

**TESTIMONY OF ATTORNEY GENERAL
GORDON C. RHEA, ESQ.
THIRTY-SIXTH LEGISLATURE OF THE VIRGIN ISLANDS
COMMITTEE ON RULES AND JUDICIARY
BILL NO. 36-0101
SEPTEMBER 8, 2025**

Good afternoon, Chair Carla Joseph, Committee on Rules and Judiciary members, other Senators, Legislative staff, and the listening and viewing audiences. I am Attorney General Gordon Rhea, and it is an honor and privilege to appear before you this afternoon.

The Department of Justice appreciates the opportunity to comment on Bill No. 36-0101. The Department of Justice has completed a preliminary review of Bill No. 36-0101 and offers the following comments.

The stated purpose of Bill No. 36-0101 is to amend title 4 of the Virgin Islands Code, chapter 5, sections 72(a) and 74a, and title 4 of the Virgin Islands Code, chapter 8, to provide for the continuity of operations in the Superior Court of the Virgin Islands in the event of prolonged judicial vacancies.

The Virgin Islands Department of Justice does not take a position on Bill No. 36-0101. The Department does, however, recognize the importance of providing for the operations of the territory's Superior Court, especially in the event of prolonged

judicial vacancies. Establishing a plan for the continued operations of our Courts, benefits the territory by reducing operational downtime, ensuring compliance with local and federal laws and regulations, and enhancing public confidence in our Superior Court, which is responsible for protecting the rights and liberties of our citizens, upholding the law, and resolving disputes fairly, promptly and peacefully as the territory's trial court of general jurisdiction.

The Department of Justice does take note of the testimony provided by the Honorable Rhys S. Hodge, Chief Justice of the Virgin Island, during the 2026 Budget Hearing for the Judicial Branch of the Virgin Islands. During his testimony, Chief Justice Hodge discussed: 1) the need to increase staff, as recommended by a work group created by the Judiciary to examine the Court's organizational structure, and 2) staffing challenges.

The Department of Justice applauds this Legislature's act to amend the law to reflect the current reality within the territory and welcomes the addition of new judges who can issue lawful and binding rulings, especially as the Department is charged with prosecuting all violations of the Virgin Islands Criminal Code and representing the Government of the Virgin Islands in all civil actions brought on behalf of or against the Government. Additionally, increasing the number of judicial

positions provides an opportunity for more lawyers with judicial aspirations, the opportunity to serve, while expediting the administration of justice.

Finally, and respectfully, while the Department of Justice strongly agrees that the territory needs more judges to handle the massive caseloads across the Courts, the Department respects the right of the Courts to determine the best method for filling vacancies until new appointments can be made.

I thank the Committee for allowing the Department of Justice to testify on Bill No. 36-0101. This concludes my formal remarks, and I welcome any questions you may have.