



ANNUAL REPORT OF THE STATE OF THE COURT SYSTEM
AND JUDICIARY OF THE U.S. VIRGIN ISLANDS

FISCAL YEAR 2008

SUPREME COURT OF THE VIRGIN ISLANDS

Hon. Rhys S. Hodge
Chief Justice

Hon. Maria M. Cabret
Associate Justice

Hon. Ive Arlington Swan
Associate Justice

Glenda L. Lake, Esquire
Administrative Director/Acting Clerk of the Court

SUPERIOR COURT OF THE VIRGIN ISLANDS

Hon. Darryl Dean Donohue
Presiding Judge

Hon. Brenda J. Hollar
Administrative Judge

Hon. Ishmael A. Meyers, Sr.
Senior Sitting Judge

Hon. Patricia D. Steele
Judge

Hon. Audrey L. Thomas
Judge

Hon. Leon A. Kendall
Judge

Hon. Julio A. Brady
Judge

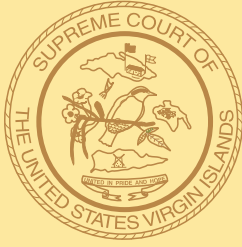
Hon. Francis J. D'Eramo
Judge

Hon. James S. Carroll, III
Judge

Hon. Michael C. Dunston
Judge

Bridget R. Hodge, PHR
Court Administrator

Venetia H. Velazquez, Esquire
Clerk of the Court



SUPREME COURT OF THE VIRGIN ISLANDS

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OFFICE OF THE ADMINISTRATIVE DIRECTOR

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Supreme Court Of The Virgin Islands

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Chief Justice

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MESSAGE ON THE STATE OF THE JUDICIARY

On behalf of the Supreme Court of the Virgin Islands, I am pleased to present the Annual Report of the State of the Court System and Judiciary for fiscal year 2008. This report is required by Virgin Islands law, 4 V.I. Code Ann. § 31(d)(4)(A), which mandates that:

The Chief Justice shall make a written report on the state of the court system and the judiciary including the report for the Superior Court prepared by the Presiding Judge of the Superior Court for the past fiscal year and shall deliver the report accompanied by recommendations and a proposed annual budget for the Supreme Court, which must include the annual budget for the Superior Court prepared by the Presiding Judge of the Superior Court, to the Governor, the President of the Legislature on or before May 30 of each year.

The fiscal year 2008 is the first full year of operations for the Supreme Court of the Virgin Islands and the current court system. This report is therefore the first to be issued by the Supreme Court pursuant to this legal requirement.

By way of background, as initially established by Act 6687, the Supreme Court was vested with administrative authority over the entire judicial branch. This administrative authority of the Supreme Court was changed in October 2007 by Act 6965. The current administrative structure of the judicial branch of the Virgin Islands is essentially defined by 4 V.I. Code Ann. § 31(d)(3) as follows:

The Chief Justice has general oversight of the judicial branch of the Government of the Virgin Islands. Nothing in this chapter may be construed to authorize the Chief Justice to exercise control over the day-to-day administrative operations of the Superior Court of the Virgin Islands, including the Magistrate Division.

Thus, as currently constituted, the Supreme Court, acting through the Chief Justice as its administrative head, has the responsibility and obligation for exercising general oversight of the entire judicial branch of the Virgin Islands Government which it is to accomplish without exercising control over the day to day administrative operations of the Superior Court. The Supreme Court, in consultation with the administration of the Superior Court, is currently in the process of developing appropriate processes by which it may properly exercise its oversight responsibility over the judicial branch. It is fully anticipated that during the current fiscal year the Supreme Court will implement its statutory oversight authority and commence overseeing the judicial branch within the confines of its designated authority.

Once the Supreme Court, through its Chief Justice, completely implements its oversight authority of the entire judicial branch, the Chief Justice will be in a position to provide detailed annual reports on the state of judiciary and the court system. To assist in this regard the Supreme Court will undertake the task of formulating and establishing a five year strategic plan for the Court and the judicial branch. This will be performed with the assistance of the National Center for State Courts (NCSC) pursuant

to a partial grant from the State Justice Institute. It is anticipated that the goals, needs and desires of all participants in the judicial process will be sought and considered and all participants will be encouraged to participate and contribute to this effort. It is also anticipated that the courts will adopt time standards for the prompt disposition of all cases in the trial and appellate courts. These time standards will permit the Supreme Court and the Chief Justice to better exercise its oversight responsibility by being better able to monitor the performance of the courts. It will additionally demonstrate transparency and accountability of the courts by providing objective measures to gauge the disposition of their caseload.

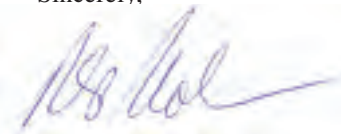
As a consequence, this Annual Report basically covers the separate operations of the Supreme and Superior Courts for the 2008 fiscal year. However, it is clear from the reports of both courts submitted herein that the courts of the Virgin Islands have performed exceptionally well during fiscal year 2008 and that the state of the judiciary of the Virgin Islands is generally sound.

Although the Superior Court disposed of approximately 12% less cases than the total number of cases filed (26,795 of 30,273), it actually disposed of more civil and criminal cases than were filed during the year thereby reducing the back log of the core civil and criminal cases pending in the court. The accumulation of unresolved cases occurs in the areas of traffic, small claims, family and probate, all areas which will directly be affected positively by the newly implemented magistrate system.

The Supreme Court experienced an unexpectedly large number of non-bar related appeal filings in the 2008 fiscal year (95 cases). The amount of such appeal filings in the Supreme Court for the year 2008 exceeded the average number of appeals filed per 100,000 of population in states with similar appellate court systems without intermediary appellate courts as demonstrated in the chart below. The Supreme Court has worked diligently and consistently to resolve the appeals filed with it in a timely fashion. The Supreme Court commenced the 2008 fiscal year with 61 non-bar related cases pending and terminated 59 cases or a 97% disposal rate during the same period. As appeals filed in the Supreme Court take approximately ten (10) months to be ready for consideration by the Court, the Supreme Court will be required to double its efforts in order to keep pace with the increased number of appeal filings. However, as the Supreme Court will be relocating to its new facilities at No. 161B Crown Bay and with planned repairs to its Frederiksted offices in the next fiscal year, the Court will be able for the first time to add the necessary staff to permit the Court to keep pace with the increased case filings and continue its prompt disposition of all appeals filed with the Court. This will assist to bring to finality in a timely fashion to litigation which, in many cases, commenced in the trial courts years earlier.

The information which follows in this report expounds in greater detail on the important workings and accomplishments of the courts of the Virgin Islands for the fiscal year 2008. We wish to thank the hard working and dedicated justices, judges and employees of the judicial branch. We also acknowledge and thank those of the Executive and Legislative Branches whose support has enabled the judicial branch to operate adequately and to fulfill its core mission of timely rendering fair and impartial justice to all residents.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Rhys Hodge', is written over a light blue rectangular background.

Rhys S. Hodge
Chief Justice



HISTORY OF THE SUPREME COURT OF THE VIRGIN ISLANDS

Congress in 1984 authorized the establishment of an appellate court for the Virgin Islands to be created by the Legislature in its discretion. On October 29, 2004 the Legislature, acting on such Congressional authority, established the Supreme Court of the Virgin Islands as the highest court of the Virgin Islands.

Thereafter, on July 19, 2006, Governor Charles W. Turnbull, PhD. nominated the Honorable Rhys S. Hodge, the Honorable Maria M. Cabret and the Honorable Ive Arlington Swan as the first three justices of the Supreme Court of the Virgin Islands and designated the Honorable Rhys S. Hodge as the first Chief Justice. On October 27, 2006, the Twenty-Sixth Legislature of the Virgin Islands unanimously confirmed all three justices, thereby setting a monumental precedent in Virgin Islands history.

The investiture of the first Justices of the Supreme Court of the Virgin Islands occurred on December 18, 2006 at a ceremony at Government House on St. Croix. The Supreme Court was duly constituted on that date.

On January 29, 2007, the Supreme Court of the Virgin Islands officially assumed appellate jurisdiction over all appeals in the Virgin Islands. In so doing the Supreme Court dislodged future appellate jurisdiction from the Appellate Division of the District Court, which retains appellate jurisdiction to conclude cases filed prior to January 29, 2007.

The Virgin Islands' Judiciary has now joined the other states and territories of the union with a judicial structure that speaks to its own progressive autonomy. Its current status is due in no small measure to the tireless efforts of the governors, delegates, and law makers of this territory, and the dedicated persistence of the territory's esteemed jurists, both past and present, whose commitment to the administration of justice and development of local judicial autonomy has led to this current judicial structure.

COMPOSITION OF THE SUPREME COURT OF THE VIRGIN ISLANDS

The Court assumed its appellate jurisdiction on January 29, 2007 and consists of a chief justice and two associate justices appointed for ten (10) year terms. The current justices are:

Rhys S. Hodge, Chief Justice
Maria M. Cabret, Associate Justice
Ive Arlington Swan, Associate Justice.

The court is assisted by the service of active judges of the Superior Court and of retired judges of courts of record in the Virgin Islands who serve as designated Justices Pro Tem to fill vacancies on the court caused by disqualifications or other absences.

JURISDICTION OF THE SUPREME COURT OF THE VIRGIN ISLANDS

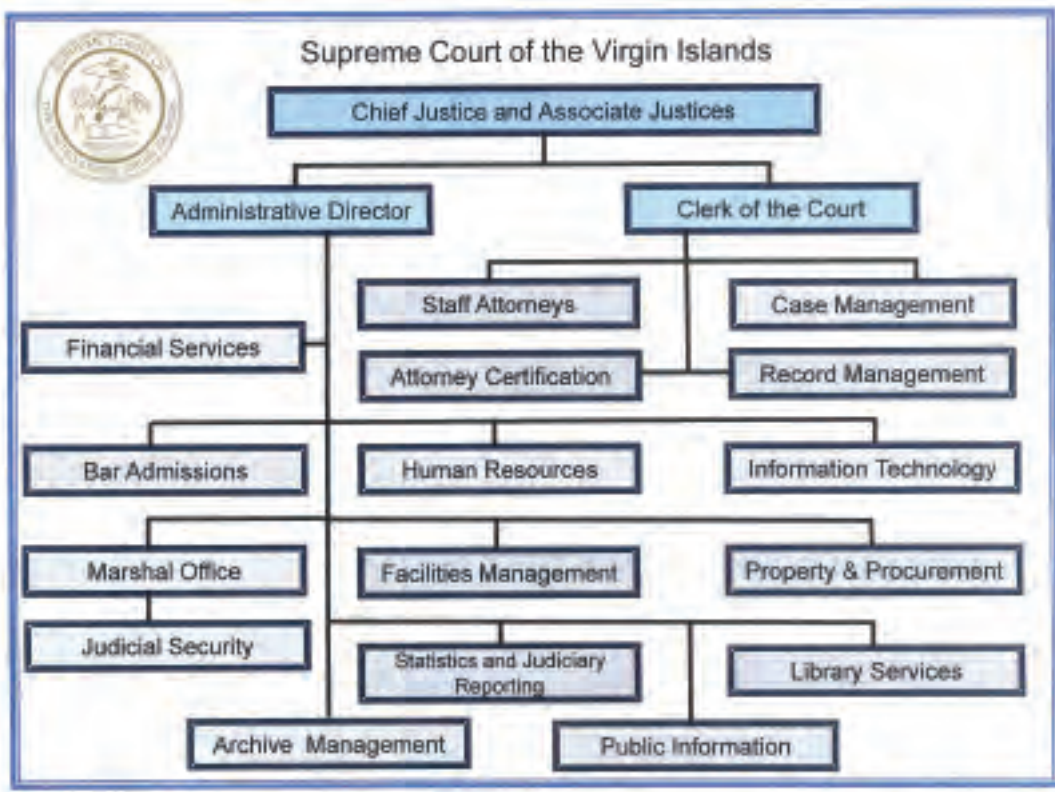
The Virgin Islands Supreme Court is the equivalent of a state supreme court. As the highest court for the Virgin Islands, the Supreme Court is authorized to review all final orders, judgments and specified interlocutory orders of the Superior Court of the Virgin Islands pursuant to 4 V.I. Code Ann. § 32(a). The Supreme Court also has all inherent powers, including the power to issue all writs necessary to the complete exercise of its duties and jurisdiction under the laws of the Virgin Islands. The Supreme Court's authority also includes jurisdiction of original proceedings for mandamus, prohibition, injunction, and similar remedies to protect its appellate jurisdiction. Cases before the Court are determined by three justices and a decision by two justices is required for a decision of the Court.

The Supreme Court also has exclusive jurisdiction over members of the legal profession and of admissions to the bar. The Court oversees the established organized integrated Virgin Islands Bar Association and promulgates and approves the rules regarding attorney discipline. The Court also approves and adopts the rules regarding attorney conduct and rules governing the admission to the Virgin Islands Bar and the discipline of attorneys. In addition, the Court regulates the practice of law in the Virgin Islands.

ORGANIZATIONAL STRUCTURE

The Chief Justice serves as the administrative head of the Supreme Court of the Virgin Islands, and is supported in carrying out those duties by the Office of the Administrative Director and the Office of the Clerk of the Court.

The Office of the Administrative Director renders guidance and supervision to the following divisions: Office of the Chief Marshal, Office of Bar Admissions, Division of Information and Technology Services, Division of Financial Services, Division of Facility Management, Division of Human Resources, and the Division of Archive and Library Services.



The Office of the Clerk manages case processing and renders supervision to the Staff Attorneys.

Both operational units work cohesively to ensure that all employees are properly supported in their endeavor to render quality services to the legal community and the general public.

