



2013 ANNUAL REPORT

UNITED STATES VIRGIN ISLANDS COURTS AND JUDICIAL SYSTEM

SUPREME COURT OF THE VIRGIN ISLANDS

HONORABLE RHYS S. HODGE
CHIEF JUSTICE

HONORABLE MARIA M. CABRET
ASSOCIATE JUSTICE

HONORABLE IVE ARLINGTON SWAN
ASSOCIATE JUSTICE

ADMINISTRATIVE DIRECTOR
REGINA PETERSEN AND KEVIN WILLIAMS
ACTING JOINTLY

VERONICA J. HANDY, ESQUIRE
CLERK OF THE COURT

SUPERIOR COURT OF THE VIRGIN ISLANDS

HONORABLE DARRYL DEAN DONOHUE SR.
PRESIDING JUDGE

HONORABLE MICHAEL C. DUNSTON
ADMINISTRATIVE JUDGE

HONORABLE BRENDA J. HOLLAR
JUDGE
(ADMINISTRATIVE JUDGE THRU NOVEMBER 2012. RETIRED.)

HONORABLE PATRICIA D. STEELE
JUDGE
(RETIRED DECEMBER 2012)

HONORABLE AUDRY L. THOMAS
JUDGE
(RETIRED NOVEMBER 2012)

HONORABLE JAMES S. CARROLL III
JUDGE

HONORABLE HAROLD W. L. WILLOCKS
JUDGE

HONORABLE ADAM G. CHRISTIAN
JUDGE

HONORABLE DOUGLAS BRADY
JUDGE

HONORABLE KATHLEEN MACKAY
MAGISTRATE/JUDGE
(JUDGE FROM NOVEMBER 2012)

HONORABLE DEBRA SMITH WATLINGTON
JUDGE

HONORABLE DENISE HINDS-ROACH
JUDGE

HONORABLE MIGUEL A. CAMACHO
MAGISTRATE

HONORABLE JESSICA GALLIVAN
MAGISTRATE

HONORABLE ALAN D. SMITH
MAGISTRATE
(THROUGH JUNE 2013)

HONORABLE HENRY V. CARR, III
MAGISTRATE
(FROM AUGUST 2013)

GLENDIA B. CAINES, MBA
COURT ADMINISTRATOR

VENETIA H. VELAZQUEZ, ESQUIRE
CLERK OF THE COURT



THE VISION OF THE
SUPREME COURT OF THE
VIRGIN ISLANDS



THE SUPREME COURT OF THE VIRGIN ISLANDS STRIVES TO BE A MODEL OF JUDICIAL
EXCELLENCE TO SERVE THE PUBLIC, AND EARN ITS TRUST AND CONFIDENCE
THROUGH INNOVATIVE LEADERSHIP; PROFESSIONAL, EFFICIENT, ACCOUNTABLE,
AND ACCESSIBLE SERVICES; AND THE IMPARTIAL, PROMPT DISPOSITION OF APPEALS
IN ACCORDANCE WITH THE RULE OF LAW.



Supreme Court Of The Virgin Islands

STATE OF THE JUDICIARY

On behalf of the entire Virgin Islands Judiciary, it is my privilege to present the 2013 Annual Report and State of the Court System and Judiciary. The information in this document, prepared separately by the administrations of the Supreme Court and the Superior Court, provides statistical information, as well as outlines all that each court has accomplished from October 1, 2012, through September 30, 2013.

Unquestionably, the past few years have been transformative in the history of the Virgin Islands Judicial Branch. But it is sometimes easy to overlook that the establishment of the Supreme Court of the Virgin Islands is itself a relatively recent milestone, with the court having only assumed jurisdiction on January 29, 2007, slightly more than 7 years ago! Starting any brand new government agency—let alone a court of last resort—is a challenging endeavor. From attaining office space to hiring personnel to implementing procedures, substantial work had to be done just so the organization could begin to function.

But while completing these initial start-up tasks was both important and necessary, the justices recognized, at the outset, that to succeed as an institution, the Supreme Court of the Virgin Islands had to consider more than just the immediate day-to-day challenges, but plan for its future. To that end, the Supreme Court, after attaining a grant from the State Justice Institute, partnered with the National Center for State Courts to develop a 5-year strategic plan for the court. That plan, a product of several workshops in which the Justices, Administrative Director, Clerk of Court, and other employees all participated, was released in June 2010, and made public on the Supreme Court's website at www.visupremecourt.org.

Working collaboratively, the Justices and employees developed a vision of what our organization can and should be:

“The Supreme Court of the Virgin Islands strives to be a model of judicial excellence to serve the public, and to earn its trust and confidence through innovative leadership; professional, efficient, accountable, and accessible services; and the impartial, prompt disposition of appeals in accordance with the rule of law.”

Additionally, we agreed upon 21 strategies for implementing that vision, short-term and long-term action plans for initiating each of those strategies, and a set of practical measures to determine progress in implementing the plan.

With approximately one year left before the conclusion of our initial five-year strategic plan, now seems an appropriate time to evaluate our progress. I am pleased to report that, of our 21 strategies, 18 have already been completely implemented!

Of the 21 strategies, our first priority was to meet the standards for direct review of our decisions by the Supreme Court of the United States. Pursuant to the Revised Organic Act of 1954, final decisions of the Virgin Islands Supreme Court were subject to review by the United States Court of Appeals for the Third Circuit—an intermediate federal appeals court—for the first 15 years of its existence. However, every 5 years during this oversight period, the Judicial Council of the Third Circuit was required to submit a report to Congress evaluating all aspects of the Virgin Islands Supreme Court’s operations. As summarized in last year’s Annual Report, Third Circuit Chief Judge Theodore McKee and Judge D. Brooks Smith personally presented the first 5-year report at a public ceremony on St. Thomas on June 19, 2012, which recommended that Congress “consider legislation providing that the Supreme Court of the Virgin Islands enjoy the same relationship with the Supreme Court of the United States as do the highest courts of the several states.” Congress promptly acted on this recommendation and passed H.R. 6116, which President Obama signed into law as Public Law 112-226 on December 28, 2012, to amend the Revised Organic Act of 1954 to eliminate continuing federal oversight of the Virgin Islands Judiciary by the Third Circuit.

Although achieving direct review was a top concern, we could not have met those high standards without developing the Supreme Court as an institution. Many of the strategies in our 5-year plan focused on the core bread and butter function of any court: deciding cases. As a brand new court, we were required to design and implement a case management system. Very early in the strategic planning process, however, we decided that simply being adequate would not be consistent with our vision statement; rather, the justices and staff resolved that our case management system should be a model that other courts would strive to emulate. To that end, we developed our electronic case management system to allow for free public access to court records and to permit electronic filing of pleadings and other documents submitted to the court. Additionally, to reduce expenses and to ensure that oral argument may proceed notwithstanding inclement weather, we designed our appellate courtroom to enable attorneys—and even justices—to appear remotely from other locations. And to ensure that our case management system and other features do not become inadequate or out of date, we resolved that the Virgin Islands Supreme Court would make Information Technology a priority and always keep its IT capacity on the cutting edge.

Our case management strategies, however, were not limited solely to case management and technology. Although many arguments were advanced in support of creating the Virgin Islands Supreme Court, perhaps one of the most compelling was that an appellate court consisting solely of local justices whose attention would be focused solely on appeals would resolve cases and issue decisions quicker than the federal courts that were previously tasked with adjudicating appeals from the Superior Court.

Accordingly, 5 of the strategies of our strategic plan were designed to promote the prompt disposition of appeals. Two strategies—updating appellate rules and operating procedures, and utilizing staff attorneys to screen cases—sought to reduce unnecessary delays in case processing prior to oral argument. From reducing the time for court reporters to complete transcripts from 90 days to 60 days, to eliminating unnecessary paperwork such as the civil and criminal information sheets, the Supreme Court streamlined all of its rules and procedures to ensure that cases became fully briefed faster. And by utilizing staff attorneys to screen cases, we ensured that appeals over which the court lacked jurisdiction, were untimely, or otherwise were appropriate for early resolution had those issues resolved before the matter was set for full briefing and oral argument, thus resulting in faster decisions in all cases.

The other 3 case processing strategies were focused on the justices themselves. Unquestionably, much of the court's success in issuing prompt opinions stems from our decision to promulgate appellate time standards, measure our performance based on those standards, and enforce those deadlines. I am pleased to report that the Supreme Court is meeting—and in several cases, greatly exceeding—these time standard goals, particularly with respect to the most important measures, such as the percentage of cases resolved in less than 365 days.

Similarly, the Supreme Court has always strived to become more accessible to the public. In addition to promulgating time standards and streaming oral arguments live on the internet, the Supreme Court has implemented several measures to ensure that members of the public understand the work of the court and have positive interactions with court employees. From hiring multilingual employees to establishing a Twitter account and conducting outreach to students in the Territory's schools, the Supreme Court has made earning the trust and confidence of the public a high priority.

Two of our strategies focused on regulating the conduct of attorneys and judges. When the United States Court of Appeals for the Third Circuit held that the legislatively-created judicial discipline system was unconstitutional because disciplining judges was a power vested in the Judicial Branch, the Supreme Court acted quickly in establishing both the Virgin Islands Commission on Judicial Conduct and the Office of Disciplinary Counsel, and promulgated rules governing judicial discipline.

Additionally, in response to numerous concerns about the state of the attorney discipline system—including the significant delays in adjudicating grievances—the Supreme Court amended its rules to vest Disciplinary Counsel with responsibility over that area as well. As you can see from the accompanying annual report, centralizing the ministerial, investigative, and prosecutorial functions with Disciplinary Counsel has significantly reduced delay and ensured that these matters receive the prompt attention that they deserve.

