I have devoted much of my practice to representing individuals of limited means, and especially those who otherwise might struggle to obtain quality legal representation.

For these reasons, I support Senators' Franklin D. Johnson and Clifford A. Joseph, Sr. bill to extend the statute of limitations for negligence and personal injury claims from two years to three years.

In my experience representing injured individuals, it is not uncommon for the full extent of an injury to remain unknown for months following a motor vehicle accident, slip-and-fall incident, or other negligent act. Many injuries worsen over time, and some conditions do not become fully apparent until a person has undergone extensive diagnostic testing and treatment. This reality is particularly significant in the Virgin Islands, where access to specialized medical care can be limited. Many residents must travel off island to obtain necessary medical care and treatment.

Under the current law, an injured person generally has only two years to file a lawsuit. While two years may appear to be a substantial amount of time, the practical realities of personal injury litigation often make that period insufficient. For example, an individual suffering significant injuries may require medical treatment for six months, a year, or even longer before their physicians can accurately assess the nature and permanence of the injuries. Only after treatment has progressed can attorneys obtain complete medical records, consult with experts, evaluate future damages, and determine the fair value of the claim.

Once that process is completed, there is often little time remaining to engage in meaningful settlement discussions with insurance carriers. In many cases, the limited time available under the current statute of limitations discourages attorneys from fully pursuing negotiations, because there is a risk of the claim becoming time-barred due to the statute of limitations. As a result, the existing two-year limitations period can increase litigation rather than promote settlement.

Extending the statute of limitations to three years would provide injured individuals with a fairer opportunity to understand the full extent of their injuries, complete the necessary medical treatment, and pursue resolution of their claims. It would also allow attorneys and insurance companies additional time to exchange information, evaluate claims, and engage in meaningful settlement negotiations before litigation becomes necessary. In turn, this additional time could reduce unnecessary lawsuits, promote fair resolutions, and better serve the interests of justice for Virgin Islands residents. For these reasons, I respectfully support this bill and encourage its passage. In passing, the following states have a statute of limitations greater than two years:

- Arkansas
- District of Columbia
- Maine
- Maryland
- Massachusetts
- Michigan
- Minnesota
- Mississippi
- Missouri
- Montana
- Nebraska
- New Hampshire
- New Mexico
- New York
- North Carolina
- North Dakota
- Rhode Island
- South Carolina
- South Dakota
- Vermont
- Washington
- Wyoming
- Utah

Thank you for this opportunity to testify before this body, and I look forward to working with the Legislature in the future on other bills.

Sincerely,

/s/ Kareem L. Todman
KAREEM L. TODMAN, ESQ.