AMENDMENT TO COURT RULES

Pursuant to 4 V.I. Code Ann. §32(f)(2) and Section 21(c) of the Revised Organic Act of 1954, the Supreme Court has rulemaking authority for the Supreme Court of the Virgin Islands. During fiscal year 2008, the Court entered promulgation orders that affected the regulation of the Virgin Islands Bar, adding of pertinent filing fees for bar matters and establishing the positions of Supreme Court Chief Marshal and Supreme Court Deputy Marshal as officers of the Supreme Court of the Virgin Islands.

Promulgation Order No. 2007-01

Entered on November 27, 2007, Promulgation Order No.: 2007-011 repealed former Superior Court Rules 301, 302, 303, 304, 305 and 307 and adopted Supreme Court of the Virgin Islands Rules 201, 203, 204, 205, 206 and 207 respectively, regarding admission to and regulation of the Virgin Islands Bar Association effective the date of the Order.

Promulgation Order No. 2008-001

Entered on March 26, 2008, Promulgation Order No.

2008-002 established a new schedule of filing fees for the Supreme Court which added the filing fees for bar governance matters filed pursuant to V.I.S.C.T. R. 201 and V.I.S.C.T. R. 204.

Promulgation Order No. 2008-002

Entered on July 16, 2008, Promulgation Order No. 2008-02 established the positions of Supreme Court Chief Marshal and Supreme Court Deputy Marshals as officers of the Supreme Court of the Virgin Islands pursuant to V.I.S.C.T. R. 102.

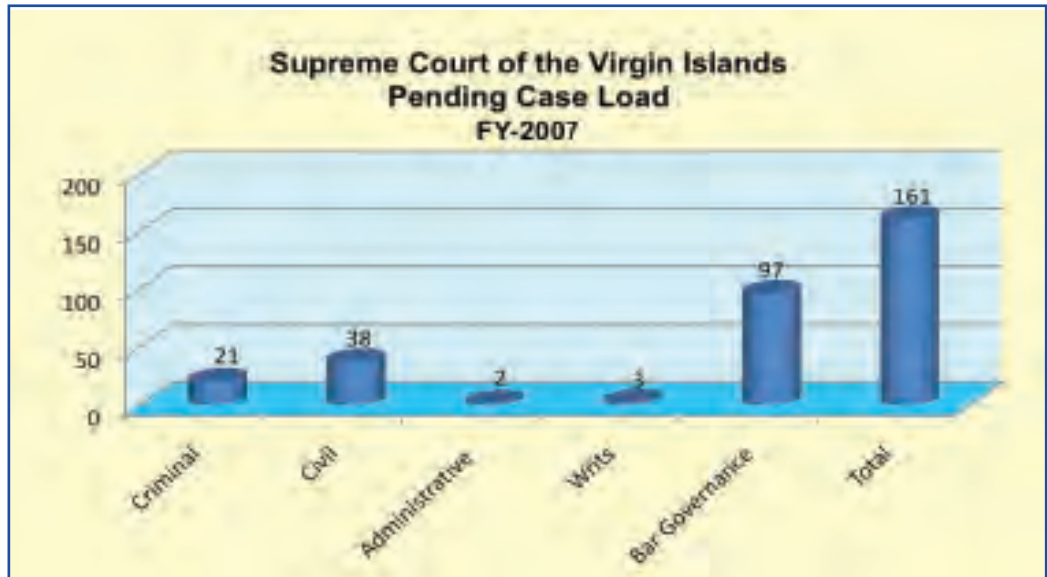
Adoption of Operational Policies

During fiscal year 2008, the Supreme Court adopted the following policies to facilitate improved operations of the Supreme Court: Supreme Court of the Virgin Islands Personnel Rules, Dress Code Policy, and Acceptable Internet Use Policy.

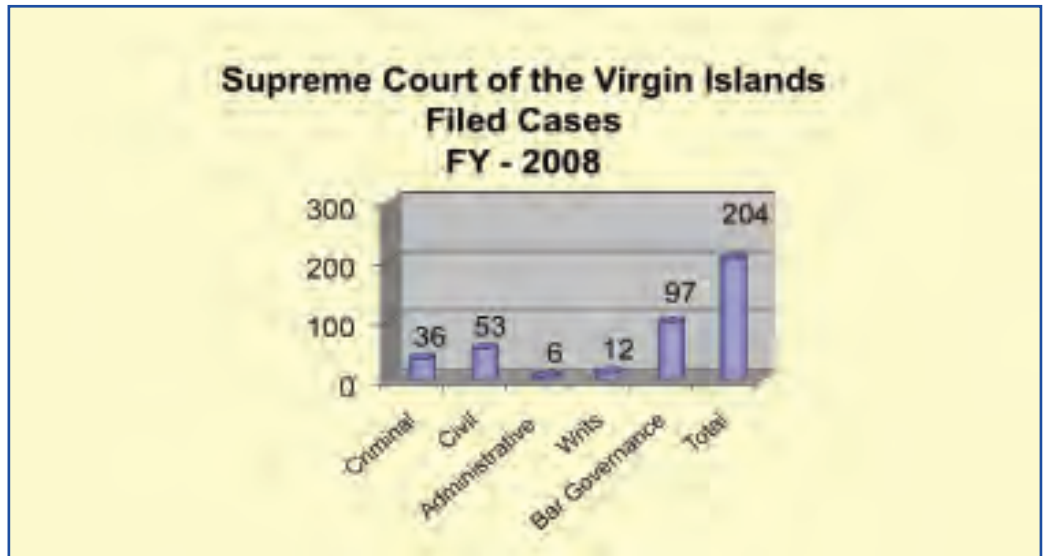
JUSTICE AND EQUALITY FOR ALL HUMANITY

The Supreme Court of the Virgin Islands believes in "Justice and Equality for all Humanity!" All litigants are entitled to due process and timely hearing and consideration of their appeals. The core function of the Supreme Court of the Virgin Islands is to review and hear appeals from decisions rendered by the Superior Court of the Virgin Islands. In addition, the Court also reviews matters relating to Applications for Writs and Bar Governance. Tantamount to its established values, the Court strives to review all matters in a timely and efficient manner, while giving each individual matter the attention it deserves.

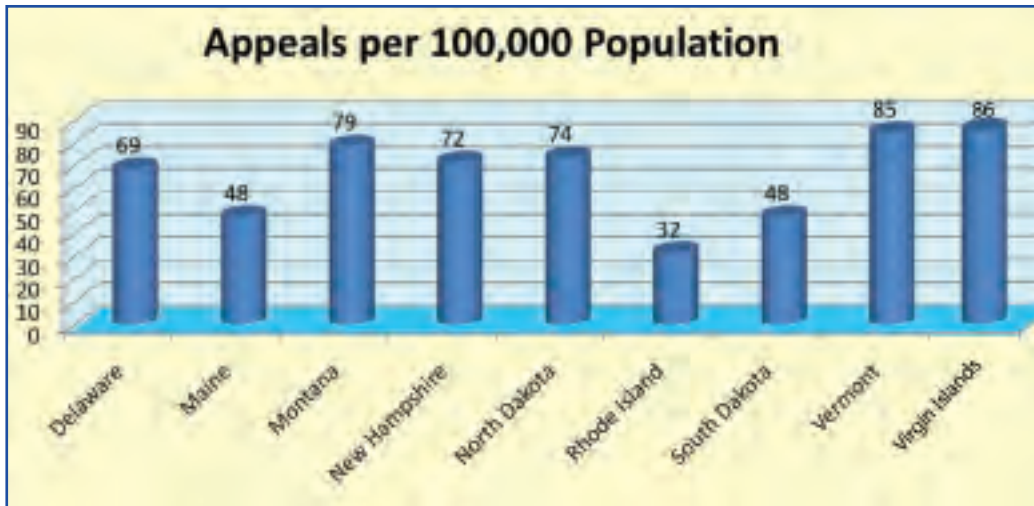
Pending Caseload. At the close of fiscal year 2007, the Court had a pending caseload of 161 cases. Of that sum, 21 cases were civil matters, 38 cases were criminal matters, 2 cases were administrative matters, 3 cases were applications for writs, and 97 cases were bar governance matters.



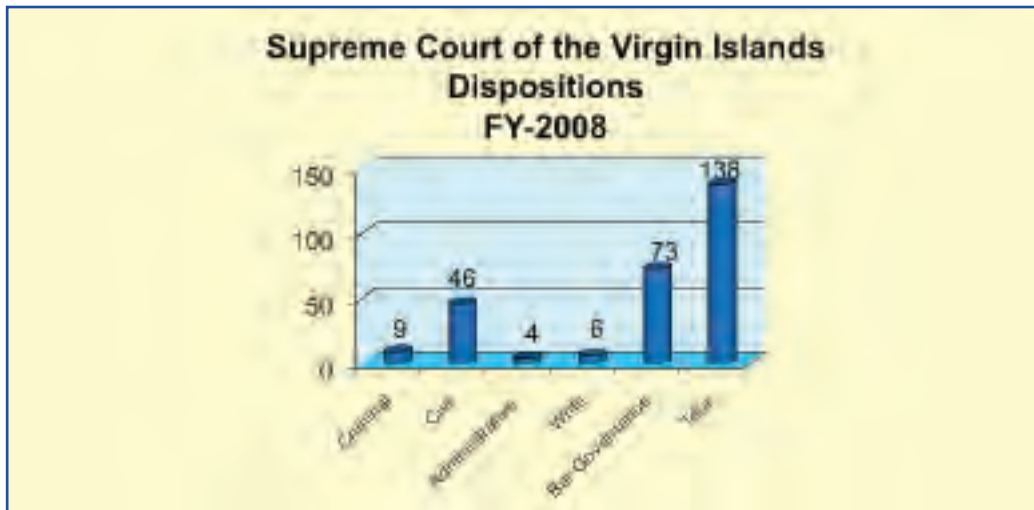
Case Filings. During fiscal year 2008, 204 cases were filed with the Supreme Court, 36 of which were criminal matters, 53 of which were civil matters, 6 of which were administrative agency matters, 12 of which were application for writs, and 97 of which were bar governance matters.



As demonstrated below, the filings of appeals in the Supreme Court for 2008, which were 95 in total for criminal, civil and administrative matters, or 86 appeals per 100,000 of population of the Virgin Islands, exceed the number of such appeals filed per 100,000 of population in similarly situated states which also have no intermediate court of appeals.¹

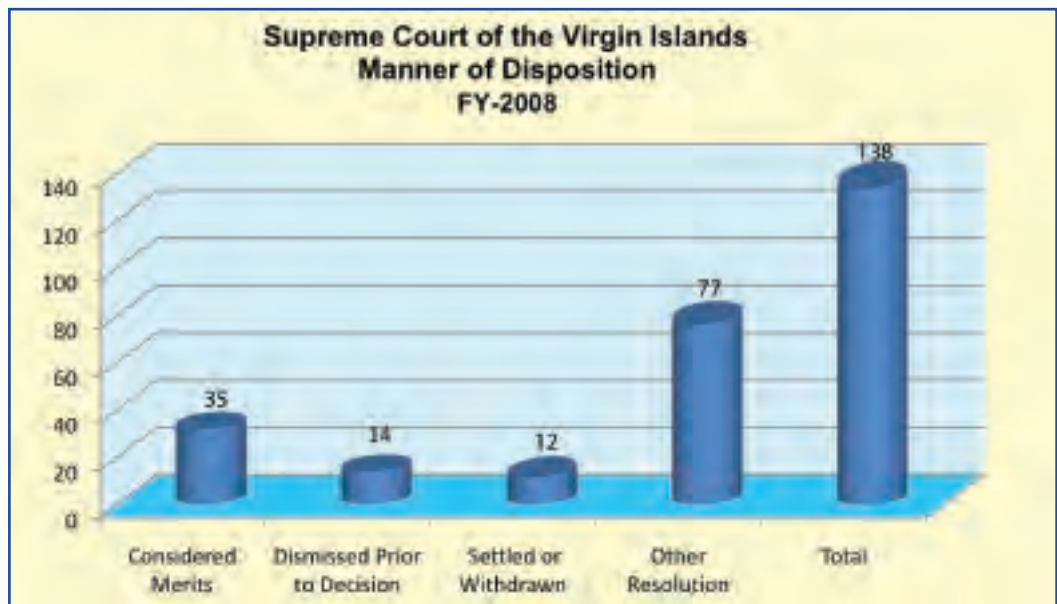


Case Dispositions. The Court disposed of a total of 138 cases during the past fiscal year. Of the number disposed, there were 9 criminal matters, 46 civil matters, 4 administrative agency matters, 6 applications for writs, and 73 bar governance matters.