Despite the Supreme Court's many successes, there are three aspects of our strategic plan that we will likely not achieve before June 2015. Pursuant to statute, the Supreme Court must construct its courthouse building on the island of St. Croix. While the Supreme Court desires to comply with this statutory mandate, and has purchased property on which it intends to one day construct a courthouse, the repeated, sustained cuts to the Supreme Court's budget over the past several years has made it simply impossible to initiate such a major capital project. We also were unable to implement our strategy of adopting a policy on staff uniforms due to a lack of funds to purchase the uniforms.

Unfortunately, these setbacks stem from the difficulty of communicating effectively with other governmental entities, which is itself one of the strategies in our five-year plan. The Judicial Branch is not simply another government agency; it is a separate branch of government, co-equal to the Legislative and Executive Branches, and should be funded as such. Rather than subjecting the Judiciary to the same across-the-board cuts imposed on Executive Branch agencies in lean times or appropriating an arbitrary lump sum in prosperous years, I again call for the political branches to adopt the neutral court funding principles established by the National Center for State Courts as suggested in our last report. Doing so would ensure that the Virgin Islands Judicial Branch receives the funds it needs to fulfill its core functions and comply with all statutory mandates regardless of the particular economic climate. I also reiterate my call for the Legislature to repeal Act No. 6965 and restore the unified structure originally established by Act No. 6687, so that the administrative functions of the Supreme and Superior Courts may be consolidated and the court system permitted to speak with a single voice.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rhys S. Hodge', written in a cursive style.

Rhys S. Hodge
Chief Justice

HISTORY

THE SUPREME COURT OF THE VIRGIN ISLANDS CONSISTS OF A CHIEF JUSTICE AND TWO ASSOCIATE JUSTICES, AND IS THE HIGHEST COURT IN THE TERRITORY OF THE UNITED STATES VIRGIN ISLANDS. THE PRIMARY FUNCTION OF THE SUPREME COURT IS TO SERVE AS AN APPELLATE COURT REVIEWING FINAL JUDGMENTS RENDERED BY THE SUPERIOR COURT OF THE VIRGIN ISLANDS. HOWEVER, THE COURT ALSO HAS JURISDICTION OVER A WIDE VARIETY OF CASES, INCLUDING ORIGINAL PROCEEDINGS FOR MANDAMUS, PROHIBITION, INJUNCTION AND SIMILAR REMEDIES TO PROTECT ITS APPELLATE JURISDICTION, AND EXCLUSIVE REGULATION OVER THE LEGAL PROFESSION.

In 1984, the United States Congress amended the Revised Organic Act of 1954 to permit the Virgin Islands Legislature to create a local appellate court. It was not until 2004, however, that the pivotal legislation, which was sponsored by Senator Carlton “Ital” Dowe in the 26th Legislature, would be signed into law by then Governor, Charles W. Turnbull. Act No. 6687, formally created the Supreme Court on October 29, 2004. Governor Turnbull subsequently nominated the first 3 justices—Rhys S. Hodge, Maria M. Cabret, and Ive Arlington Swan— who were unanimously confirmed by the Virgin Islands Legislature on October 27, 2006, and sworn into office on December 18, 2006. The Supreme Court accepted jurisdiction on January 29, 2007. Prior to this date, all appeals were heard by the Appellate Division of the United States District Court and the United States Court of Appeals for the Third Circuit.

Pursuant to the 1984 amendments to the Revised Organic Act, Congress imposed a 15 year federal oversight period. During this period of review, the Third Circuit would review the decisions of the Supreme Court by writ of certiorari, and every 5 years a comprehensive review of the operations of the Supreme Court would be conducted by the Third Circuit’s Judicial Council. On June 19, 2012, the Third

Circuit issued its first 5-year report, and concluded that the Supreme Court had developed sufficient institutional traditions to justify ending the 15 year oversight period. Delegate to Congress Donna M. Christensen sponsored H.R. 6116, requesting the amendment to the Revised Organic Act of 1954 to terminate the federal oversight period, and on December 28, 2012, a significant milestone in the history of the development of the Virgin Islands Judiciary occurred when President Barack Obama signed Public Law No. 112-226. The termination of the oversight period confirmed that the Supreme Court of the Virgin Islands had established the necessary institutional traditions to enjoy the same relationship with the Supreme Court of the United States as is experienced by the highest courts of the several States. Accordingly, the Virgin Islands established a progressive, 21st century, local court system on par with the other States and Territories of the Union.

JUSTICES OF THE SUPREME COURT



CHIEF JUSTICE, RHY S. HODGE

Rhys Shelley Hodge was unanimously confirmed by the 26th Legislature on October 26, 2006, and designated by Governor Charles Turnbull as the first Chief Justice of the Supreme Court for an initial 4-year term. On October 18, 2010, his peers elected him to serve as Chief Justice for a subsequent 3-year term, and re-elected him in 2013. Chief Justice Hodge began his judicial career as a Territorial

Court judge on June 23, 2000, and was subsequently re-appointed and confirmed to a second term, wherein he served as Presiding Judge of the Superior Court from July 1, 2006, until the date of his elevation to the Supreme Court.

A native of Anguilla, Chief Justice Hodge migrated to St. Thomas after his graduation from high school, and attended the then College of the Virgin Islands before transferring to Kansas State University and earning a Bachelor of Science degree. He earned his law degree from Rutgers University School of Law in Camden, New Jersey. Before becoming a member of the Virgin Islands Judiciary, Chief Justice Hodge served as a law clerk for the Honorable Almeric L. Christian, Chief Judge of the District Court of the Virgin Islands, and maintained a private law practice for 21 years. Throughout this time, he remained active in community affairs, including serving on the boards of the Virgin Islands Montessori School and the Virgin Islands Councils of the Boy Scouts of America and Girl Scouts of the U.S.A., as well as President of the Virgin Islands Bar Association. He married Jean Dalmida of St. John in 1973 and they have raised four children.



ASSOCIATE JUSTICE, MARIA M. CABRET

Maria M. Cabret's judicial career began upon her nomination by Governor Alexander Farrelly, and unanimous confirmation by the 17th Legislature. The traditional landscape of the judiciary changed, on July 7, 1987, when she was sworn in as a Judge of the Territorial Court of the Virgin Islands, as she was the first individual of Puerto Rican descent to serve on that court. Judge Cabret was subsequently nominated by Governor Farrelly and Governor Charles Turnbull, respectively, to serve a second and third term. Thereafter, Governor Turnbull designated her as the Presiding Judge of the Territorial Court, and she once again changed the landscape of the judiciary, becoming the first female to serve in such office, a position which she held from March 1, 2000, to July 1, 2006, the date she retired and assumed senior status. Her retirement, however, would remain short-lived, for she was nominated by Governor Turnbull to be one of first Justices to serve on the Supreme Court of the Virgin Islands, adding to her list of trailblazing firsts, for

she would once again be the first person of Puerto Rican descent and first female to serve on the Virgin Islands' first local appellate court. Justice Cabret was unanimously confirmed by the 26th Legislature to serve as a justice on the Supreme Court.

Before assuming the bench, Justice Cabret earned her Bachelor of Arts degree from Marymount Manhattan College and her Juris Doctor degree from Howard University School of Law. Upon graduation from law school, Justice Cabret returned to St. Croix to serve as a law clerk for the Honorable Raymond L. Finch, at the time a judge of the Territorial Court. After finishing her clerkship, Justice Cabret worked for Legal Services of the Virgin Islands, the Office of the Territorial Public Defender, and eventually moved on to private practice.



ASSOCIATE JUSTICE, IVE ARLINGTON SWAN

Ive Arlington Swan began his legal career as a public servant serving 10 years in what was then known as the Virgin Islands Department of Law, and culminating in his unanimous confirmation as Attorney General on March 3, 1978. In his capacity as Attorney General of the Virgin Islands, he directed the legal affairs of the Government of the Virgin Islands, served on several government boards and commissions, and published opinions on a myriad of legal issues. He subsequently entered the private practice of law in 1981. In 1987, Governor Alexander A. Farrelly nominated him to serve as a judge on the Territorial Court of the Virgin Islands. He was re-nominated by Governor Farrelly in 1993, and by Governor Charles Turnbull respectively in 2000 and 2006. Shortly after his fourth re-nomination, Governor Turnbull nominated him as one of the initial justices of the Supreme Court, resulting in another unanimous legislative confirmation—the sixth in his lengthy public service career—on October 27, 2006.

Justice Swan is a lifelong resident of St. Thomas and graduate of Charlotte Amalie High School, leaving the island only to earn his Bachelor of Arts from Morgan State University and his Juris Doctorate from Howard University. He has shared more than 30 years together with his wife, Gertrude Niles Drue Swan.

Designated Justices

Legal or ethical conflicts may arise from time to time requiring recusal of one or more justices in any particular case, or any justice may temporarily be unable to serve. In such instances, the Chief Justice may appoint any retired, senior, or active judge of the Superior Court or the District Court to serve as a Designated Justice. This designation bestows on the Designated Justices all the rights and responsibilities of an Associate Justice. In the rare event where all the justices of the Supreme Court are recused from a case, the most senior Designated Justice on the panel may exercise all the powers of the Chief Justice with respect to that particular case.

