



UNITED STATES VIRGIN ISLANDS

Economic Development Authority

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VIRGIN ISLANDS ECONOMIC DEVELOPMENT AUTHORITY

TESTIMONY BEFORE THE COMMITTEE ON RULES AND JUDICIARY

**An act enacting a comprehensive probate code for the Virgin Islands to
govern intestate and testate succession, administration of decedents' estates, and related
procedures**

OCTOBER 22, 2026

1 Good day Senator Carla J. Joseph, Chairwoman, Committee members,
2 senators of the 36th Legislature, the legislative staff, the Virgin Islands Economic
3 Development Authority team, and the listening and viewing public. I am Wayne
4 Biggs, Jr., Chief Executive Officer of the U.S. Virgin Islands Economic Development
5 Authority (hereafter referred to as “USVIEDA” or “the Authority”). Here with me
6 today is Dwayne Benjamin, Assistant Chief Executive Officer.

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8 I would like to thank the Committee Chair and members of the Committee
9 on Government Operations, Veterans Affairs, and Consumer Protection for inviting
10 us to provide testimony regarding Bill No. 36-0277: “An act enacting a
11 comprehensive probate code for the Virgin Islands to govern intestate and testate
12 succession, administration of decedents’ estates, and related procedures”.

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14 **Virgin Islands Economic Development Authority (USVIEDA)**

15 The USVIEDA is the umbrella organization which assumes, integrates, and
16 unifies the functions of the following subsidiary entities: the Economic
17 Development Bank (EDB), the Economic Development Commission (EDC), the
18 Enterprise Zone Commission (EZC), and the Economic Development Park
19 Corporation (EDPC). It is a semi-autonomous governmental instrumentality

responsible for the development, promotion and enhancement of the economy of the U.S. Virgin Islands.

Our mission extends beyond business development. We are committed to strengthening economic resilience, expanding access to opportunity, and helping Virgin Islanders preserve and build wealth across generations.

Enterprise Zone Commission (EZC)

That commitment is reflected in the work of our Enterprise Zone Commission, which hosts an annual Estate Planning Conference with the goal of helping families throughout the Territory address estate planning challenges before they become probate disputes.

This year's conference reached approximately 2,000 individuals through a multimedia outreach campaign, demonstrating the significant interest Virgin Islanders have in preserving generational wealth, protecting family assets, determining how their property will be distributed, providing for their loved ones,

and reducing the legal, financial, and emotional burdens that often accompany death or incapacity.

That public response confirms what we have long recognized: estate planning is not merely a legal issue—it is an economic development issue. Families who can efficiently transfer property and assets are better positioned to preserve wealth, maintain businesses, protect family homes, and contribute to the long-term economic stability of our Territory.

Bill No. 36-0277

USVIEDA fully supports Bill No. 36-0277.

The legislation establishes a comprehensive probate framework governing both testate and intestate succession while modernizing the administration of decedents' estates. It provides clear procedures for appointing and overseeing personal representatives, administering estates through supervised and unsupervised processes, addressing creditors' claims, and closing estates efficiently.

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56 I have witnessed firsthand how the absence of estate planning—and the
57 lengthy probate process under our current system—can place tremendous strain
58 on families. Delayed transfers of homes, inherited land, rental properties, and
59 family businesses often create unnecessary hardship during an already difficult
60 time.

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62 Based on my review of the legislation and participation in the bill's working
63 meetings, I believe this represents a thoughtful and policy-sound modernization of
64 Virgin Islands probate law. By adopting a probate framework modeled on the
65 principles of the Uniform Probate Code (UPC), the Territory stands to realize several
66 meaningful benefits. The advantages of implementing a set of UPC-based laws as
67 proposed in this Bill will result in:

68 1. Faster Estate Administration – Simplified procedures would allow many
69 uncontested estates to proceed with less court supervision, reducing
70 unnecessary delays and helping beneficiaries receive their inheritances more
71 quickly.

72 2. Lower Probate Costs – Streamlined processes can reduce legal fees, court-
73 related expenses, paperwork, and administrative burdens for families and
74 personal representatives.

75 3. Clearer and More Consistent Rules – Standardized provisions governing
76 wills, intestate succession, and estate administration make the law easier for
77 courts, attorneys, and residents to understand and apply.

78 4. Greater Flexibility for Personal Representatives – Executors and
79 administrators would have broader authority to manage routine estate
80 matters without seeking court approval for every action, while remaining
81 subject to their fiduciary responsibilities under the law.

82 5. Stronger Protections for Heirs and Surviving Spouses – The proposed
83 framework clarifies inheritance rights, strengthens protections for surviving
84 spouses, and establishes procedures to safeguard the interests of minors and
85 individuals who are unable to manage their own affairs.

86 6. Improved Administration of Multi-Jurisdictional Estates – Standardized
87 probate principles can facilitate the administration of estates involving
88 property in multiple jurisdictions, even though additional proceedings may
89 still be required where appropriate.

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91 Collectively, these reforms make estate administration more efficient while
92 preserving the legal safeguards necessary to protect beneficiaries and creditors
93 alike.

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95 For these reasons, USVIEDA respectfully expresses its full support for Bill No.
96 36-0277, "An Act enacting a comprehensive probate code for the Virgin Islands to
97 govern intestate and testate succession, administration of decedents' estates, and
98 related procedures."

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100 This legislation aligns with our broader mission of strengthening economic
101 opportunity, protecting generational wealth, and helping Virgin Islands families
102 preserve the assets they have worked so hard to build.

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104 Thank you, Madam Chair and members of the Committee on Government
105 Operations, Veterans Affairs, and Consumer Protection, for the opportunity to
106 present this testimony. I appreciate your consideration and would be pleased to
107 answer any questions you may have.