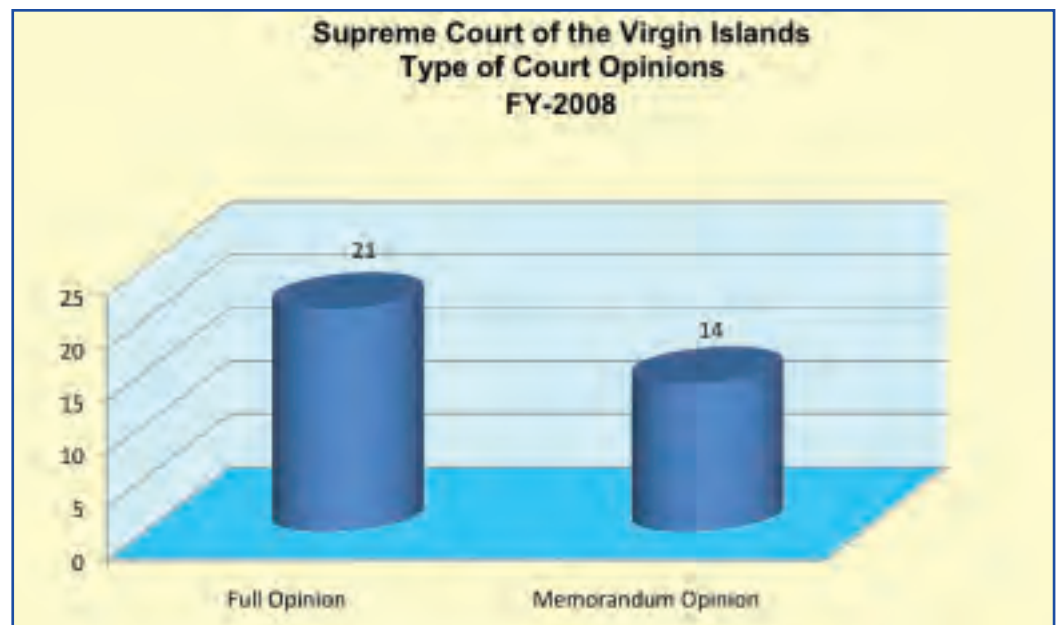


¹ http://www.ncsconline.org/d_research/csp/CSP_Main_Page.html, the website for the Court Statistics Project, which is a joint effort between the Conference of State Court Administrators, the Bureau of Justice Statistics, and the National Center for State Courts—contains a wealth of resources and publications related to court statistics.

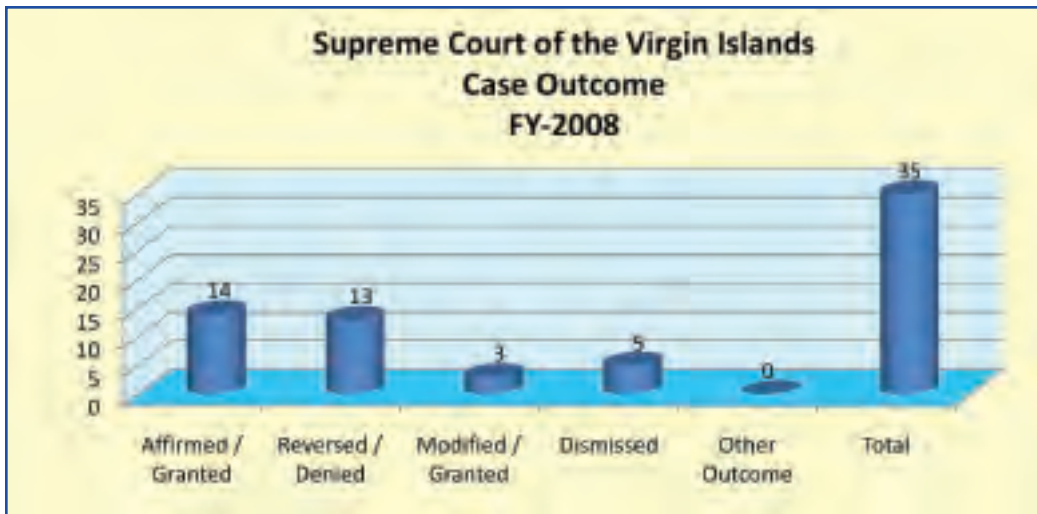
Of the 138 matters for which a disposition was rendered during fiscal year 2008, 35 decisions were rendered where the Court considered the merits of the case, 14 cases where the matters were dismissed prior to decision due to procedural defects, 12 cases where the matters were settled or withdrawn, and 77 cases were otherwise completed, finalized and closed.



Moreover, for the cases that were considered on the merits, there were 21 fully published opinions and 14 memorandum opinions that were issued. Of those cases, oral arguments were heard in 25 cases.

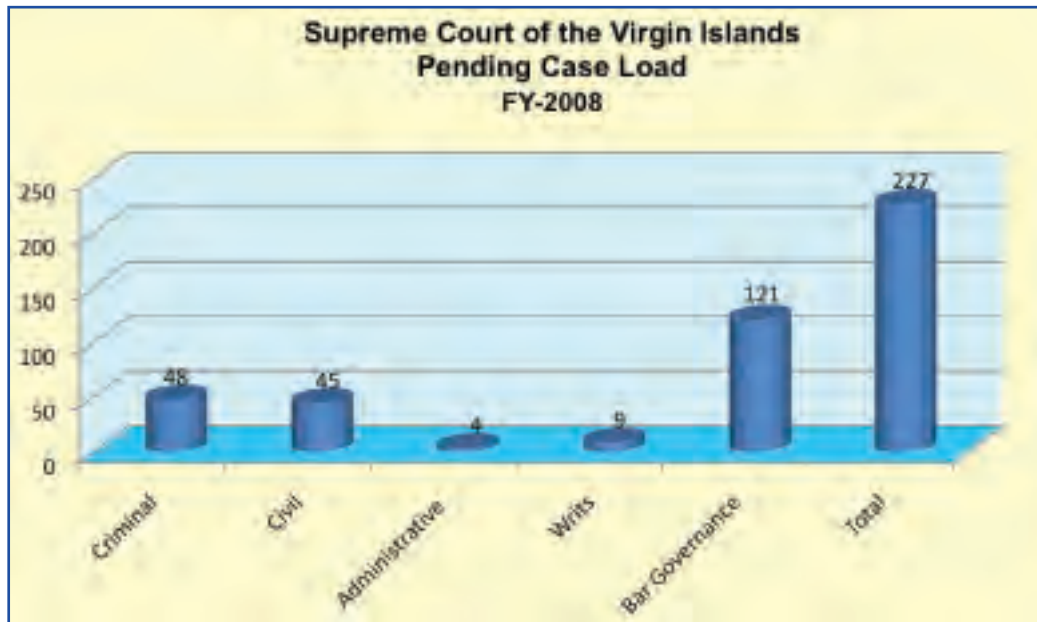


Of the 35 matters that were considered on the merits, the Court affirmed the judgment/order or granted the petition in 14 cases, reversed the judgment/order or denied the petitions in 13 cases, modified the judgment/or order or granted in part in 3 cases, and dismissed 5 cases on procedural grounds.



However, the work of the Court is not limited to case dispositions. The Court is required to decide and rule on many motions and requests for other relief during the pendency of a case on appeal. These orders may be entered by the full Court, a single justice, or the Clerk as provided by the Court's rules. In fiscal year 2008, 238 orders addressing such matters were processed by the Court.

Despite the work of the justices during the fiscal year, 227 matters remained pending at the close of fiscal year 2008, 48 criminal matters, 45 civil matters, 4 administrative agency matters, 9 applications for writs and 121 bar governance matters. It is to be noted that the vast number of bar matters which remain open as pending are not matters which require Court action to terminate. Of the 121 outstanding bar matters, 112 relate to applications for admissions to the bar which can only be resolved when the applicants satisfy the requirements for admission or the application is denied or withdrawn.





ADMINISTRATION OF JUSTICE

The Supreme Court of the Virgin Islands is as strong as the judicial officers and workforce that keep the wheels of justice moving. At the Court, there exist two (2) operational divisions: the Office of the Clerk and the Administrative Office of the Courts.

OFFICE OF THE CLERK

The Office of the Clerk is managed by the Clerk of the Court as appointed by the Chief Justice. Pursuant to 4 V.I. Code Ann. § 31(d)(1), the Clerk of the Court is responsible for the day to day operations of the Office of the Clerk. The Office of the Clerk of the Court maintains the seal of the court, attests all official documents issued by the Court, administers the oaths of office to all new attorneys, issues all certificates of good standing for attorneys, is responsible for the processing of all cases through the appellate process and maintains the official case records of the Court.

With the Court having officially accepted appellate jurisdiction on January 29, 2007, the Office of the Clerk steadily managed the civil and criminal appellate caseload as well as all applications for writs processed during fiscal year 2008. To facilitate the timely handling of all cases, four (4) deputy clerks were hired and trained in appellate court processing. Prior to their hire, the operations of the Clerk's Office were managed by designated clerks, who were essentially personnel serving in other administrative and judicial areas, who performed the clerks' functions on both the island of St. Croix and the island of St. Thomas.

Once a full complement of deputy clerks was achieved, there was yet another shift in the employment of the Clerk's Office. The initial Clerk of the Court for the Supreme Court resigned from the position on February 22, 2008. Thereafter, the Administrative Director of the Court was also designated to act as the Clerk of the Court and served in that capacity through the conclusion of the fiscal year.

Despite these challenges and changes in employment, the Supreme Court remained on course, processing matters unabated, responding to the inquiries of the public and guiding both attorneys and pro se litigants through the processes of this newly established court.

Appellate Mediation Program. Pursuant to V.I.S.C.T. R. 7(c), the Clerk of the Supreme Court of the Virgin Islands serves as the Program Administrator of the Appellate Mediation Program. While a party may request mediation, it is the Chief Justice who determines

which cases shall be referred to mediation. During the fiscal year, two cases were referred to the Appellate Mediation Program under the supervision of the Clerk of the Supreme Court. This mediation program remains an important tool to assist parties in saving the costs of appeal by promptly disposing of appeals short of the full blown appellate process.

Certificates of Good Standing. The Clerk of the Court is also responsible for issuing the Certificates of Good Standing for all attorneys who desire to obtain a license to practice law in the U.S. Virgin Islands or to otherwise validate their status with the Virgin Islands Bar. During fiscal year 2008, 249 attorneys applied for a Certificate of Good Standing, with all applications being granted.

Justices Pro Tem. The Clerk of the Court also facilitates the service of active, senior or retired judges to serve as designated justices in matters in which a current sitting justice has tendered a recusal. To this end, the Clerk of the Court determines in which cases a designated justice is required, contacts the proposed justice pro tem to determine availability, prepares the order of designation and the oath of office, facilitates the assignment of an appellate law clerk and judicial secretary to assist the designated justice, and transmits the pertinent court record, including attendant briefs. Further, the Clerk of the Court coordinates with the Administrative Director to ensure that the designated justices are provided with any necessary supplies and receive compensation upon the submission of vouchers for payment.

During fiscal year 2008, a justice of the Supreme Court recused him/herself in 30 matters. Accordingly, 18 justices pro tem were designated to facilitate the speedy resolution of the pertinent cases.

OFFICE OF THE ADMINISTRATIVE DIRECTOR

Having laid the foundation for case processing in fiscal year 2007, the Supreme Court turned its focus to developing its own administrative infrastructure in fiscal year 2008.

On February 1, 2008, the Supreme Court hired its first Administrative Director, Attorney Glenda L. Lake. Under the guidance of the Administrative Director, the foundation of the administrative processes of the Court began to be developed in the following areas: budgeting and financial management, bar governance, information technology, judicial security, facility management, human resources and procurement.

Budgeting and Financial Management. The first order of business was to establish the Court’s accounting framework and transition all regular operating expenses from the accounting department of the Superior Court of the Virgin Islands. To this end, a senior accounting clerk was hired to assist in the transition and to facilitate day to day financial processes. Thereafter, on April 1, 2008, the beginning of the third quarter of fiscal year 2008, the Supreme Court opened its own bank account, began in earnest to process all invoices for payment, and duly advised the Presiding Judge of the Superior Court of the Supreme Court’s readiness to assume its own financial operations.

In fiscal year 2008, the Supreme Court of the Virgin Islands expended the sum of \$3,696,319, which consisted of funds appropriated for fiscal year 2008 and funds appropriated to the Superior Court for the initial operations of the Supreme Court pursuant to Act No. 6400 in fiscal year 2007, which were available until expended.

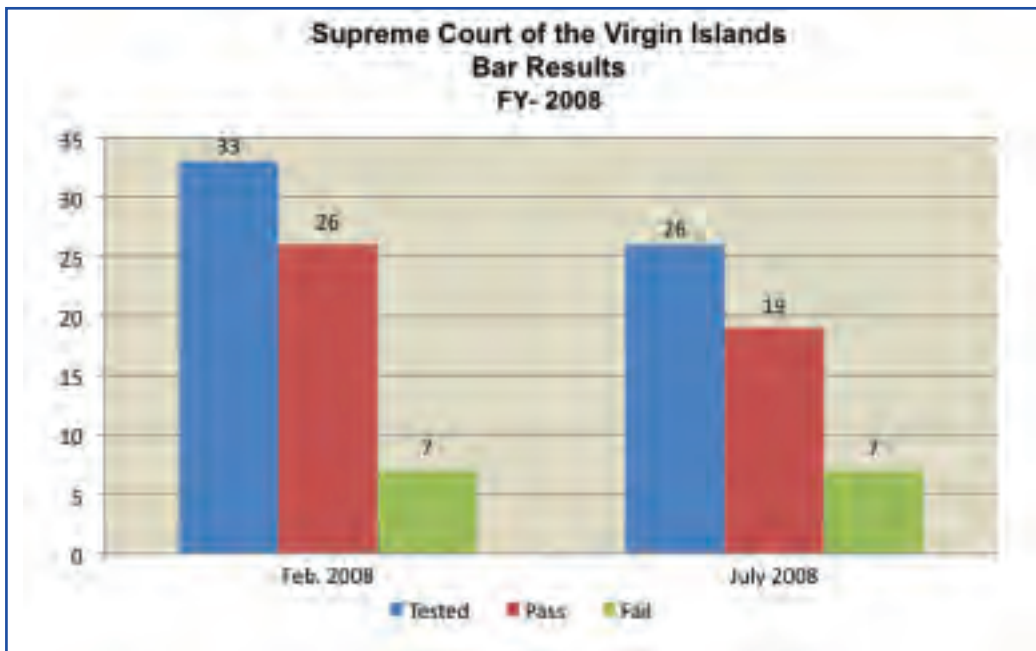
Because only \$3,000,000 was appropriated to the Supreme Court for fiscal year 2008, and said sum amounted to less than half the sum requested by the Supreme Court, the Court was unable to hire the full complement of personnel

necessary for the proper performance of the Court’s duties. The Court, however, made the best of the resources provided but was required to operate under staffed and to utilize the start up funds for operational matters, rather than for the capital projects as initially intended.