The following judicial officers were designated to serve as Justices during fiscal year 2013:

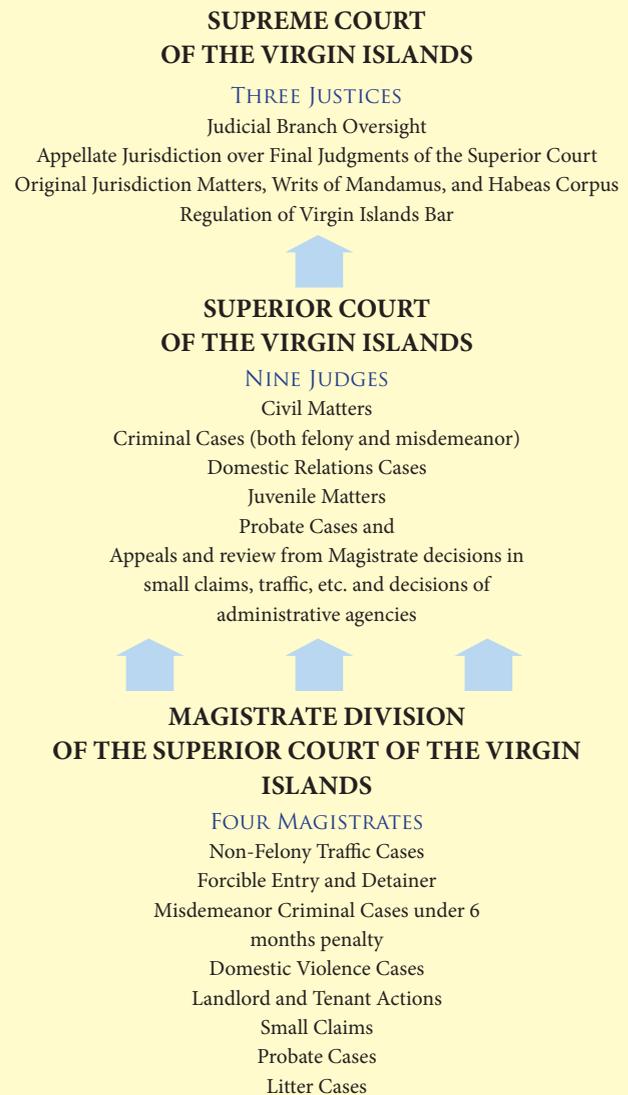
- Verne A. Hodge, Presiding Judge Emeritus, Superior Court of the Virgin Islands
- Douglas A. Brady, Judge, Superior Court of the Virgin Islands
- Adam G. Christian, Judge, Superior Court of the Virgin Islands
- Michael C. Dunston, Judge, Superior Court of the Virgin Islands
- Brenda J. Hollar, Judge, Superior Court of the Virgin Islands
- Harold W.L. Willocks, Judge, Superior Court of the Virgin Islands
- Patricia D. Steele, Retired Judge, Superior Court of the Virgin Islands
- Curtis V. Gomez, Judge, District Court of the Virgin Islands
- Thomas K. Moore, Retired Judge, District Court of the Virgin Islands

Appellate and Original Jurisdiction

The Supreme Court of the Virgin Islands is the court of last resort in the Territory, and through its Chief Justice, possesses the statutory and inherent authority to exercise general oversight over the Judicial Branch, as well as to regulate the practice of law in the Virgin Islands. The hierarchy of the Virgin Islands Judiciary is similar in structure to a pyramid, with the Supreme Court at its apex, the Magistrate Division of the Superior Court at its base, and the Civil, Criminal, and Family Divisions of the Superior Court in the center. As a litigant travels upward through the legal pyramid, the issues on review generally become more complex, and the scope of review becomes narrower.

Because of its placement at the apex of the pyramid, the Supreme Court is one of limited, and not general jurisdiction. Its jurisdiction is limited to the appellate review of final judgments rendered by the Superior Court, as well as a limited number of specified interlocutory orders. This means that virtually all Virgin Islanders have their “day in court” in the Superior Court, and only appear before the Supreme Court if one of the parties is unhappy with the trial court’s decision and files an appeal. In this regard, the Supreme Court does not consider new evidence, but reviews the Superior Court’s factual determinations for clear error while exercising plenary review over its legal conclusions. The Supreme Court also provides a second level of appellate review for appeals taken from the Magistrate Division of Superior Court. This secondary level of review is limited to whether the Superior Court judge, in considering the original appeal from the Magistrate Division, adjudicated it in accordance with procedural and substantive law.

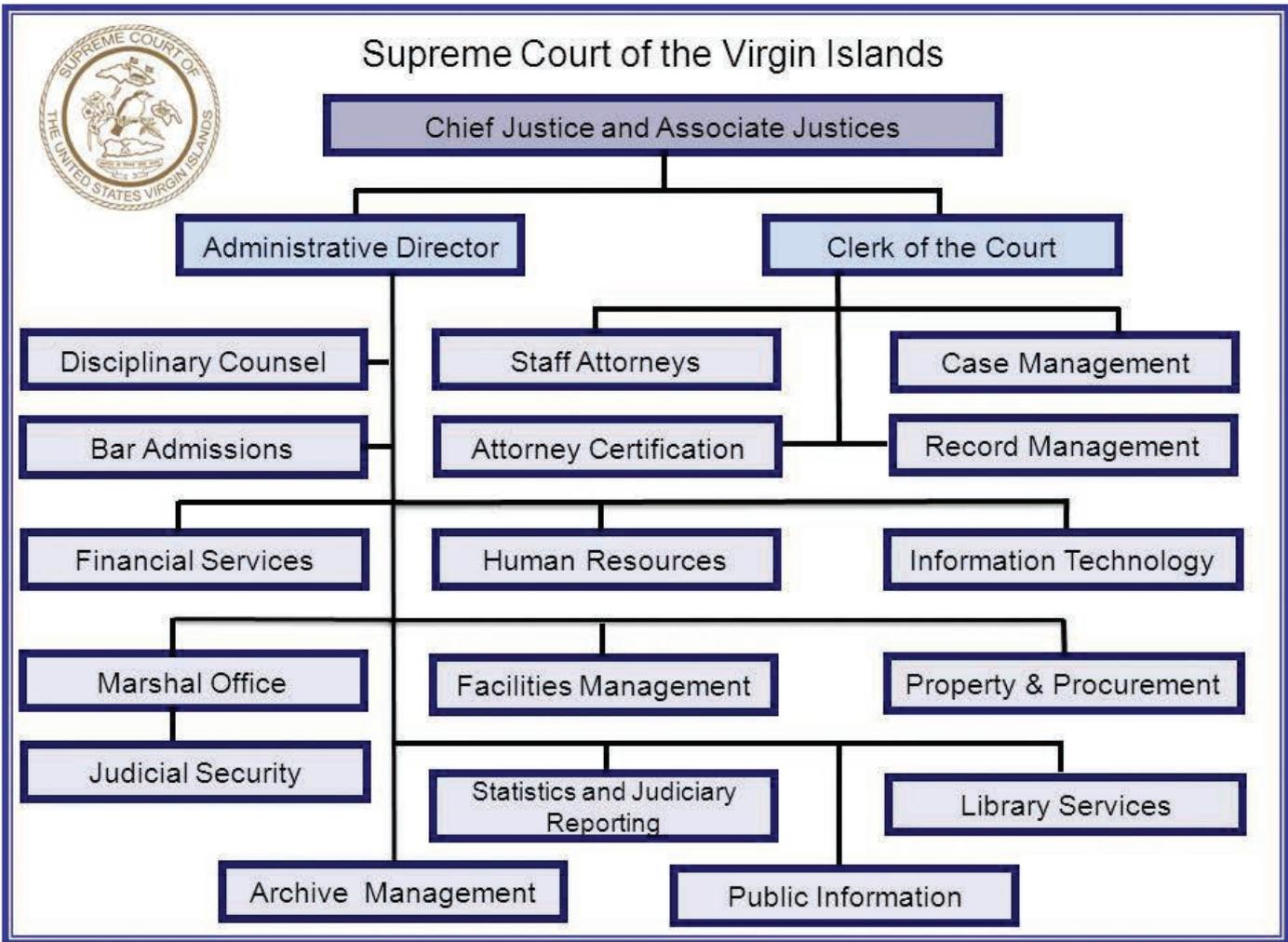
APPELLATE JURISDICTION



The Supreme Court may also hear a case that did not originate in the Superior Court. These cases are called original jurisdiction matters. The most common exercises of the Court’s original jurisdiction are in actions for writ of mandamus. Writs of mandamus request that the Supreme Court order a government official—including a Superior Court judge—to perform a discrete, ministerial act. However, various other cases may arise pursuant to the Supreme Court’s original jurisdiction, including petitions for judicial or attorney discipline, proceedings for civil or criminal contempt, applications for writs of habeas corpus, and certified requests from federal courts and the highest courts of other jurisdictions for the Supreme Court to answer an unresolved question of Virgin Islands law.

Each justice participates in court administration matters, including but not limited to, the administration of their individual chambers. However, the Chief Justice serves as the ultimate administrative head of the Supreme Court, and is assisted in fulfilling the non-judicial functions of the administrative authority by the Administrative Director and the Clerk of the Court, who each oversee distinct areas of court operations. The Clerk of the Court is responsible for case management, the creation and maintenance of the docket, the preservation of court records, attestation of court documents—including certificates of good standing issued to attorneys—and performing numerous other ministerial duties specified by statute, court rule or internal procedure. The Administrative Director oversees all other non-judicial functions, including, but not limited to, budget, human resource management, court security, procurement, information technology, and facilities management. In addition, the Administrative Director monitors the Office of Bar Admissions and the Office of Disciplinary Counsel.

Organizational Structure



Office of the Clerk of Court

The Office of the Clerk is the custodian of the seal of the court, attests all official court documents, administers the oath of office to all new attorneys, issues certificates of good standing for members of the Virgin Islands Bar, and facilitates the service of active, senior or retired judges who sit on the panel of Designated Justices. The Clerk also appoints counsel for indigent parties on appeal and approves payments to court-appointed attorneys consistent with Supreme Court Rule 210, and may rule on certain procedural or ministerial motions, such as requests for extensions of time. However, the primary responsibility of the Office of the Clerk of Court is the management of cases throughout the appellate process, and the maintenance of certain statistical data regarding case processing at the appellate level.

