



**Statement of Benjamin Orzeske, Chief Counsel of the Uniform Law Commission to the
United States Virgin Islands Senate Committee on Rules and Judiciary in Support of
Bill 36-0277 to Enact Articles 2, 3, and 4 of the Uniform Probate Code**

October 22, 2026

Chair Joseph, Vice-Chair Gittins, and Members of the Committee –

Thank you for considering Bill 36-0277 to enact three articles of the Uniform Probate Code. This bill is part of an ongoing effort to modernize the probate law and procedures of the Virgin Islands to provide a practical and efficient method of transferring property to a decedent's heirs.

The Uniform Probate Code (UPC) is a product of the Uniform Law Commission, a non-profit law reform organization whose mission is to provide legislatures with well-conceived and well-drafted legislation on topics where uniformity is important. All U.S. states and several territories have enacted at least part of the UPC. Nineteen states have enacted a comprehensive version. This legislation includes Article 2 on Intestacy, Wills, and Donative Transfers, Article 3 on Probate and Administration of Estates, and Article 4 on Ancillary Probate Proceedings, which are at the heart of the UPC. Enacting this bill would represent a major step toward modernization.

This bill has also been presented at several public hearings over the past year, and has been amended based on the input received. Specifically, the bill would now increase the maximum value of estates eligible for a simplified, informal probate process to \$150,000, which should allow more Virgin Islanders to take advantage of the procedure. It also now includes a requirement for personal representatives to record the final order from a probate court to ensure public land records stay up to date.

This bill is the culmination of a now decades-long effort to improve the law of probate in the US Virgin Islands. It is supported by AARP-Virgin Islands because it will provide legal certainty and fairness for Virgin Islanders who inherit property, and for those Islanders who plan their estate to benefit their families. I ask you to advance this legislation and I welcome any questions from the committee.