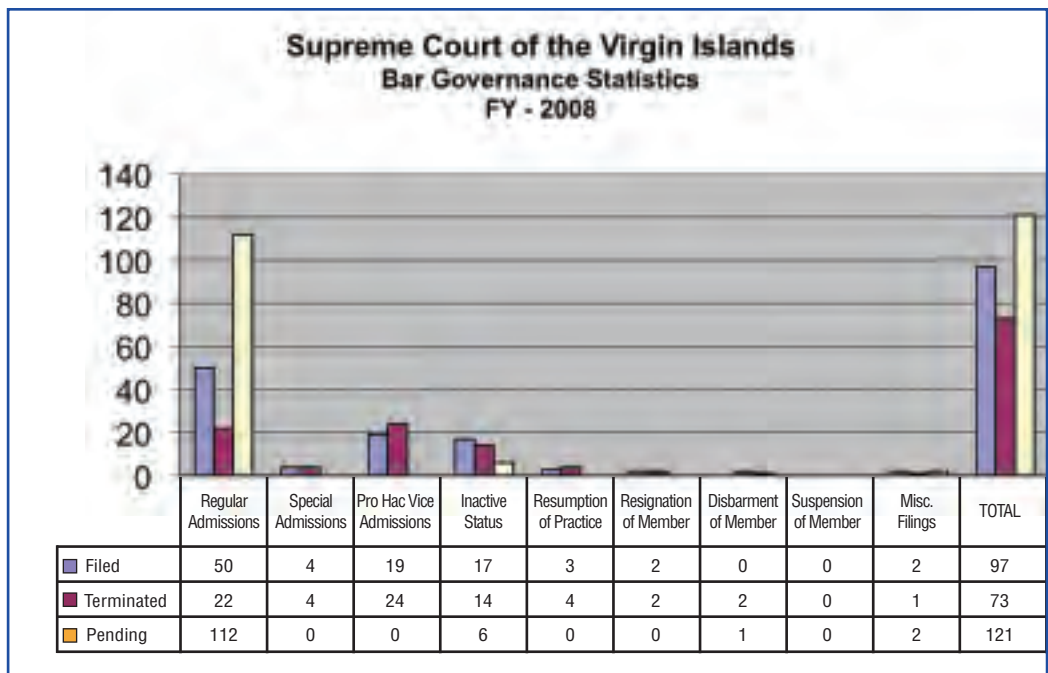
Regulation of the Bar. The Supreme Court of the Virgin Islands has jurisdiction over admissions to the Virgin Islands Bar pursuant to 4 V.I. Code Ann. § 32(e). The Office of Bar Admissions works as an administrative arm of the Supreme Court of the Virgin Islands, together with the Committee of Bar Examiners to assist the Court in the administration of the Virgin Islands investigations, and ascertain the qualifications of all applicants for the admission to the Virgin Islands Bar as established by V.I.S.C.T. R. 204.

The Office of Bar Admissions administered the Multistate Bar Examination (MBE) and the Virgin Islands Essay Examination on February 27-28, 2008 and July 30-31, 2008. In February, 13 applicants sat for the MBE, with 33 sitting for the local essay examination. Further, in July, 11 applicants sat for the MBE, with 26 undertaking the essay examination.

The results of those testing periods are depicted below:



During the 2008 fiscal year, forty (40) new attorneys were admitted as regular members of the Virgin Islands Bar Association; three (3) attorneys were specially admitted to practice law on behalf of agencies in the territory; and nineteen (19) out of territory attorneys were admitted Pro Hac Vice to appear as counsel in specific cases pending before the local courts of the Virgin Islands.



During fiscal year 2008, there was also a required transition of the Office of Bar Admissions. On March 10, 2008, at the critical time immediately following the February 2008 bar exam, the Bar Admissions Office relocated from the Superior Court’s premises at the Alexander A. Farrelly Justice Complex to the Supreme Court’s facilities located at No. 100 Blackbeard’s Hill. During this period of relocation and adjustment, the unit was still able to compile and distribute the testing materials to the National Conference of Bar Examiners (NCBE) and examiners for review and grading and notify the applicants of their test results within a prescribed time frame.

Information Technology. The Division of Information Technology Services was formally established in April 2008 with the hiring of Kevin A. Williams, Sr., Deputy Administrative Director for Technology Services in the St. Croix office. In July 2008, the division added a Computer Support Technician in the St. Thomas office, bringing the total IT staffing to two (2) employees. The division was charged with developing a long-term strategy to incorporate technology into the operations of the Supreme Court.

From its inception in January 2007, the Supreme Court quickly implemented a technological infrastructure capable of supporting the Court’s daily tasks. Today the Court’s technological infrastructure supports the operations on both islands with inter-island communication, email, and the core management and security components included in the infrastructure design. Utilizing all technological means to improve efficiency, key managers are also provided with the ability to work remotely utilizing Virtual Private Networks (VPN) and Blackberry phones.

In fiscal year 2008, the Office of Information Technology worked towards three (3) major initiatives: the development of the Supreme Court’s website, initiating the process for

the procurement of an Appellate Case Management System, and implementing a financial management system.

To this end, in April of 2008, the Supreme Court of the Virgin Islands established its web presence located at www.visupremecourt.org. From the outset, the Court sought to provide not just information but an interactive experience for the public. As such, the Court implemented functionality allowing the public to sign up to electronically receive the latest information published by the Supreme Court. In addition, all opinions, news releases, notices, job postings and procurement solicitations are available to the public on the website. Moreover, all Court forms required by the general public or the legal bar are accessible from the website. The website remains a key and timely component of communication with the public which the Court serves.

Thereafter, the Division of Information Technology Services developed the Request for Proposals (RFP) for the Appellate Case Management System, which was released on July 17, 2008. The RFP included a request for state-of-the-art software to manage the internal caseload, provide electronic filing of case records, and provide public access to court records. Responses to the RFP were

submitted by September 2, 2008, with vendor demonstrations, physical site visits, vendor selection, and contract negotiations scheduled to be completed during the first quarter of fiscal year 2009. It is fully anticipated that the Appellate Case Management System will be brought on-line in the summer of 2009 with public access to case records being brought online shortly thereafter.

In September of 2008, the Office of Information Technology Services facilitated the implementation of the financial management system to record all operating expenditures and facilitate proper financial reporting. In addition, the office assisted the Accounting Division in transitioning from a manual system to an on-line system, conducting the necessary training and orientation as necessary. The financial application joined the web-based inventory system which was implemented in July 2008 to track all equipment and furniture purchased by the Supreme Court of the Virgin Islands.

In addition to these varied initiatives, the Information Technology Division currently supports approximately 5 physical servers, 19 virtual servers, 30 desktop computers, and a host of other supporting equipment and components. The staff actively attends educational courses ranging from networking to database training to facilitate the continued growth of the Court's technological infrastructure.

These technological capabilities are no longer novel to courts across the country. They have become standard practices based on the public expectation and demand for service and access to justice. Therefore, in building the Supreme Court we plan to continue fully integrating technology into all operations of the court. Going forward, the Supreme Court of the Virgin Islands will continue to grow its technological capabilities including redundant communication systems, enhanced statistical reporting and access to information.

Judicial Security. A central obligation of the court system is to provide for the security and safety of its judicial officers, staff and patrons. Towards this end, the Supreme Court, on July 16, 2008, by Promulgation Order No. 2008-02 established the positions of Supreme Court Chief Marshal and Supreme Court Deputy Marshals as officers of the Supreme Court of the Virgin Islands effective August 1, 2008. The primary responsibility of the marshals is to provide security to the justices, employees and patrons of the Supreme Court of the Virgin Islands. On September 8, 2008, the first Chief Marshal of the Supreme Court of the Virgin Islands, Lawrence Walcott, MA, was appointed by the Chief Justice.

Prior to September 8, 2008, Deputy Marshals from the Superior Court of the Virgin Islands provided security and performed other necessary tasks as required. Shortly thereafter, Deputy Marshals were added to the Supreme Court family. The Office of the Supreme Court Marshal then assumed sole responsibility for the safety and security of the Justices, staff, general public and buildings of the Supreme Court of the Virgin Islands.

Facility Management. A sound infrastructure is essential for the Court's successful operation. At the beginning of fiscal year 2008, the Supreme Court moved to its newly renovated premises at No. 18 Strand Street, Frederiksted, St. Croix. Having purchased the two (2) story structure in March of 2007, the Court immediately commenced renovations on the second floor to aptly provide judicial chambers and accommodate both the administrative and clerical staff. The Court intends to renovate the first floor of the facility to accommodate additional court personnel and provide easy access to the facility for court patrons.

Meanwhile, in St. Thomas, the Court remained in the leased premises at No. 1000 Blackbeard's Hill, Suite 10, St. Thomas, Virgin Islands while steadily working to renegotiate the lease at No. 161B Crown Bay. Having successfully convinced the Virgin Islands Port Authority to reduce the amount of rent on the facility from \$371,000 to \$231,000 per year given the Court's anticipated investment in the property, the Court immediately proceeded to finalize its plans to renovate the facility and issued a Request for Proposals to qualified firms to complete the work at the end of fiscal year 2008. Said plans included a layout that includes judicial chambers for three (3) justices and one (1) justice pro tem and offices for both the clerical and administrative staff. More importantly, the renovated facility is scheduled to contain a small state of the art courtroom, which will reduce the Supreme Court's reliance on other court facilities for the hearing of oral arguments. It is contemplated that the facility will be completed and available for use in the last quarter of fiscal year 2009.

Human Resources: Professional and educational development remains at the heart of efficient performance. Although inadequate funding proved to be a challenge, the Supreme Court invested in training initiatives for the justices, officers and employees of the Court. In fiscal year 2008, representatives from the Court participated in the following educational conferences: the Conference of Chief Justices Mid-Year Meeting, the Conference of Chief





Justices and the Conference of State Court Administrators Annual Meeting, the Third Circuit Court of Appeals Judicial Conference, and the National Conference of Bar Examiners Annual Meeting.

In addition, the Chief Justice and the Administrative Director both attended the Role of State Court Leaders in Supporting Public Policy that Affects the of Justice seminar sponsored by the Pew Center on the States and the National Center for State Courts. This seminar brought together the Chief Justices from 28 jurisdictions, and their attendant State Court Administrators, to discuss the role that judicial leaders may play in advancing public policy in their states and localities.

Further, the deputy marshals assigned to the Supreme Court received certification in Courtroom Security, the accounting clerk received certification in Payroll Law, while all law clerks and attorneys employed by the Supreme Court received continuing education training in Appellate Practice sponsored by the Bar Association of the Third Circuit Court of Appeals.

JUDICIAL OUTLOOK

The judiciary of the Virgin Islands and the Supreme Court, in particular, are at a great place in history. Virgin Islands appellate jurisprudence is being created, appeals are being heard in a timely fashion, and opinions are released regularly. All these factors ensure that the public and the bar are receiving prompt service from this very young court.

Yet, there is still more to be done. The Supreme Court intends to pursue several initiatives within the coming year that will facilitate continued improvement not only within the Court but within the judiciary and the community at large.

Appellate Case Management System

The Court will complete the implementation of its Appellate Case Management System which will facilitate improved case processing, provide public access to court records and the docket, and introduce electronic filing as a new business process within the local judiciary.

Appellate Case Performance Standards

Accountability is a necessary component to ensuring an independent judiciary. The Supreme Court will implement Appellate Case Performance Standards, establishing performance benchmarks for the processing of cases within specific timeframes. In doing so, it hopes to communicate to all stakeholders, the bar, the bench, and the public, that the judiciary is

committed to implementing processes that will ensure that it remains responsive to its statutory mandates.

Supreme Court Strategic Plan

In order for any organization to succeed, the members of the organization must develop pertinent objectives that guide the organizational culture so that all interested members may share in the responsibility of achieving the established objectives. The Court, working with the National Center of State Courts, will develop a strategic plan to develop a framework for court operations for the next five (5) years. In addition, the Court will begin working with the Superior Court and other stakeholders to develop a strategic plan for the judiciary of the Virgin Islands.

Community Outreach

A recent study commissioned by the National Center of State Courts on the public's perceptions of the three (3) branches of government, entitled *Separate Branches, Shared Responsibilities: A National Survey of Public Expectations on Solving Justice Issues*, established that the more knowledge citizens have about the judiciary, the greater the public's trust and confidence in the judiciary.²

The public's trust and confidence is a necessary component of the judiciary's success. Therefore, the Court will endeavor to develop a comprehensive community outreach campaign where the justices, administrative officers of the Court, and members of the bar join to educate the public about the role of the judiciary in various forums, including local schools, thereby educating the public and increasing the public's trust and confidence in the judiciary.

Finally, the Supreme Court will be working during the next fiscal year to prepare for the Conference of Chief Justices Mid-Winter Meeting, which is scheduled for January 30, 2010 through February 3, 2010. The Supreme Court of the Virgin Islands will be serving as the host of this event, which will not only increase the stature of the Virgin Islands judiciary among other state judiciaries throughout the country, but will also promote the Virgin Islands and all that our beautiful shores have to offer.