Appellate Time Standards

In 1977 the American Bar Association first introduced recommendations for time standards for appellate courts. Through the implementation of time standards that were reasonable and attainable, it was anticipated that courts could, on the basis of empirical performance data, substantiate whether they were adequately staffed, and evaluate whether they had engaged in the most effective and efficient use of their resources. In this regard, and in the absence of model time standards for appellate courts, the Supreme Court adopted its own time standards in furtherance of the Court's vision for accountability and the prompt disposition of appeals, and conducted the necessary case management upgrades to support the capture and reporting of this performance data. Effective January 1, 2012, the following schedule was adopted as reasonable, attainable goals for the disposition of all cases filed within the Supreme Court of the Virgin Islands:

SUPREME COURT TIME TO DISPOSITION STANDARDS

APPELLATE TIME STANDARDS				
Case Types	Initiating Event	Ending Event	Time Standards	
All Cases	Filing	Disposition	365 days	540 days
			50%	95%

Since the adoption of time standards by the Court, a total of 226 cases have been filed through September 30, 2013. Of those cases, the Court resolved 148 or 65% within a year of filing, exceeding the 50% standard adopted by the Court. It is important to note, however that at the close of the fiscal year, 53 cases remained pending resolution, but were nonetheless within the 365 day standard, such

that compliance for these cases could not be measured during the reporting period. Additionally, by September 30, 2013, 156 cases, had met resolution within 540 days for an overall efficiency rating of 69% on the second standard. As of September 30, 2013, only 3 cases have been pending resolution for more than 540 days.

INTERMEDIATE EVENT APPELLATE TIME STANDARDS		
Initiating Interim Event	Ending Interim Event	Days for Resolution
Oral Argument or Submission on the Record	Dispositional Order or Opinion	180
Filing of Interlocutory Appeal	Decision	90
Filing of Application for Rehearing	Decision	90
Resubmission on Remand	Decision	150

In addition, the Supreme Court established standards to evaluate the disposition of cases after submission on the record or oral argument. During the instant reporting period, each justice had an equivalent caseload of 226 cases, and of those cases, 98 matters were submitted on the record. At the close of the fiscal year, 60 of these cases had been decided and written opinions issued within the 180 day standard; 22 cases were either resolved in more than

180 days or pending more than 180 days; and 10 cases were pending within the 180 day standard. The Court has used the careful evaluation and analysis of this data to determine a need for additional human resources to support and augment the work of each chamber. Accordingly, in the coming fiscal year, the Court intends to hire two additional law clerks to increase efficiency.

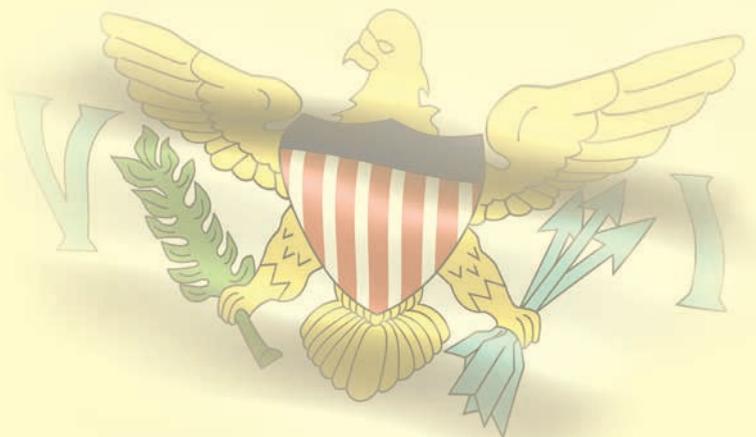
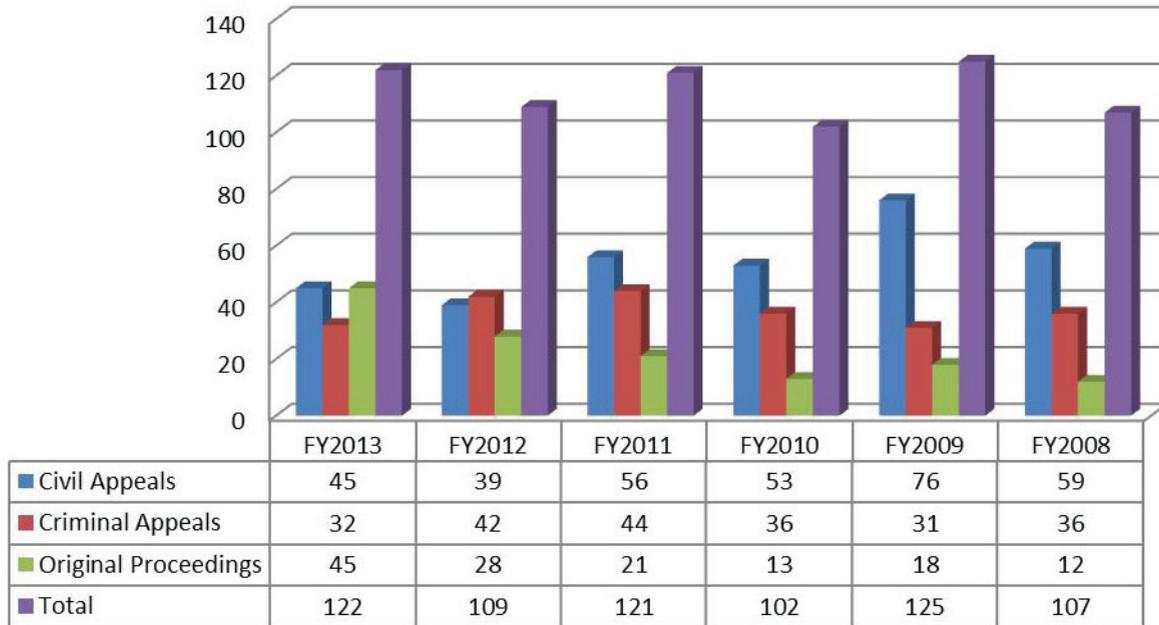
Caseload Data

New Case Filings

In fiscal year 2013, the court experienced an 11% increase in appellate case filings and matters of original jurisdiction over the previous fiscal year. There was a 13% increase in the number of civil appeals filed with 45 new civil appeals being

filed in fiscal year 2013 when compared to the 39 civil cases filed in fiscal year 2012. However, the number of criminal appeals filed in fiscal year 2013 declined by 24% over the previous fiscal year, with 32 cases being filed in comparison to 42 cases in 2012. Nonetheless, the Court experienced a 61% increase in the filings of original jurisdiction matters.

Filed Cases - Appeals & Original Proceedings

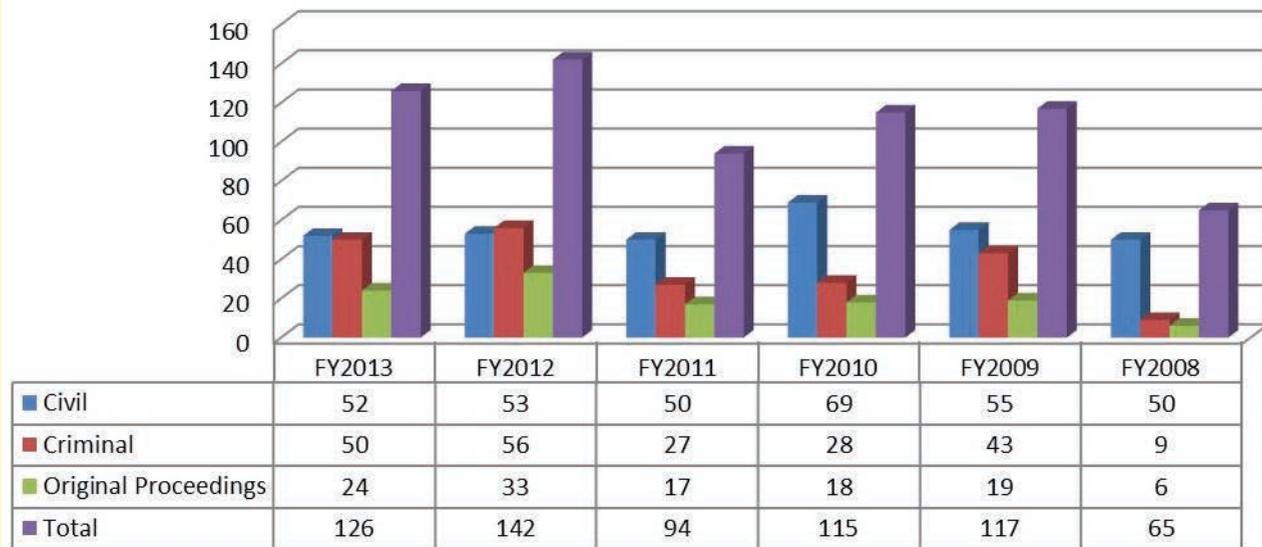


Case Dispositions

In fiscal year 2013, the Supreme Court continued its efforts to increase efficiency in case management. The Court began the fiscal year with 113 open cases, with 119 new matters being filed during the course of the fiscal year, and 3 matters re-opened for a total active caseload of 235 cases. Of the matters pending before the Court, final judgments were issued in 126 cases.

Additionally, the Court issued 85 opinions, 73 of which were published opinions. Case summaries and all opinions issued by the Court are posted on its website, located at www.visupremecourt.org, and are automatically distributed free of charge to individuals who have subscribed to the Court's mailing list.

