

**BEFORE THE 36TH LEGISLATURE OF THE VIRGIN ISLANDS
COMMITTEE ON RULES AND JUDICIARY**

STATEMENT OF JUDICIAL NOMINEE DENISE M. FRANCOIS

April 23, 2026

Good morning Madam Chair Senator Joseph, Vice Chair Senator Kenneth Gittens, Senator Milton Potter, Senator Avery Lewis, Senator Angel Bolques, Jr., Senator Alma Francis Heyliger, Senator Clifford Joseph, members of the public, friends and family in the audience. My name is Denise Francois, and I am humbled and honored to appear before you as Governor Albert Bryan, Jr.'s nominee as an associate justice to the Virgin Islands Supreme Court. Thank you for the opportunity to appear before you today.

Family

I am the daughter of Faye and Donald Francois of St. Thomas, and the older sister of Monique Francois. I was born in Washington, D.C. while my father was finishing his engineering degree at Howard University. We then lived in Seattle, Washington, and San Jose California before returning to the Virgin Islands in 1969.

Education

I have a Bachelor of Arts degree in Political Science from Amherst College in Massachusetts, and a Juris Doctor degree from the University of San Diego School of Law.

Employment History

After graduating from law school, I returned to St. Thomas and worked at the Law Offices of Maria Tankeson Hodge until I became a partner in 1991 and the firm became known as Hodge & Francois. While practicing law, I served on the V.I. Bar Association's Ethics and Grievance Committee, was elected president of the V.I. Bar and served on District Court's Civil Procedure Rules Committee. As an attorney, I tried cases in the District Court of the Virgin Islands, the

Superior Court of the Virgin Islands and argued before the U.S. Court of Appeal for the Third Circuit.

Public Service as a Judge of the Superior Court of the Virgin Islands

My greatest honor and contribution to public service has been serving as a judge of the Superior Court of the Virgin Islands since November 2013. I am one of eight general jurisdiction trial court judges of the Superior Court that preside over both civil and criminal cases. As of March 25, 2026, I had 356 cases of which 22% are criminal and 78% are civil. Criminal cases include everything from driving under the influence, unlawful possession of firearms, assault, kidnapping, sexual assault, embezzlement, larceny, burglary, extraditions, to murder. And this is not an exhaustive list.

Civil cases include petitions for writs of habeas corpus, enforcement of construction liens, recognition of foreign judgments, foreclosures, actions to quiet title, personal injury and other tort actions such as defamation, wrongful discharge, employment cases involving sexual harassment and discrimination, recovery of possession of real property, partitions, corporate derivative share holder actions, contracts, commercial litigation involving millions of dollars, products liability, wrongful death, medical malpractice, legal malpractice and more.

My caseload also has a significant appellate component which I believe should prepare me should my nomination to our highest court be approved. The appellate work that I have done includes addressing appeals from the Magistrate Division of the Superior Court as well as appeals from various government agencies such as the Public Employees Relations Board, Department of Licensing and Consumer Affairs, Department of Labor, and the V.I. Police Department. In addition, I served as a Designated Justice of the V.I. Supreme Court in 4 appeals and once as

member of the panel of the Appellate Division of the District Court comprised of two District Court Judges and myself.

I have also been active in the administrative aspect of the V.I. Judiciary with regard to procedural rules and the non-judicial operations of the Superior Court. In 2016, I was the first chairperson of the Rules Advisory Committee and under my leadership the recommendations for the Virgin Islands Rules of Civil Procedure were adopted and promulgated. I have served as a member of the Judicial Management Advisory Council since 2022. Effective September 11, 2025, I was appointed to serve as the Administrative Judge for the District of St. Thomas and St. John by Presiding Judge Jessica Gallivan. These positions have also prepared me with respect to the administrative aspect of the V.I. Supreme Court which does more than simply review appeals from the Superior Court.

Everything that I have been able to accomplish could not have been possible without the support and assistance of mentors, judicial colleagues and the Superior Court's very dedicated, professional and hard working courtroom clerks, law clerks, marshals and my indispensable judicial secretaries who are essentially paralegals.

As a judge, my conduct both on and off the bench, in public and in private, is governed by the Virgin Islands Model Code of Judicial Conduct. This Code requires judges to maintain the dignity of the judicial office at all times, and avoid both impropriety and the appearance of impropriety in their professional and personal lives. For example, Rule 2.10 of the Model Code of Judicial Conduct prohibits a judge from making public statements that might reasonably be expected to affect the outcome or impair the fairness of a matter pending or impending before any court, or make any nonpublic statements that might substantially interfere with a fair trial or hearing. Also, Rule 2.10 prohibits a judge, in connection with cases, controversies or issues that

are likely to come before the court, to make pledges, promises or commitments that are inconsistent with the impartial performance of the adjudicative duties of judicial office. In keeping with the Model Code of Judicial Conduct, I aspire at all times to conduct myself in a manner that ensures the greatest possible public confidence in my independence, impartiality, integrity and competence.

I believe that I have demonstrated that I have the ability to capably serve as an Associate Justice of the Supreme Court of the Virgin Islands. If approved by the Legislature, I will continue to work to resolve all cases in an independent, fair and thoughtful manner. And while my parents are no longer with us, they impressed upon me the importance and rewards of public service with the Government of the Virgin Islands and that is a legacy that I wish to continue.

That concludes my statement. I am happy to answer your questions at this time so long as they do not involve matters that may come before me or which are pending in the courts of the Virgin Islands.

Respectfully submitted,

Dated: 4/20/26


Denise M. Francois