² *Separate Branches, Shared Responsibilities: A National Survey of Public Expectations on Solving Justice Issues was Commissioned by the National Center for State Courts, conducted by Princeton Survey Research Associates Intl., and published in April of 2009.*



SUPERIOR COURT OF THE VIRGIN ISLANDS

HISTORY OF THE SUPERIOR COURT

GEOGRAPHIC ORGANIZATION

LEGAL JURISDICTION

ORGANIZATIONAL STRUCTURE

CASE FILINGS AND RESOLUTION

ALTERNATIVE MEASURES

OFFICE OF PROBATION

PRETRIAL INTERVENTION PROGRAM

PERSONNEL

COURT IMPROVEMENT MEASURES FY08

REVENUE COLLECTIONS

INTERAGENCY COOPERATIVES

GOALS FY09



It is the mission of the Superior Court of the Virgin Islands to protect the rights and liberties of all, interpret and uphold the law, and resolve disputes promptly, peacefully, fairly and effectively in the United States Virgin Islands. The Superior Court meets this mandate by providing an optimum level of service to all while maintaining the highest level of integrity, confidentiality, and public trust in the administration of justice regardless of race, religion, sex, nationality, or creed.

HISTORY

The Superior Court of the Virgin Islands can be traced to the establishment of Police Courts in the territory situated in the towns of Charlotte Amalie, St. Thomas, and in the towns of Christiansted and Frederiksted, St. Croix. The three Police Courts were later replaced by the two Municipal Courts, which were then consolidated into one Municipal Court. In 1976, the Municipal Court of the Virgin Islands became known as the Territorial Court of the Virgin Islands. On January 1, 2005, the name of the Territorial Court changed to the Superior Court of the Virgin Islands pursuant to Act No. 6687, amending Section 2 of Title 4 of the Virgin Islands Code.

GEOGRAPHIC ORGANIZATION

The Superior Court of the Virgin Islands is divided into the following two Judicial Districts: District of St. Thomas and St. John and the District of St. Croix. In the District of St. Thomas and St. John, the Court is located at the Alexander A. Farrelly Justice Center, St. Thomas, Virgin Islands. In the District of St. Croix, the Court is located at R. H. Amphlett Leader Justice Complex, Christiansted, St. Croix, Virgin Islands. The Court also has an operational facility located in Cruz Bay, St. John, at Boulon Center. Currently, there are five judges in the District of St. Thomas and St. John and four judges in the District of St. Croix. With the scheduled implementation of the Magistrate Division during Fiscal Year 2009, the judicial staff will be complemented by two (2) magistrates in each judicial district.

LEGAL JURISDICTION

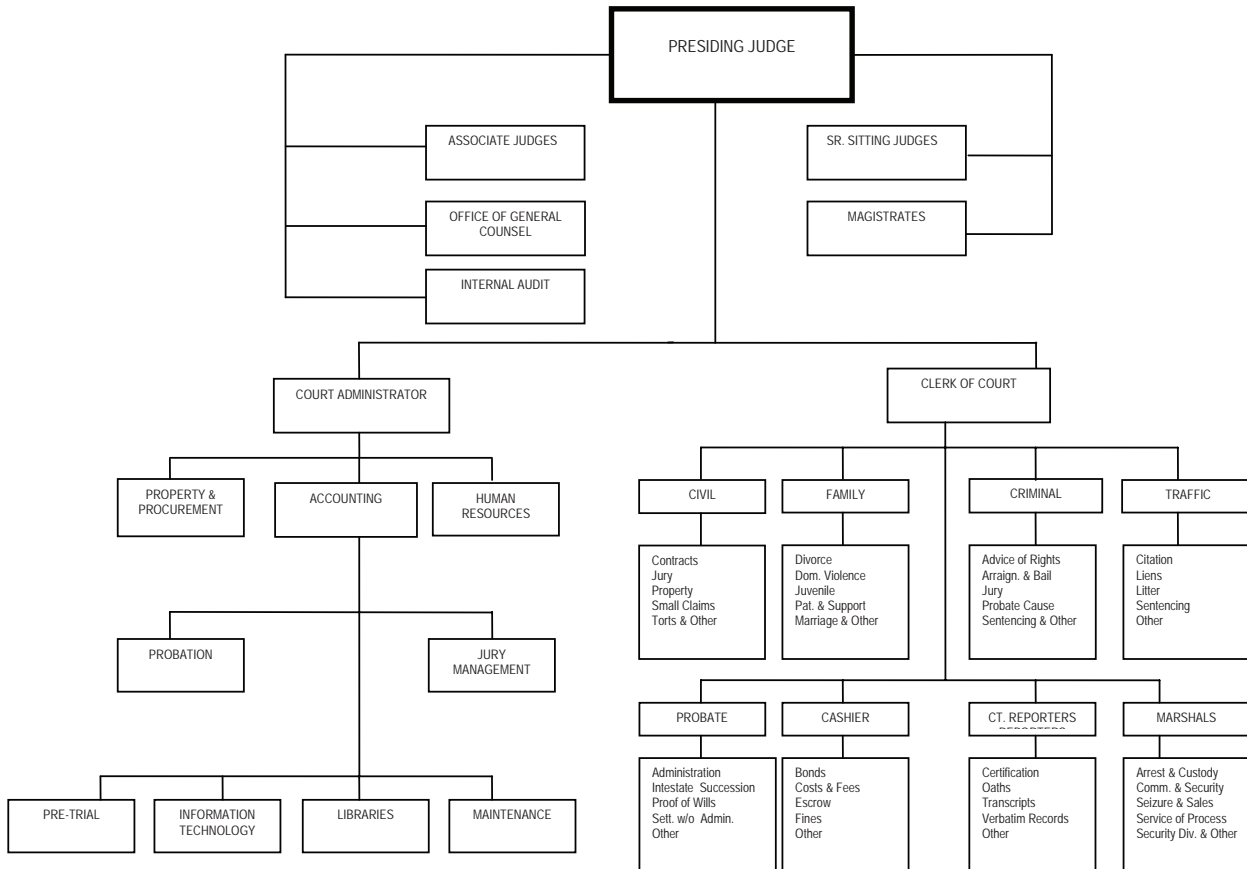
The Superior Court of the Virgin Islands has original jurisdiction over all criminal and civil cases. This extends to the award of damages, personal injury, contract, malpractice, property, small claims and landlord tenant matters. The Court's jurisdiction to hear criminal matters extends to misdemeanors, felonies, traffic, and litter violations. Further, this Court is also charged with resolution of family and estate disputes, such as divorce, custody and neglect, juvenile and probate filings. In addition to its original jurisdiction, the Superior Court also serves as an appellate court in reviewing the decisions of local administrative agencies.

ORGANIZATIONAL STRUCTURE

The Presiding Judge serves as the administrative head of the Court and is supported in those duties by another judge designated as the Administrative Judge. The Court has two central divisions to carry out the mandates of the Presiding Judge: the Operational Division and the Administrative and Support Division.

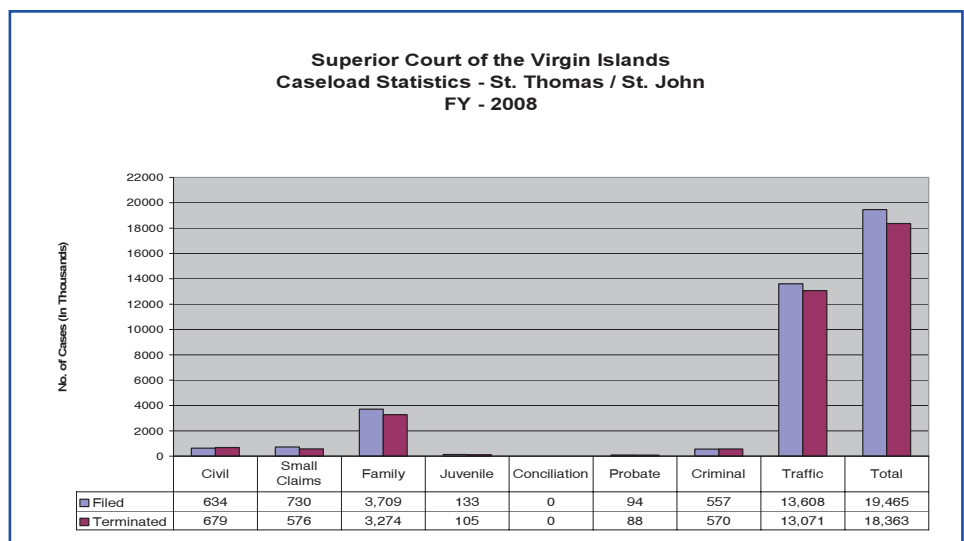
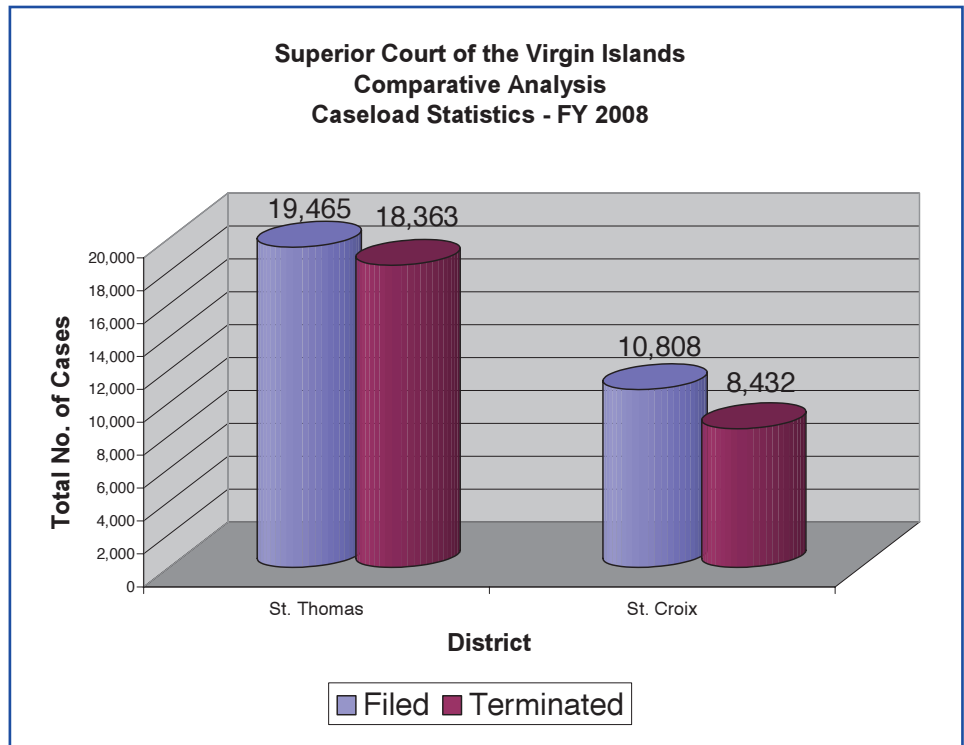
The following divisions fall within the Operational Division: Criminal Division, Civil Division, Jury Trial, Cashier Division, Probate Division, Family Division, Traffic Division, Court Reporting Division, Marshal's Division, Security, and Receptionists/Switchboard Operators. The Administrative and Support Division includes: Property and Procurement Management, Pre-Trial Intervention Program, Office of Probation, Jury Management, Human Resources, Information Technology, Accounting, Library and Maintenance. The Operational Division is headed by the Clerk of the Court, and the Administrative and Support Division is headed by the Court Administrator. Both the Clerk of the Court and the Court Administrator are subject to the overall authority of the Presiding Judge.

SUPERIOR COURT OF THE U.S. VIRGIN ISLANDS
ORGANIZATIONAL CHART

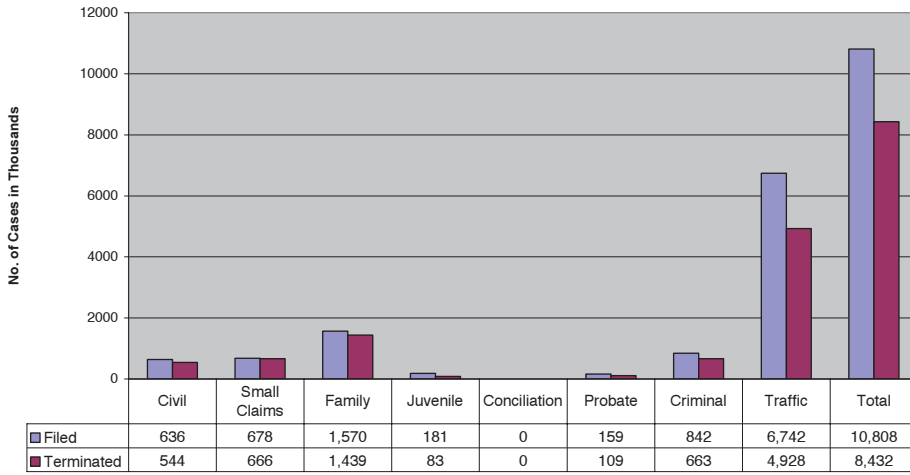


CASE FILINGS AND RESOLUTION

Providing a fair and impartial forum for the resolution of legal disputes is the primary mission of the Superior Court. As the local tribunal of general jurisdiction, the Superior Court continues to strive to satisfy this fundamental obligation to the Virgin Islands community by providing expeditious delivery of services, without unnecessary delay, thereby ensuring that every citizen is afforded an opportunity to have full consideration of their disputes in the most efficient manner possible. In keeping with this mandate, the Court in FY 2008 resolved cases in numbers almost comparable to new filings, as reflected in the charts below. The Court accepted 30,273 new filings territory wide and resolved 26,795 cases. Of the various case types filed with the Court, Traffic and Family cases continue to constitute the largest number of filings in both judicial divisions of the Court and, concomitantly, account for the largest number of case terminations.