Disposed Cases Appeals & Original Proceedings

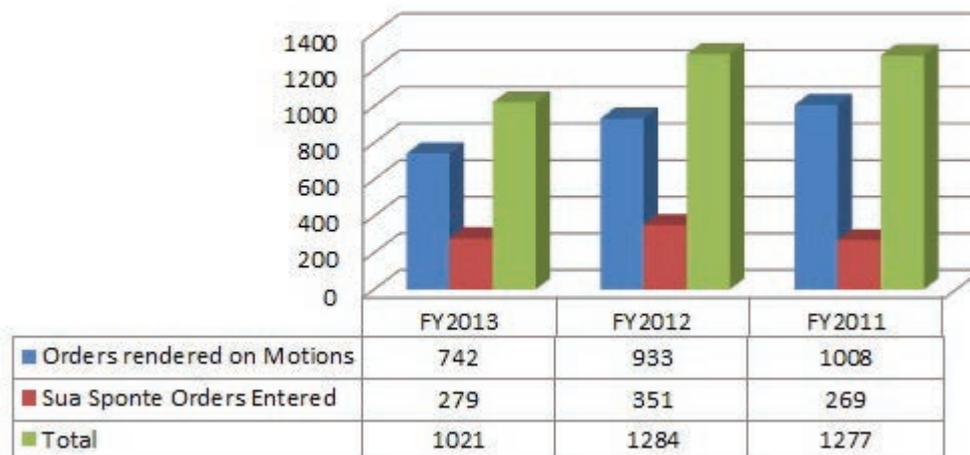


Case Processing and Motion Practice

The Supreme Court saw a decrease in motion practice during fiscal year 2013. The Court issued 1,021 orders in response to motions, petitions, or other documents filed by

litigants, compared to 1,284 such orders in fiscal year 2012. The Court also issued fewer sua sponte orders, issuing 279, representing a 21% decrease of sua sponte orders in pending cases sua sponte during the fiscal year, when compared to the 351 sua sponte orders in fiscal year 2012.

Motion Practice



Indigent Appointments

The Office of the Territorial Public Defender possesses a statutory mandate to represent indigent defendants in criminal proceedings, including appeals. On occasion however, the Public Defender is unable to provide indigent representation on a matter on appeal due to an ethical conflict, and the Supreme Court must then appoint an attorney to represent the indigent defendant. Supreme Court Rule 210 established a panel of attorneys who would volunteer to represent indigent parties on appeal, and set compensation at \$75.00 per every in-court and out-of-court hour in which services were provided, subject to a cap of either \$5,000.00 or \$7,500.00, depending on the seriousness of the offense, provided however that such caps could be waived by the Chief Justice under special circumstances. The Supreme Court nonetheless retains the right to involuntarily appoint an attorney in the rare instance that no Public Defender and all of the attorneys on the appellate indigent defense panel are unable to represent a particular defendant.

Office of Bar Admissions

The Supreme Court of the Virgin Islands oversees the Virgin Islands Bar Association, which includes the processing of applications to the Bar, and approval of rules and bylaws of the organization.

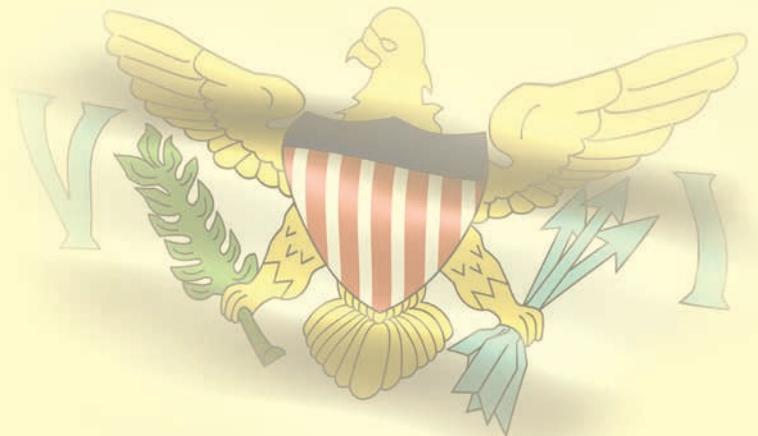
Admission to the Bar

The Office of Bar Admissions, together with the Committee of Bar Examiners, assists the Supreme Court in the administration of the Virgin Islands Bar Examination, conducting character and fitness investigations, and ascertaining the qualifications of all applicants for admission. Supreme Court Rules 201, 202, and 204 establish 3 classes of membership: regular, special, and *pro hac vice*.

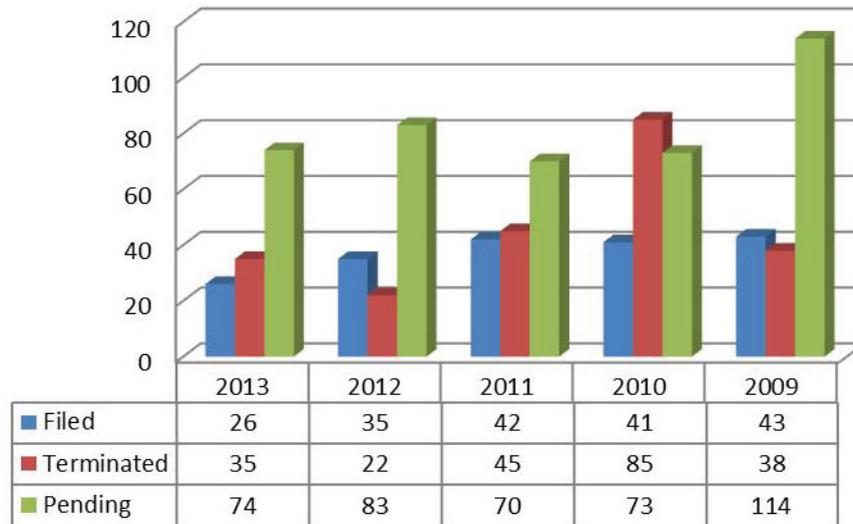
Regular Admission

To qualify for regular membership, an individual must successfully graduate from a law school accredited by the American Bar Association, pass the Virgin Islands Bar Examination—which consists of the Multistate Bar Examination and the Virgin Islands Essay Examination—and the Multistate Professional Responsibility Examination, and undergo a thorough examination of their character and fitness to practice law. Once an applicant has satisfied all of these requirements, he or she must personally appear before the Supreme Court to accept the oath of office.

During fiscal year 2013, the Office of Bar Admissions administered the Virgin Islands Bar Examination on February 27-28, 2013 to 12 applicants. Fifty percent of the applicants passed the bar exam during this session. The second administration of the Bar Exam took place on July 31, 2013 and August 1, 2013 and was administered to 17 applicants, of whom 13 passed. During the course of the fiscal year, 26 new petitions for regular admission were filed, with the Court terminating 35 application cases. The Court closed the fiscal year with 71 petitions for regular admissions pending. Pending petitions include applicants undergoing the character and fitness review, those waiting to sit the exam or those who have deferred taking exam from one administration to the next, and applicants who have failed to pass the bar exam and are awaiting re-examination. During the course of the fiscal year, the Court held 4 admissions ceremonies resulting in 31 individuals being sworn in as new regular members of the Virgin Islands Bar Association.



Regular Admissions



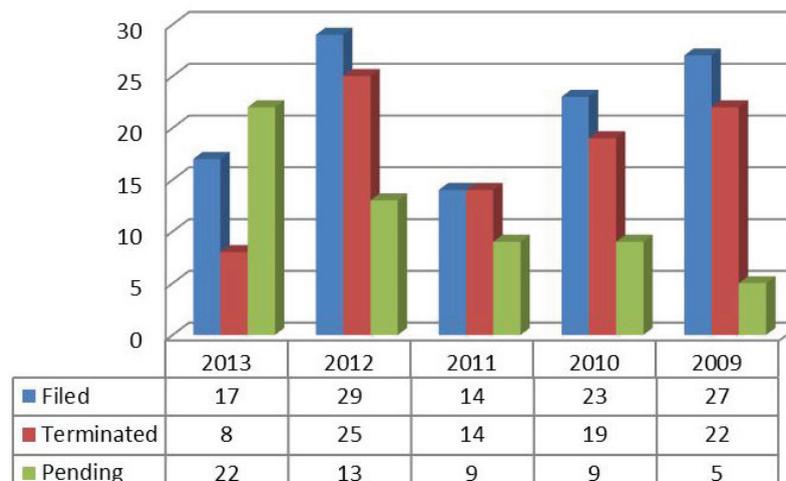
Special Admission

Pursuant to Supreme Court Rule 202, an attorney admitted to the practice of law in another state, territorial jurisdiction, or in the District of Columbia may under the supervision of a regular member of the Virgin Islands Bar Association, practice law in the Virgin Islands on behalf of a federal or territorial government department or agency, or a specified public interest organization. During fiscal year 2013, there were no new petitions for special admission filed with the Supreme Court by either local attorneys or government agencies and instrumentalities.

Pro Hac Vice Admission

Attorneys admitted to the practice of law in other jurisdictions may be permitted to practice law in the Virgin Islands with respect to a single client matter, provided that certain requirements are met. The attorney must be associated with a regular member of the Virgin Islands Bar Association, and the local member must agree to take full responsibility for the actions of the out-of-Territory attorney. Pursuant to Supreme Court Rule 201, there is a lifetime limit of 3 *pro hac vice* appearances by a single out-of-Territory attorney or law firm. At the close of fiscal year 2012 there were 13 pending petitions for *pro hac vice* admission. During fiscal year 2013, 17 new applications for *pro hac vice* admission were filed. As of September 30, 2013, 14 *pro hac vice* petitions had been granted and 1 was denied.

Pro Hac Vice Admission



Services to Existing Members of the Virgin Islands Bar

Once the Supreme Court has granted regular, special, or *pro hac vice* admission to an attorney, the Virgin Islands Bar Association performs several administrative services on behalf of the Court, including collecting annual membership dues and maintaining logs of compliance with continuing legal education requirements. However, attorneys are nevertheless required to request certain forms of relief directly from the Supreme Court.

Certificates of Good Standing

From time to time, attorneys under current membership with the Virgin Islands Bar Association file requests with the court for Certificates of Good Standing to satisfy licensing requirements, or to support applications for admission to the Bar of another jurisdiction. The Office of the Clerk of the Supreme Court is responsible for the issuance of these certificates which indicate that the attorney has complied with the membership requirements of the Virgin Islands Bar. Specifically, in order to receive such a certification, an attorney must be current with all membership dues, have satisfied all continuing legal education requirements, and presently be authorized to practice law in the Virgin Islands. During fiscal year 2013, there were 320 requests for certificates of good standing. 318 certificates were issued and 2 were denied.

Membership Status Changes

Regular members of the Virgin Islands Bar Association may be either “active” or “inactive.” Pursuant to court rule, an inactive attorney pays reduced membership dues and is exempt from continuing legal education requirements, but may not practice law in the Virgin Islands absent permission

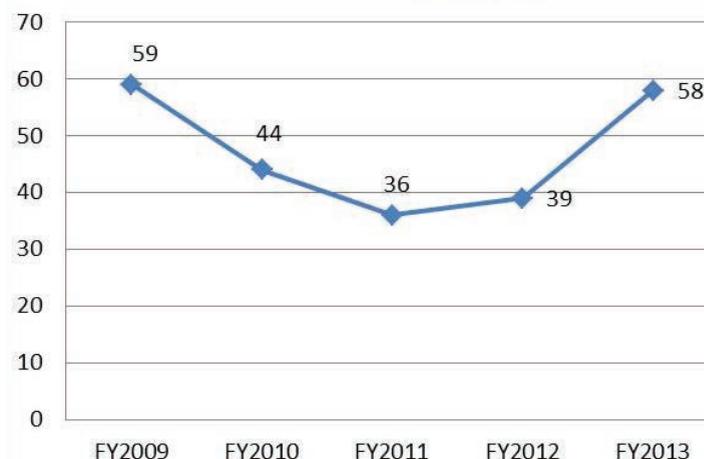
from the Supreme Court. Inactive status is typically sought by attorneys who have accepted employment that does not engage the practice of law, or by retired or non-resident attorneys who wish to maintain a connection to the Virgin Islands Bar Association. In addition, attorneys may, upon permission from the court, resign their membership, which terminates their financial obligation to the VI Bar Association. Provided that certain procedural requirements are met, with the court’s permission, attorneys may freely transfer between active and inactive status, and may request permission to resume the practice of law even after resigning. In fiscal year 2013, the Office of Bar Admissions received and processed 32 requests for membership status changes.

Continuing Legal Education

Supreme Court Rule 208 mandates that all regularly and specially admitted attorneys complete twelve continuing legal education credits annually, and requires members to self-report their compliance to the Virgin Islands Bar Association. However, Rule 208 does not vest the Virgin Islands Bar Association with the discretion to waive or excuse a member’s non-compliance. Therefore, all attorneys who desire a complete or partial exemption from continuing legal education requirements, or who desire an extension of time to satisfy their annual obligation, must file a formal petition with the Supreme Court.

During fiscal year 2013, attorneys filed 58 requests relating to continuing legal education requirements. By comparison there were 36 such requests in fiscal year 2011 and 39 requests in fiscal year 2012. The increased number of CLE filings signals a rise in non-compliance with the requirements of Rule 208, which may indicate a need for increased monitoring and enforcement by the Virgin Islands Bar Association.

Continuing Legal Education Petitions



Administrative Suspensions

The Virgin Islands Bar Association is empowered to petition the Supreme Court for an attorney's suspension from the practice of law when that attorney has failed to comply with the requirements imposed by the Supreme Court. Such failure may include the failure to pay annual membership dues or the failure to complete the requisite continuing legal education credits. During the course of fiscal year 2013, the Virgin Islands Bar Association did not file any petitions for suspension of its members.

Office of Disciplinary Counsel

The Office of Disciplinary Counsel was established to investigate and prosecute complaints against judicial officers of the Virgin Islands judiciary pursuant to Supreme Court Rule 209. In 2011 the Court amended Rule 207 to expand the function of Disciplinary Counsel to include the investigation and prosecution of grievances against members of the Virgin Islands Bar.

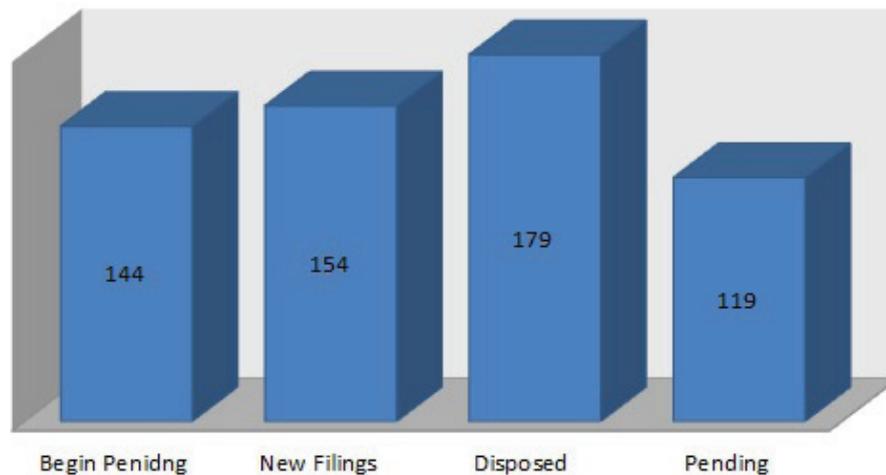
Attorney Discipline

Attorney discipline includes, but is not limited to, private or public reprimand, probation, suspension and the most severe penalty of disbarment from the practice of law. During fiscal year 2013, discipline was imposed in 36 cases. By the close of the fiscal year, Disciplinary Counsel had completed investigations and issued reports to the Ethics and Grievance Committee of the Virgin Islands Bar Association in 150 matters. As of September 30, 2013, there were 119 cases pending.

Statistics

During fiscal year 2013, 154 attorney disciplinary matters were opened. Of these, 81 were newly filed cases, and the remaining cases were older matters that were not resolved prior to the establishment of the ODC. The Office of Disciplinary Counsel disposed of 179 cases, including 135 matters that were dismissed.

FY 2013 Discipline Caseload



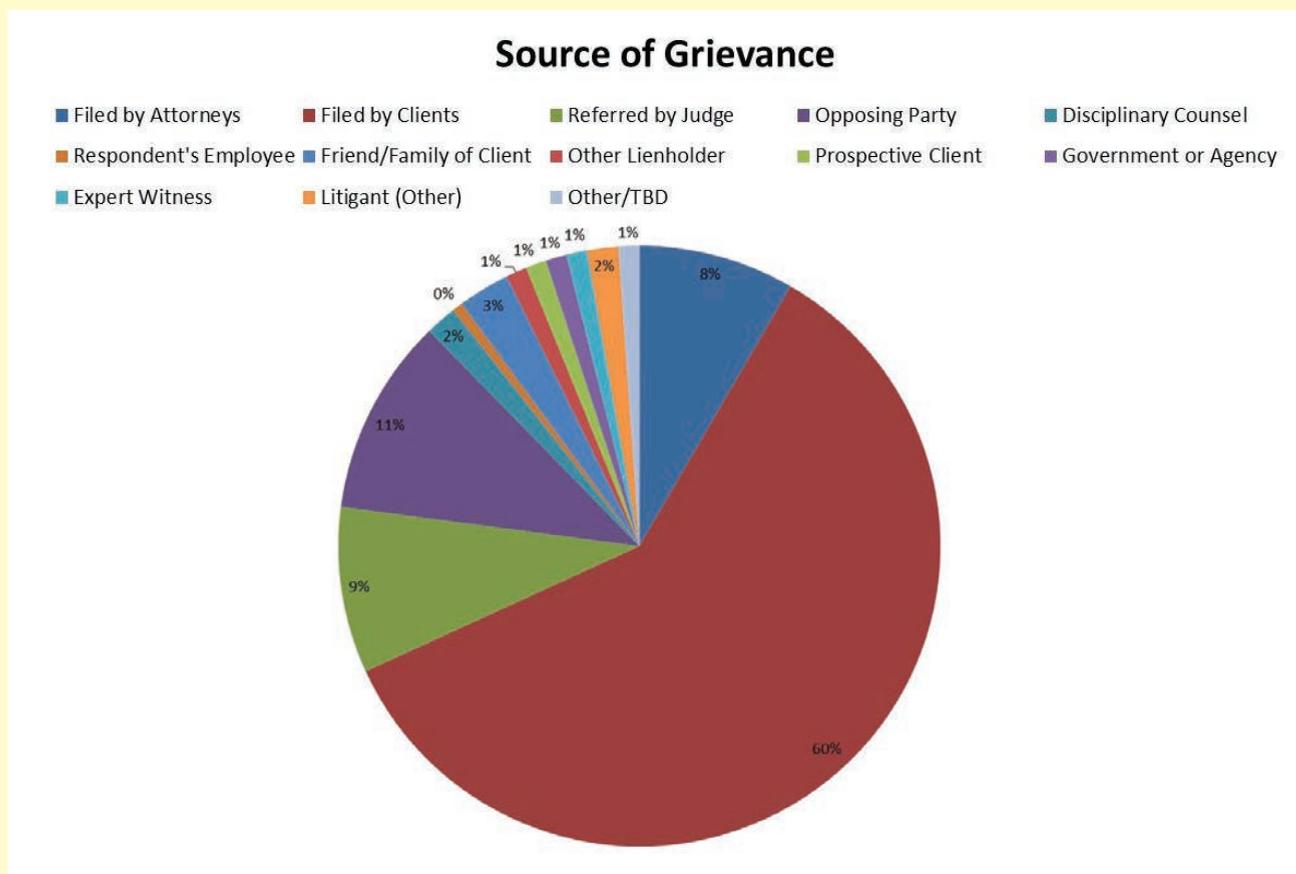
Judicial Discipline and Incapacity

The Virgin Islands Commission on Judicial Conduct was established in 2010 pursuant to Rule 209, for the purposes of preserving the integrity of the judiciary and maintaining public confidence in the judicial system. In accordance with Rule 209, Disciplinary Counsel is tasked with investigating complaints under the direction of a three member investigative panel. Upon completion of the investigation, the panel determines whether formal charges are warranted, and if so, Disciplinary Counsel prosecutes