**Superior Court of the Virgin Islands
Caseload Statistics - St. Croix
FY 2008**

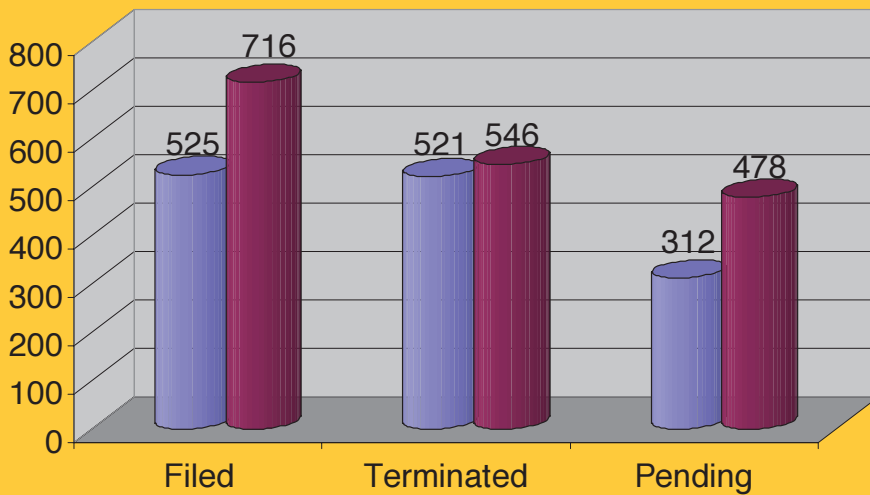


CRIMINAL CASES

Of the cases filed with the Court, criminal matters constituted approximately five (5) percent of the filings in FY 2008. However, such filings are also among the case types that must be given priority and resolved as expeditiously as practicable. The Court continues to meet its goals in that regard, as reflected in the chart below. In FY 2008, the Superior Court terminated as many cases as were filed in the St. Thomas-St. John Division. In the St. Croix Division, the Court accepted approximately 27 percent more criminal filings than that made in the St. Thomas-St. John District. It must be noted, however, that the St. Croix Division also resolved an equivalent of 75 percent of the cases filed. Despite the consistently high termination rates during FY 2008, the data reflects criminal cases which have remained pending over time.

**Statistical Summary
Criminal - FY 2008**

■ STT ■ STX

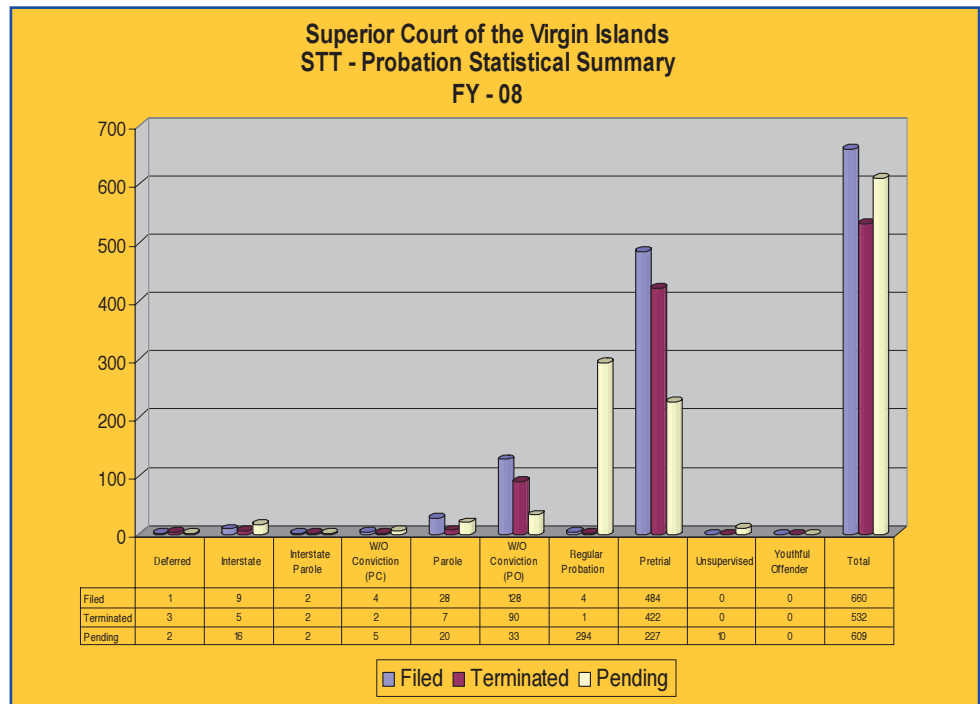
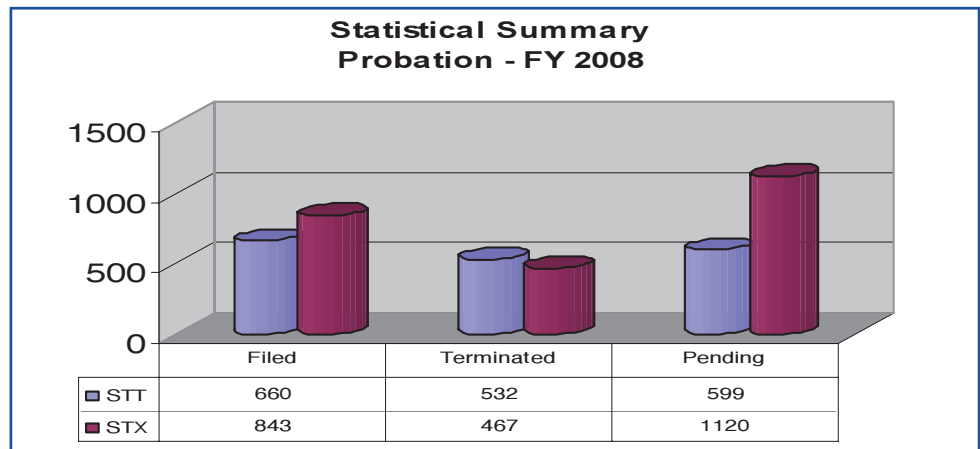


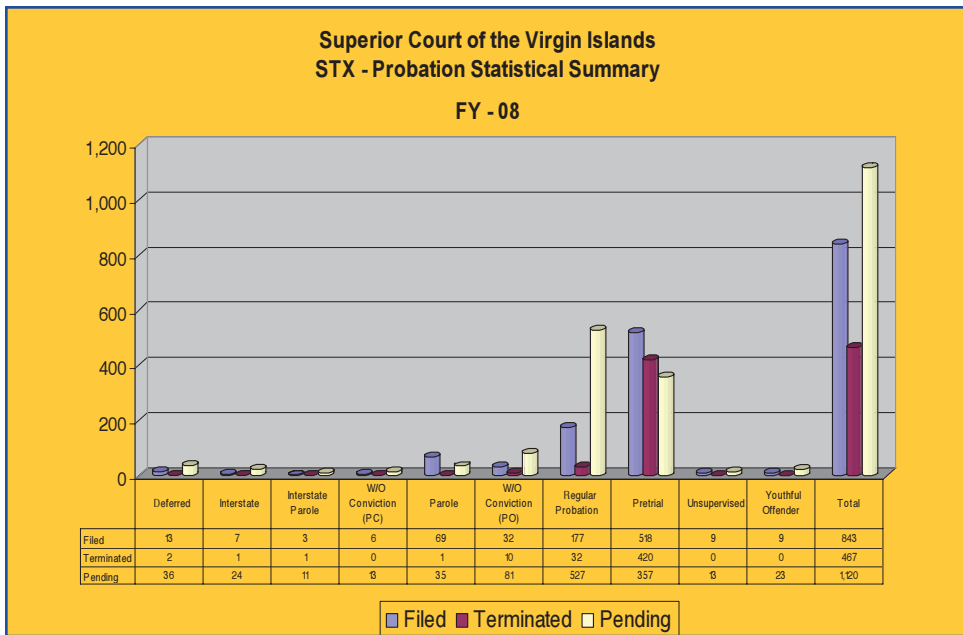
ALTERNATIVE MEASURES, MONITORING, PREVENTION AND REHABILITATION

As part of, and in addition to, its traditional case resolution methods, the Superior Court also employs measures to address the criminal defendants in an individualized manner, as the facts and circumstances may warrant, through its Office of Probation and Pre-Trial Intervention Program (PIP).

OFFICE OF PROBATION

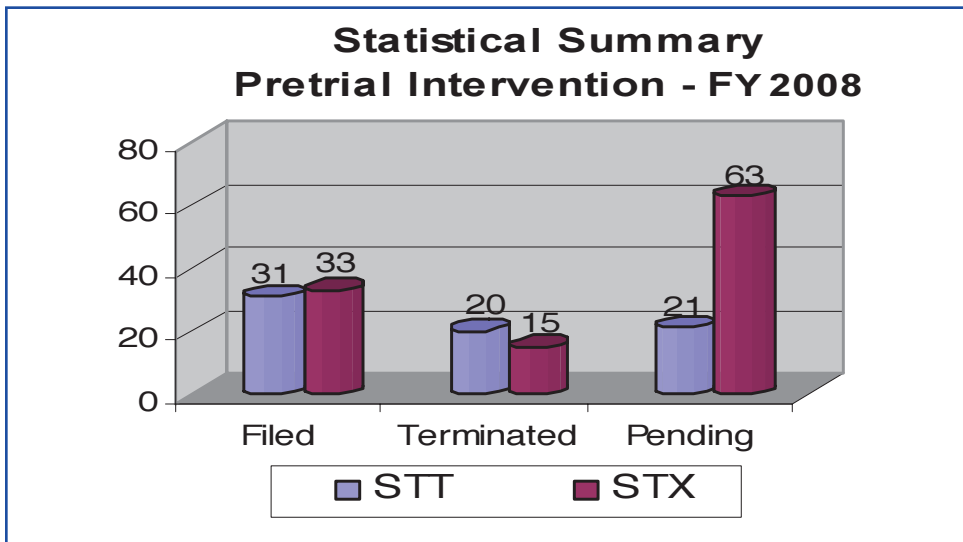
The Office of Probation is charged, primarily, with the monitoring and assessment of criminal defendants, both pre- and post-trial, to assist judges in determining an appropriate sentence that will meet the rehabilitative needs of the defendant, while at the same time assuring the safety of the victims and the community. This Office further aids the Court in achieving the rehabilitative goals, by providing counseling, surveillance and verification of activities of defendants with the aim of assisting offenders in avoiding further involvement with the criminal justice system. The responsibilities of the Office of Probation include: assessment and monitoring of probationers and parolees, as well as monitoring of out-of-state defendants in the Virgin Islands under the Interstate Compact. In that regard, the Office of Probation handled over 1300 matters within its jurisdiction and concluded 999 matters.





PRETRIAL INTERVENTION PROGRAM

In addition to its criminal prosecutions and monitoring efforts through the Office of Probation, the Superior Court maintains a Pre-Trial Intervention Program (PIP), which has two primary functions: Diversion of first time offenders of non-felonious allegations, and Intervention and Prevention, through its juvenile delinquency prevention program. The Pretrial Intervention Program has been in existence since 1978. This program was established, in accordance with Title 5, Section 4611, et. seq., of the Virgin Islands Code, and provides for intervention to divert non-felonious offenders from prosecutorial action for a time 14 certain, while mandating Court-monitored activities. This program is intended to provide a means of alleviating the burden on the Court's calendar of cases and to further the rehabilitative goals of the criminal justice system, with the aim of restoring an offender as a fully-functioning member of society. Thus, the Pretrial Division provides a cost-effective means of supervising defendants in the community while guiding them to comply with the conditions set by the Court and encouraging reintegration as law-abiding citizens of the community. The table below reflects the caseload of the PIP in FY 2008, in its diversionary functions.



The other important component of PIP is its intervention and prevention function, which seeks to prevent youngsters from falling into the criminal justice system by offering positive outlets. The most significant program of the Court in that regard is the Rising Stars Steel Orchestra.



RISING STARS YOUTH STEEL ORCHESTRA

The Superior Court Rising Stars Youth Steel Orchestra represents a unique and successful “school drop-out and juvenile delinquency prevention program.” With the mission of utilizing music to instill discipline, culture and academics into the lives of many young people, the Rising Stars program is now celebrating 27 years of existence on the island of St. Thomas. The Rising Stars Program continues to be a “home away from home” for many young people and continues to receive many accolades from the community and abroad. In addition to learning the art of playing the only musical instrument created in the 20th Century – the steelpan, members are also introduced to many academic opportunities, rap sessions, college matriculation workshops, career planning sessions, and educational trips. The initial Summer Steelband Program began in 1980 where students were taught the basic knowledge importance of team-work, in addition to compliance of the established rules and regulations. The students were also required to comply with basic rules and regulations of the program, such as, no drug use, no drinking, no disruptive play and no obscene language. At the end of every marking period, the students were required to submit their report card for review. Those students who received grades of below 70% were suspended from rehearsal. With the volume of students requiring academic assistance, the Tutorial Program was developed and continues to be a valuable part of the Rising Stars Program. With the Program’s popularity and increase in membership, the Orchestra increased its staff with the support of the Governor and the Legislature, and continues to have the full support of all segments of the community

On the island of St Croix the enrollment for the program remained the same in FY 2008, since it was not a recruitment year. The following is a breakdown of our members, by grade and school type:

Grade	Public School	Private/ Parochial School	Total
5th Grade	1	1	2
6th Grade	5	6	11
7th Grade	5	6	11
8th Grade	6	5	11
9th Grade	15	1	16
10th Grade	9	1	10
11th Grade	4	2	6
12th Grade	4	1	5
Total	49	23	72

During FY 2008, on the island of St. Thomas, the Rising Stars Program members totaled 190 members. This included more than 80 members who entered the program in the summer of 2007. A total of forty-nine members, or 25%, were elementary school students; fifty-five members, or 29%, were middle school students; and, eighty-seven members, or 46 %, were high school students. Additionally, forty- two (22%) of our total membership attended private or parochial schools; and, the remaining 148 (78%) attended public schools.

The breakdown of the Rising Stars members in the St. Thomas-St. John District during FY ‘08, by grade and school, was as follows:

Grade	Public School	Private/ Parochial School	Total
4th Grade	02	01	3
5th Grade	26	05	21
6th Grade	15	10	25
7th Grade	20	04	24
8th Grade	18	12	30
9th Grade	34	07	41
10th Grade	17	01	18
11th Grade	11	02	13
12th Grade	14	01	15
			190 Members

PERSONNEL

In FY 2008 there were 183 allotted staff positions in the Operational Division. However, all sectors of the Operational Divisions was plagued with staffing shortages, having started the fiscal year with 13 vacancies on St. Thomas-St. John and 18 on St. Croix, as determined by budgeted positions. Given concerns for fulfilling our statutory mandates and accommodating the impending Magistrate Division, the Operational Division established the goal of bringing each division up to full staffing by filling all existing vacancies. Some strides were made in that regard. However, while several vacancies were filed; others were created by retirement, resignations/terminations and promotions. As a result, similar vacancy levels remained in the Division at the end of the fiscal year.

Additionally, the Operational Division was forced to create or add positions in line with the increased manpower needs expected by the Magistrate Division. This is particularly true on St. Thomas, where that division will be located off-site, at Barbel Plaza, and will require some duplicated services. In that regard, six new Marshal positions are contemplated on St Thomas, along with six new security positions; on St. Croix five new Marshal positions and two new security positions are contemplated. Efforts

to fill those positions were undertaken in FY 2009 and are ongoing. New positions in other areas of the Operational Division to account for the newly formed Magistrate Division are limited, at this time, to: Court Reporting Monitors in each district, Court Reporters (St. Croix District), and a Clerk/site supervisor on St. Thomas. These positions are expected to be fully executed during the current fiscal year. Staffing assessments will be undertaken within six months after implementation of the Magistrate Division, to determine whether current level staffing levels are proving adequate. The Administrative and Support Division had 132 allotted staffing positions in FY 2008. That division similarly faced staffing shortages in FY 2008 and continues to work toward bringing all sectors up to full staffing.

TRAINING

During the fiscal year, the following training opportunities were provided to Court staff, and additional opportunities that serve to develop the individuals and the operations of the Court are constantly being sought:

IN-HOUSE OR ON-ISLAND TRAINING

1. **Annual Training:** Staff and Supervisors were provided training in various areas, according to their functions, to include Sexual Harassment, Effective Supervision and interacting with, and motivating, employees, personal financial management, Court Security, Customer Service and Change Management.
2. **Court Security Training:** In-house training provided to all staff to increase awareness and vigilance in court security
3. **Courtroom Operations/Procedures:** Ongoing training provided to Court Clerk I's to prepare them for eventual promotions to courtroom clerks.
4. **Identifying Counterfeit Currency:** Training provided by the V.I. Police Department, Office of Insular Investigations, to all money collectors/handlers
5. **Civil/Small Claims:** Staff members of the Clerk's Office, Civil/Small Claims Division (St. Croix) were provided training in civil actions, process and procedures, presented by a local attorney.
6. **Supervisor:** One supervisor attended training in Conflict Resolution at the University of the Virgin Islands

OFF-ISLAND TRAINING:

1. **Interpreters Training:** Interpreters traveled to Arizona to obtain training and improve their skills in interpretation of court proceedings.
2. **Traffic:** Two employees traveled off-island to attend the ABA Judicial Division Committee on Traffic Court conference, which provides training for court managers and Traffic Court employees regarding improved case processing and operations.
3. **Communications:** Several staff members from both districts attended training on St Thomas, including:
 - Communicating with Diplomacy and Professionalism
 - Effective Performance management
 - Business Writing and Grammar Skills Made Easy
4. **Supervisors/ Manager(s):** A manager was afforded the opportunity to obtain training in the following areas: Managing Court Finances, Establishing Court Performance Standards, and Managing Court Technology
5. **Information Technology:** IT employees attended court technology conference

Additional internal training opportunities were also provided. On St. John, our clerk assigned to that island was trained, over the course of several weeks, to handle/process Civil/Small Claims and Traffic cases from inception to conclusion, thus greatly reducing the need for a St. Thomas clerk to travel to that island to accomplish those tasks, and obviating the need for case processing to be handled remotely. Prior to that change, the clerk's function on St. John was limited to case intake, and all processing was forwarded to St. Thomas, which proved inefficient. Additionally, supervisor(s) in need of training were permitted to travel to the other district to obtain training/mentorship by their counterpart.

FY 2008 COURT IMPROVEMENT MEASURES

The Court started the fiscal year by undertaking an assessment of each of its working areas. Areas of deficiency and priority were noted during that assessment and performance goals developed. In FY 2008, improvements and development projects in specific areas, to improve the efficiency and effectiveness of operations of the Court, were based on those assessments, as indicated below.



EVIDENCE ACCOUNTABILITY PROJECT

Our evidence rooms currently contain hundreds of items of evidence or exhibits in cases dating back to at least 1980. Many cases have long been resolved. Concerns about the effectiveness and efficiency of our methods of storing such evidence, the Division undertook to improve that area. The project was approached in several phases: a) Organization, b) Accounting, c) Research and Verification, d) Reduction. The first and second phases required the classification and organization of evidence by case type and case number. Other improvements were made to the physical storage site to improve integrity and accountability of the process. An evidence catalog and improved logging procedure was also instituted. Phases 1 and 2 of the project have been completed. The Research and Verification and Reduction phases, which involve a determination of terminated cases and the completion or exhaustion of post-trial proceedings in each instance, and implementation of a procedure to return evidence to its originator, are ongoing and are pending receipt of a legal opinion. Completion of this project is slated for FY 2010.

STANDARD OPERATING PROCEDURES

To address the void in operating procedures, a project was initiated to develop standard operating procedures for each division. That project has been ongoing and is substantially completed and currently in the initial review stage. Completion is slated for FY 2009.

CASE FILES/RECORDS ACCOUNTABILITY AND MAINTENANCE

In FY 2008, the Court initiated several measures to improve its storage, archiving and integrity of case records. Those measures are ongoing.

STORAGE /ARCHIVING

The Clerk's Office is the official repository of all documents filed with the Court and, pursuant to title 4, section 87 of the Virgin Islands Code, is required to retain all such records unless otherwise electronically or by other means reproduced/archived. Given this mandate, and in the absence of an alternative archiving system, the Court continues to hold, in storage, files dating back decades, including. Needless to say, this has resulted in a large and increasingly

growing need for storage space. In FY 2008, the Court obtained additional storage space on St. Thomas from the central government, which permitted us to relocate thousands of case records from Barbel Plaza to a new facility in Sub Base. Additional storage space was subsequently leased from the government. This change paved the way to transform our former storage facility in Barbel Plaza 23 to an annex that will serve as the Magistrate Division of the Court. On St. Croix, an assessment was undertaken to reorganize our existing storage model, to increase efficiency and protect the integrity of documents. That process is underway. During fiscal year 2008, the Family Division, through the assistance of local archivist, began the project of digitizing and preserving marriage records dating from 1887 through 1953. That process is ongoing. Our storage assessment and reorganization plan will address our immediate needs. However, we need to – and intend to – look forward by investigating alternative electronic archiving methods that would obviate the need to maintain such large storage facilities and reduce the costs therefor. In that regard, the Court has begun the process of researching available means of electronically storing its records.

SIMULTANEOUS DOCKETING

To address concerns for case file integrity, the Court has begun implementation of a simultaneous docketing procedure that assures that all documents filed with the Court are maintained in the respective case file and that removal of any documents are readily determined/ detected. This process requires file verification at the inception of the case process, rather than at its conclusion, as was the prior practice. This process, when fully implemented, would also reduce delays in forwarding case information to the appellate forum, upon the filing of an appeal. This process entails several phases, which are scheduled to be completed in FY 2009.

CASE MANAGEMENT

Improving the integrity and accountability of our case records also implicates our Case Management practices. In that regard, the Court in FY 2008 undertook to upgrade its existing case management system (CMS) and to assess its continued viability.

CMS Upgrade

In January 2008, our case management system, eNact, was upgraded to its current version, 6.5. This was the last update to be applied to our system. With no technical support from the system's manufacturer being available, the

service of two programmers was enlisted to assist with maintaining day to day operation of eNAct.

CMS Search

Given the absence of technical support to maintain its existing system, and the continuous failures and ineptitudes and inefficiencies of this partly automated system in maintaining its growing dockets, the Court also made a determination to begin the search for a new CMS system that is fully expandable and suitable to the needs of a contemporary Court. During 2008, the first phase of this replacement effort was initiated. In that regard, technical pre-screening of various systems was conducted, and a needs specification report generated, to guide the search process. Moreover, a Case Management Selection panel has been established toward identifying a viable replacement. The selection process is slated for completion in FY 2010, although full implementation of a new product may extend into the following fiscal year.

ERP CONNECTIONS

The Court has completed the upgrade of the Vision ERP client computer programs that connect to the Virgin Islands Finance Department's ERP payroll system. Completion of this project is expected to improve the timeliness and delivery of accounting services.

MARSHAL'S PROCESSES

The processes and procedures followed by the Marshal Division in the execution of writs and auctions continue to be reviewed and improved upon. New procedures were developed in the course of the fiscal year to address deficiencies in that regard. One such major improvement was the development of cooperatives with other executive branch agencies to obtain access to databases for the purpose of confirming ownership information, and improvement in procedures requiring record searches at the appropriate agency and supervisor reviews. One such cooperative is with the Bureau of Motor Vehicles, which provided access to its database, permitting Marshals to conduct vehicle registration searches on-site, thereby improving efficiency and accuracy of service.

DIGITAL COURT REPORTING

The process of expanding out Court Reporting Division and contemporizing its functions began in FY 2008. The Court, in FY 2008, began exploration of digitalized court reporting, to provide flexibility for the scheduling of non-jury matters. Accordingly, after conducting

research regarding various available products, the Court facilitated on-site presentations and demonstrations of two products. A staffing plan and draft job descriptions for newly created positions were also provided, to provide for Court Monitors to man the new systems and provide transcriptions under the direction of the court reporting supervisor. Subsequently, the 26 procurement process was initiated, and the Court contemplates full implementation of digitalized reporting during FY 2009

REVENUE COLLECTIONS OFF-SITE LOCATIONS

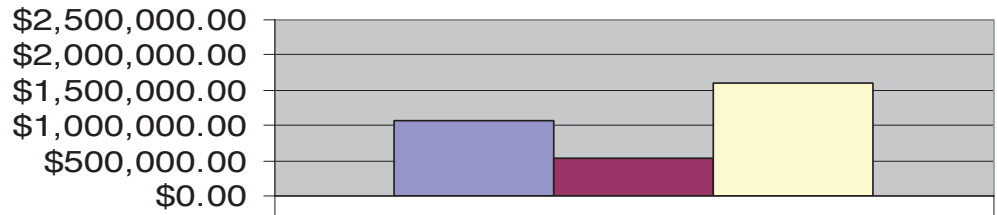
The Court continues to operate an off-site location of its Cashier functions at the Bureau of Motor Vehicles (BMV) on St. Thomas and St. John. However, in FY 2008, the Cashier station at the BMV on St. Croix was officially closed until further notice, to permit that agency the full use of the facility. Plans are underway to relocate these services as the BMV develops its facilities.

REVENUES AND RECEIVABLES

Given the large mandate of the Cashier Division, to collect and account for all revenue collections, the Court continued in FY 2008 to review the procedures in this division and, during the fiscal year, implemented new procedures in several areas to improve accountability. This has included assessments of accounts and deposits for accuracy and compliance with law. This review process is ongoing and includes review and implementation of improved technology to increase efficiency in operations. However, in FY 2008, the Cashier Division collected revenue in both districts, arising from Civil, Family, Criminal, Probate, Traffic, Probation and other miscellaneous matters. Such revenue collections were in excess of \$ 1.6 million, which was down slightly from FY 2007. The Court is also reviewing its procedures for accounting for outstanding receivables. The revenue collections and outstanding receivables for FY 2008 are represented in the charts that follow.