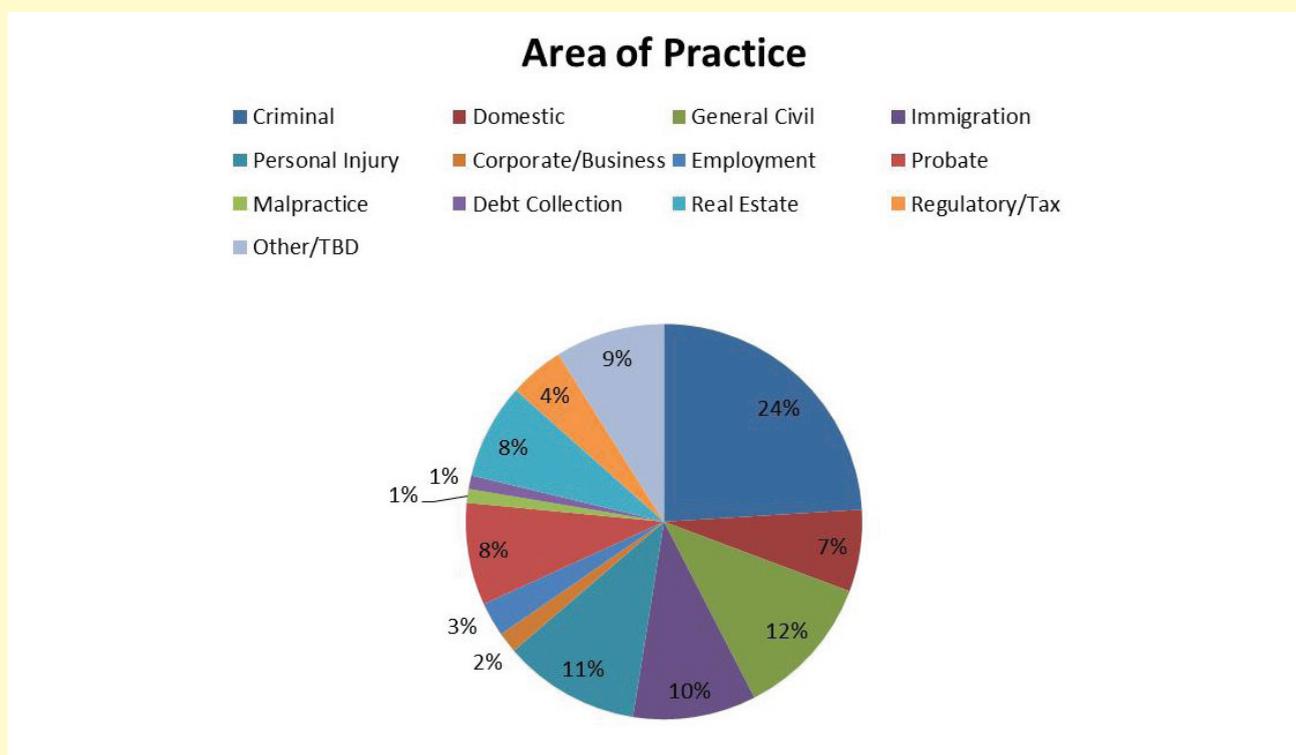
the complaint before a hearing panel. At the start of fiscal year 2013 there was 1 judicial complaint pending. During the course of the fiscal year, 4 new judicial complaints were filed. In each of the 4 cases, the matter was dismissed after preliminary investigation. At the close of the fiscal year, a full investigation had been completed in the pending matter, however, a final adjudication had not been entered prior to the close of the fiscal year. No complaints alleging judicial disability were filed in fiscal year 2013.

Case Demographics

Of the 179 attorney discipline cases resolved in fiscal year 2013, 106, or 59% were filed by clients of the respondent-attorney. Opposing parties filed 9% of the grievances. 9% were referred by judges, and 8% were referred by other attorneys.



Of the areas of practice represented amongst the resolved attorney grievance cases, 6% arose from domestic matters, 11% from general civil matters, 9% from immigration matters, 11% from personal injury cases, and 23% from criminal matters.



Receiverships. Pursuant to Rule 207, Disciplinary Counsel may be appointed to serve as an attorney-trustee when a lawyer has been transferred to disability inactive status, has disappeared or died, or has been suspended or disbarred and there is no partner, executor or other responsible party capable of conducting the lawyer’s affairs known to exist. During fiscal year 2012, Disciplinary Counsel was appointed attorney-trustee in 4 matters. In accordance with these appointments, Disciplinary Counsel took custody of 854 client files and continues to administer the client files pursuant to a court-approved plan of administration.

Accomplishments and New Objectives. As part of its outreach efforts during fiscal year 2013, the Office of Disciplinary Counsel created and circulated an electronic survey for members of the Virgin Islands Bar to assist in identifying sole practitioners without succession plans, bringing the issue of succession planning to the forefront for all attorneys in the private practice of law. During the course of the fiscal year, Disciplinary Counsel compiled “Successor Attorney” and Client File Rules, making recommendations to the Supreme Court in that regard, and created a handbook for VI Attorneys entitled “Planning Ahead, Protecting your Clients.” The handbook is available on the VI Bar website www.vibar.org.

In fiscal year 2013, Disciplinary Counsel made recommendations to the Court regarding a rule for Trust Account Record Keeping. During fiscal year 2014, Disciplinary Counsel intends to prepare and distribute a

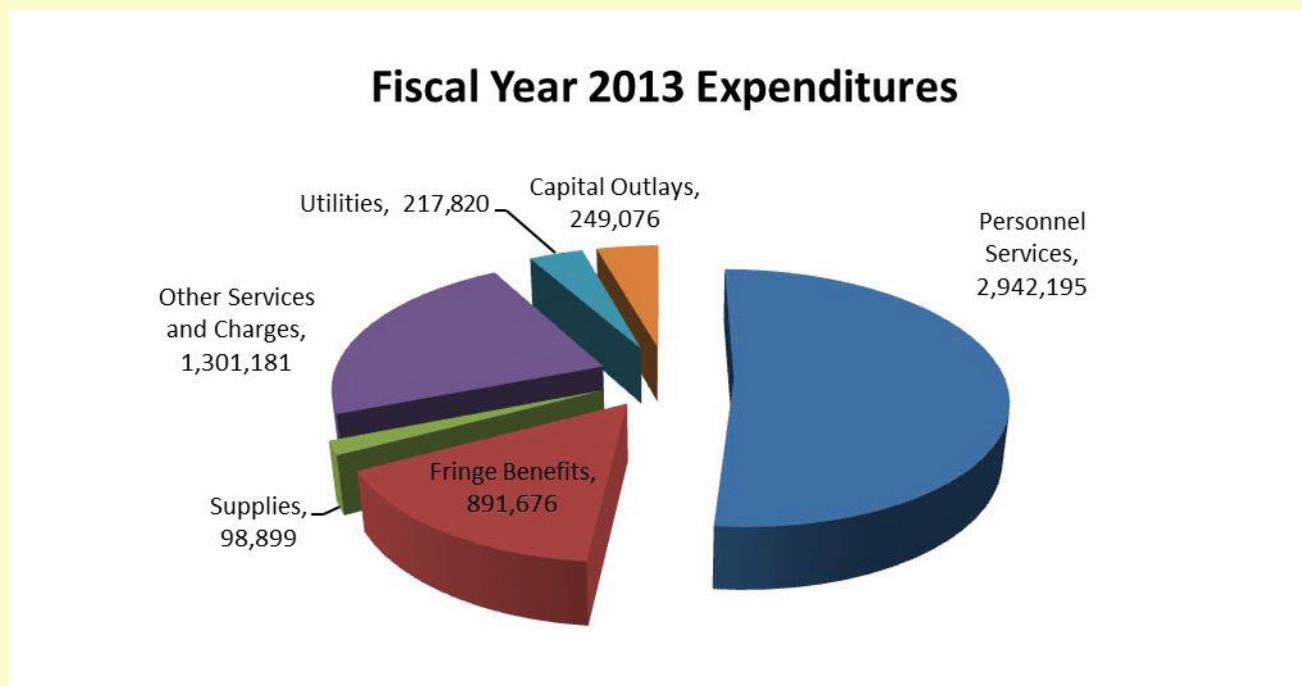
Trust Account Handbook for members of the Virgin Islands Bar, and to make recommendations for bank reporting and will assess the need for the implementation of a random audit program.

A d m i n i s t r a t i o n

In fiscal year 2013, the Office of the Administrative Director continued to manage and facilitate several areas related to the internal administrative operations of the Supreme Court.

Budgeting and Financial Management

The Supreme Court requested a budget of \$7,472,049 for its operations during fiscal year 2013. However, due to the continued reduction in government revenue, and the continued slow recovery in the local economy, the Virgin Islands Legislature appropriated \$5,710,661 for the operations of the Supreme Court during fiscal year 2013 in Act No. 7446. This appropriation was 24% less than the requested budget, and represents a sustained 8% reduction for court operations over the past 2 fiscal years, when compared to the \$6,210,523 appropriated in fiscal year 2011. The Court’s total expenditures as of September 30, 2013 were \$5,700,847.