Superior Court of the Virgin Islands

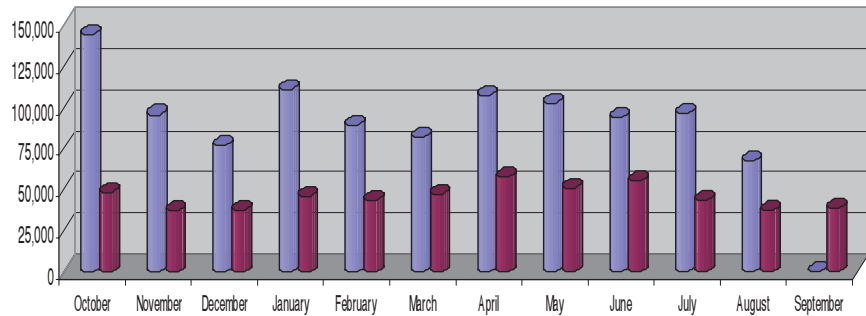
Revenue Collected - FY 2008



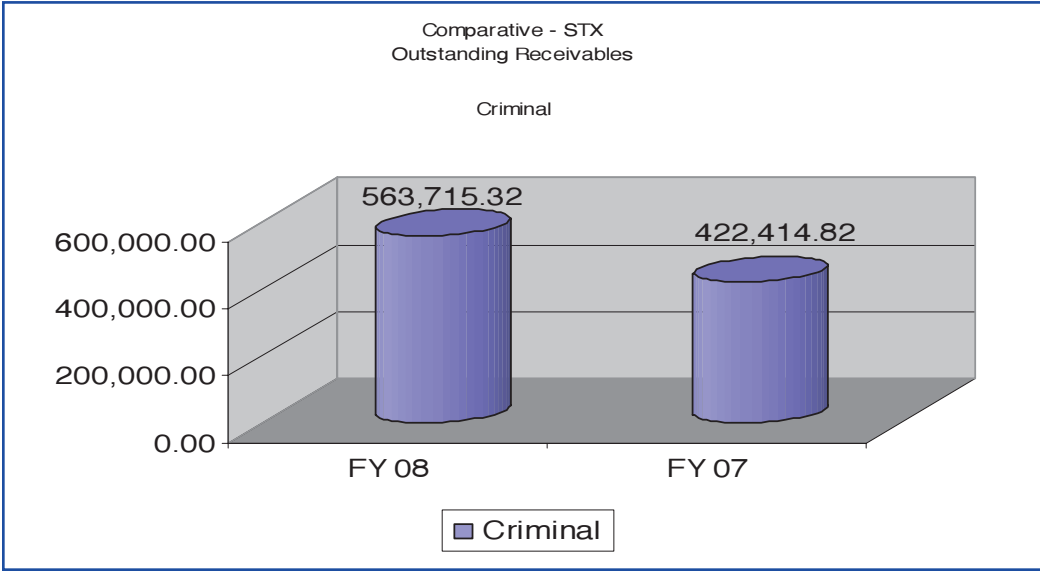
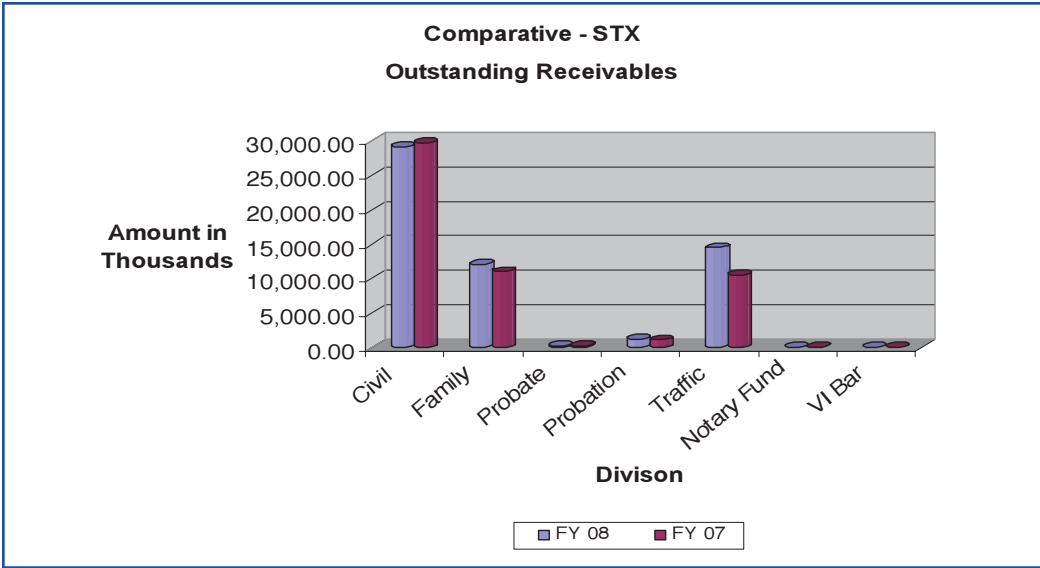
■ St. Thomas	\$1,062,182.00
■ St. Croix	\$541,369.50
■ TOTAL	\$1,603,551.50

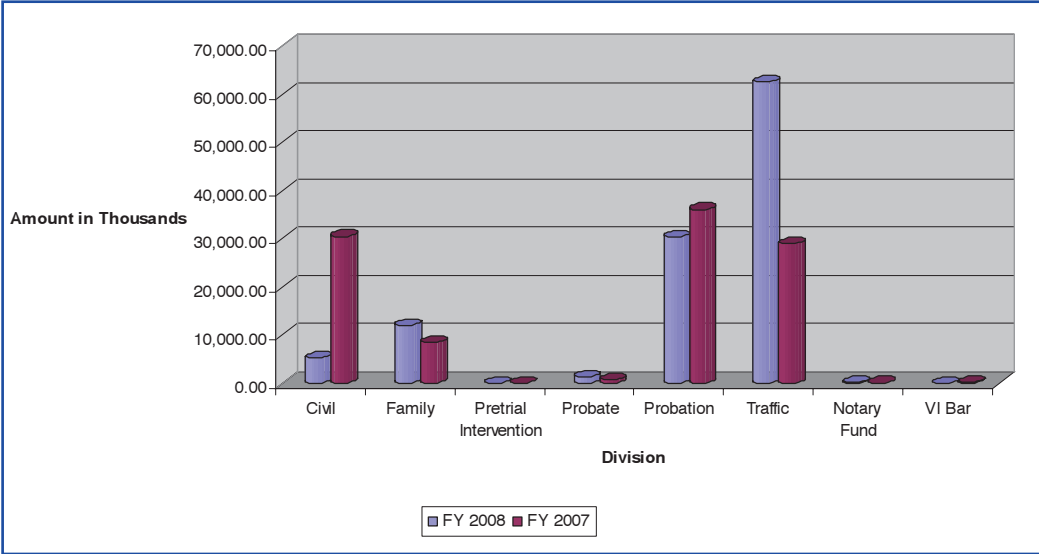
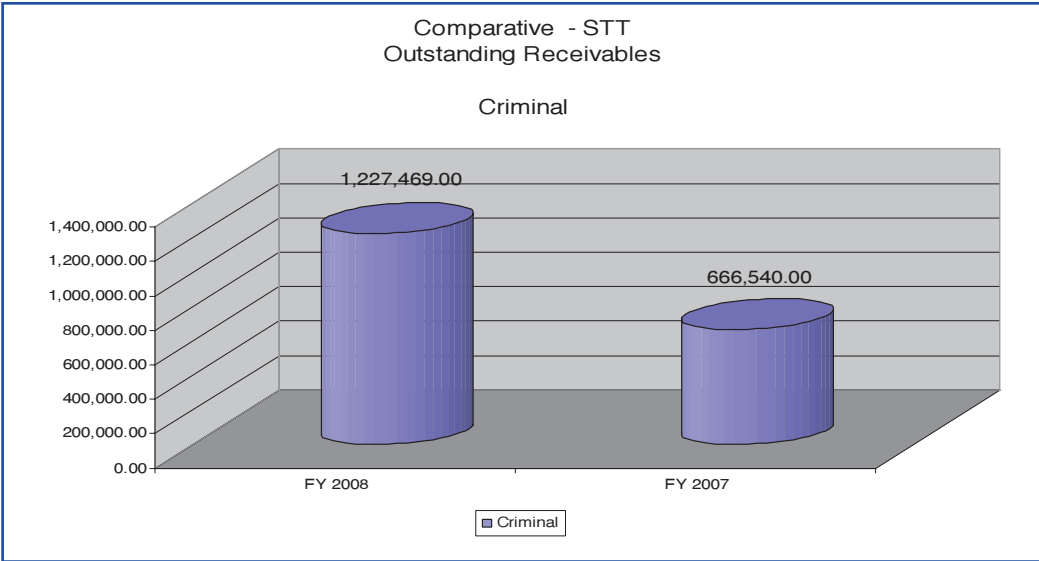
Superior Court of the Virgin Islands

Revenues Collected - FY 2008

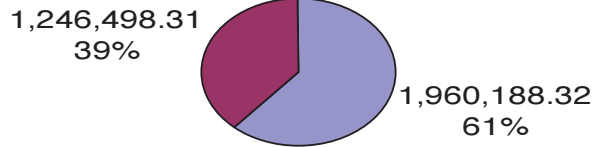


■ St. Thomas ■ St. Croix



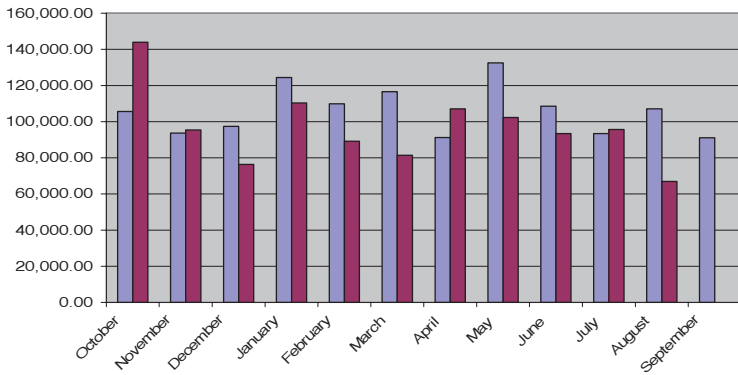


Superior Court of the Virgin Islands
Comparative Outstanding Receivables
STT & STX

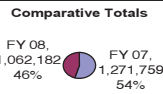


■ FY 08 ■ FY 07

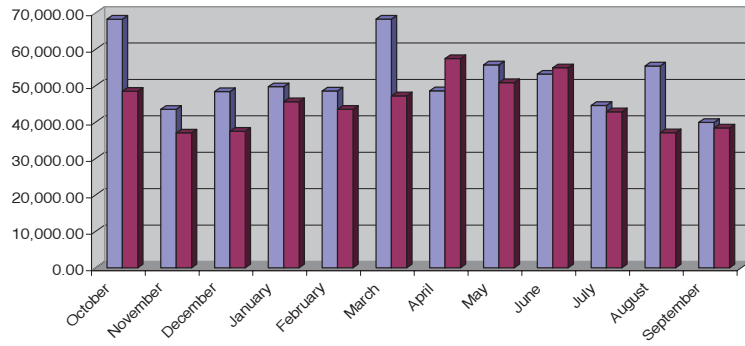
Comparative Analysis of Collectibles
St. Thomas



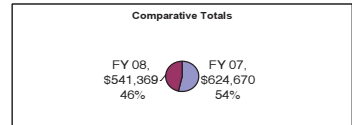
■ STT 07 ■ STT 08



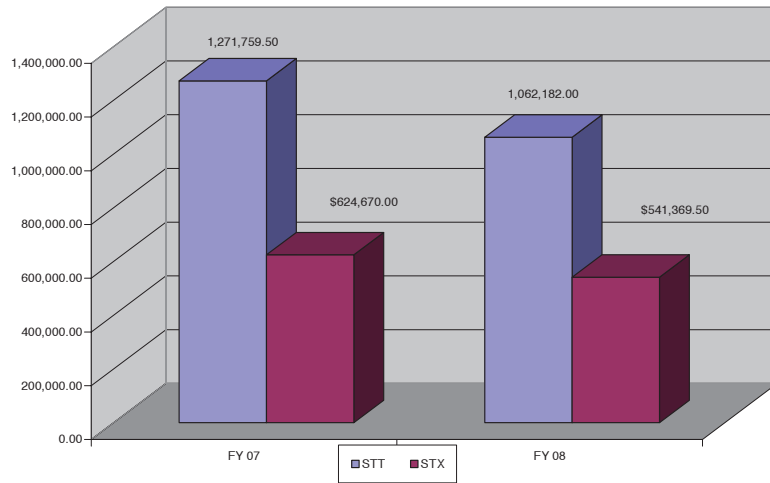
**Comparative Analysis of Collectibles
St. Croix**



■ STX 07 ■ STX 08



**Comparative Collectibles By District
FY 07 & FY 08**



INTERAGENCY COOPERATIVES:

Recognizing the need for cooperation and pooling of resources, where appropriate, to serve the needs of the community and the ends of justice, the Superior Court has participated in various efforts with other governmental agencies during the course of the fiscal year.

Marshals: The Marshal's Division has participated in various law enforcement efforts with the U.S. Marshals and the Virgin Islands Police Department, to include traffic initiatives and execution of warrants.

District Court of the V.I.: The Superior Court has entered into memoranda of understanding to permit its interpreter(s) to provide interpreting services, as needed, in proceedings in the District Court.

Bureau of Motor Vehicles: The Superior Court continues to work with that agency to provide and develop information-sharing. Thus far, this has benefited the Marshal's Office through database sharing.

Office of Highway Safety/VI Police: The Court continues to work with these agencies toward the development and implementation of the e-citation project, which would make possible electronic ticketing and processing, thereby reducing the manpower and costs associated with processing traffic tickets.

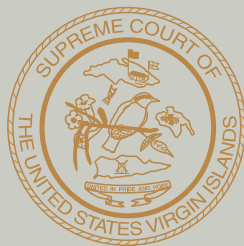
Virgin Islands Bar: The Superior Court continues to work, in conjunction with the V.I. Bar Association, to promote recognition of the rule of law and the study of law through its annual Law Day activities. In FY 2008, the Court hosted its Fourteenth Annual Moot Court competition. High school seniors from across the Territory participated by presenting oral arguments before members of the judiciary. Although they all excelled in their presentations, scholarships and trophies were awarded to the four high schools which the judges deemed presented the best legal arguments.

FY 2009 GOALS

Having invested its time and consideration in various areas for FY 2008, the Superior Court pledges to continue those efforts that have been started, and to implement others, toward improving the operations and efficiency of the Court and the delivery of service to the community. In that regard, the Court sets forth the following goals for FY 2009:

- Finalization of all phases of the Evidence Project
- Implementation and completion of phase 2 of the Storage/Archiving project
- Cross training of all Clerk staff, to provide a more flexible workforce that can better serve the Court
- Completion of Standard Operating Procedures for all Divisions of the Court
- Development of a records retention policy, and archiving policy, to address the storage issue in a more comprehensive manner
- Completion of a security assessment and proposal, and initial implementation of the same.
- Bringing each division to full staffing
- Full implementation of a new Personnel Policies and Procedures Manual, to include implementation of a new compensation plan for employees and attendant policies affecting our workers.
- Full implementation of the new Magistrate Division, to include occupation of new facilities
- Identification of a fully automated Case Management System that serves the growing needs of the Court





SUPREME COURT OF THE VIRGIN ISLANDS
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