INFORMATION TECHNOLOGY

The Supreme Court of the Virgin Islands utilizes technology as a fundamental component of all of the Court's operations. In fiscal year 2013, the Supreme Court continued to expand and improve the role of technology in streamlining and enhancing services to the public.

Case Management

Throughout fiscal year 2013, the Technology Services Division continued to maintain and enhance the Court's Case Management System – Virgin Islands Appellate Case Management System (VIACMS). VIACMS was upgraded from version 4.5 to version 5.1, and the Electronic filing application was upgraded from version 2.5 to version 3.1. An internal management tool called VIACMS Manager was implemented to enable the Court to internally manage the configuration of VIACMS and E-file applications without requiring vendor assistance or taking the system off-line. Consistent with the Court's interest in increasing and improving access and accountability, system upgrades included a new and friendlier user interface, as well as the implementation of reporting capabilities on case processing time standards in accordance with the time standards required by Promulgation Order No. 2011-0005.

Social Media

On April 19, 2013, the Supreme Court adopted its Social Media Guidelines. As a result of this work, the Court launched its new Twitter account @visupremecourt.org. The court frequently tweets the publishing of opinions, court closures, press releases, and other related court activities through this new medium. Our website was also updated with a Twitter link and icon and all emails now include a link to our Twitter account in the message footer.

Network Operations

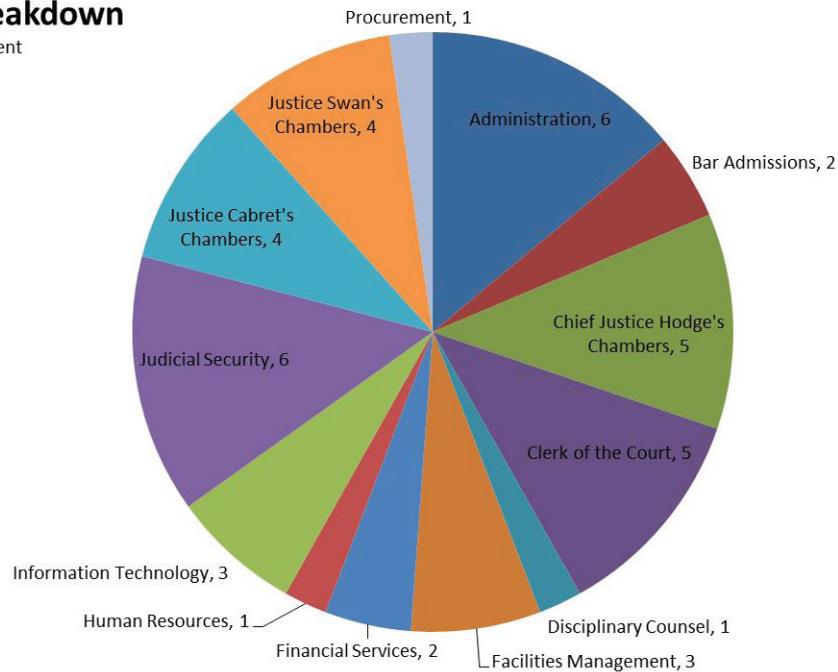
During Fiscal Year 2013, the Court's email environment was upgraded from Microsoft Exchange 2003 to Exchange 2010. The upgrade enabled redundancy and increased mailbox capacity for users with readily accessible online archived mailboxes. During the course of the fiscal year, the Court introduced a Bring Your Own Device (BYOD) policy, which allowed cost savings by minimizing the need for equipment purchases, and facilitated the integration of apple and android devices with the Court's messaging environment and the expansion of its web-based email access. The Court also upgraded our Storage Area Network (SANs) on both islands. The upgrade was necessary to accommodate the expanded storage needs for the Court's digital content.

Human Resources

The Supreme Court is honored to have loyal employees who are dedicated to public service and the Court's vision. However, reduced budget appropriations continue to threaten the Court's growth and the necessary expansion of services. In Fiscal Year 2013, the Supreme Court maintained a staffing level of 43. The Court filled 1 Deputy Clerk position in St. Croix which had experienced turnover during the course of the fiscal year. At the close of the fiscal year, critical positions of Administrative Director and Chief Financial Officer remained vacant.

Employee Breakdown

By Department



Awards, Honors, Recognition The Supreme Court continues to recognize staff whose efforts go above and beyond what is required while maintaining the Court's high performance standards. In fiscal year 2013, the Court honored and recognized the talents and professional excellence of Anthony Ciolli, Senior Law Clerk and Special Assistant to the Chief Justice, and Franklin Orr, Computer Support Technician.



Anthony Ciolli



Franklin Orr

Additionally, the Court's Director of Human Resources, Koya S. Ottley, received the 2013 Human Resources Champ Award during the Government of the Virgin Islands' Annual Employee Recognition Ceremony. This award, which is presented annually by the Director of Personnel, recognizes HR teams for work within the HR function and their business partnering with other functions to achieve strategic goals. The individual selected demonstrates a positive impact on the HR function itself and upon the organization as a whole, links operational and financial performance so that HR's contribution can be clearly measured, integrates well and cooperates effectively with other business units, institutes HR metrics and associated reports, and fosters teamwork and cohesive collaboration throughout the organization, with a demonstrable willingness to learn and share. The Court is proud to share in the personal accomplishments of its HR Director.



Human Resources Director, Koya S. Ottley

Certified Court Manager Program

In fiscal year 2012, the Supreme Court saw four members of its management attain the designation of Certified Court Manager from the National Center for State Courts' Institute for Court Management. During fiscal year 2013, four more managers enrolled in the program. With four of the six certification courses completed, these employees are well on track to earn their certifications in fiscal year 2014.

Professional Development

Developing and providing training to our staff continues to be a high priority of the Court. During fiscal year 2012, training was facilitated by the Court through employee attendance at the following trainings and conferences: VI Legal Update, the Society for Human Resources Management's Annual Conference, Conference of Chief Justices 2013 Midyear Meeting, Law Enforcement Prevention and Deterrence of Terrorist at VITEMA, District Court Fourth Annual Conference, Law Enforcement Active Shooter Emergency Response, OnBase-Introduction to Workflow Training, International Law Enforcement Educators and Trainers Association Training Conference and Expo, Resolving Ethical Issues in the Workplace Training, VINGN Digital Literacy, Getting the Most from Microsoft Excel, Leadership Development & Team building Training, National Conference of Appellate Court Clerks, HR Certification Training Internal Public Management Association (IPMA)-Certified Professional (CP), American Sign Language Course-Beginner's Course, and DOL's OSHA Training.

Training and continuing education boost morale and improve retention. As such, the Court continues to receive great returns on its training investment. The skills acquired by attendance at these conferences, as well as the level of participation in the various seminars, continue to enhance the effectiveness and efficiency of Court operations for our customers, utilizing best practices and maintaining compliance with national trends.

Programs and Achievements

The Supreme Court of the Virgin Islands developed a comprehensive internship opportunity in fiscal year 2012 designed to enhance students' academic and professional careers by providing educational value and a beneficial work experience within the court system. This unpaid internship program, which provides a rare glimpse of the inner workings of the judiciary, saw a 50% increase in participants during fiscal year 2013.

Despite budget constraints, and because of the continued importance of outreach and education, as well as the tremendous benefit to students in the community, the

Supreme Court reinstated its 5-week Summer Employment Program. The summer program was held during the period of July 14, 2013 through August 24, 2013. Eight students were enrolled and engaged in structured projects. The students were introduced to specific court applications in various areas of Court Operations, and assigned the completion of major tasks involving inventory control and the recording of public assets, procurement functions, the management and record keeping of cases, the process for Receiverships, archiving, and payment processing.

F a c i l i t i e s M a n a g e m e n t a n d P r o c u r e m e n t

During fiscal year 2013, the Supreme Court continued its efforts at improving and maintaining infrastructure. In the first quarter of fiscal year, final repairs to the exterior of the Court's facility at No. 18 Strand Street in Frederiksted were completed. Additionally, in furtherance of the statutory mandate to construct the main courthouse on the island of St. Croix, during fiscal year 2013, the Court also received the final report for Strategic Planning and Reprogramming Services for the project. However, the sheer magnitude of the project and the economic climate continue to threaten any further progress.

As it relates to new procurement in fiscal year 2013, the Court solicited quotations by issuance of an RFQ for the replacement of its aging vehicle fleet. The request was necessitated by a need to curb escalating repair and maintenance costs, and the added benefit of greater fuel efficiency in the advent of rising energy and fuel expenses. RFPs for office supplies in both districts were also issued during the first quarter of the fiscal year.

Special Projects

MSDS – Hazardous Communication Training: In compliance with the Occupational and Safety Health Administration, during fiscal year 2013, the Court created a Hazard Communication Program. As part of the program, an inventory of all chemicals used as well as the required Material Safety Sheets detailing how the chemicals should be stored and handled was created in hard and electronic form. The Court also was able to meet OSHA's December 31, 2013 deadline to train staff on the new labeling elements and standardized format. Our employees have the information they need to better protect themselves from chemical hazards in the workplace. Ongoing training for all staff will be scheduled as new chemicals are introduced to the Court.

Training. During fiscal year 2013, the Procurement Manager attended the National Association of State Procurement Officials Conference in Denver, Colorado. Some topics discussed include: state bid protest, contract usage, emergency preparedness and vendor management. The conference also offered tips on how procurement officials can work with department legislative aids to pass bills that enhance procurement programs.

Updating acquisition information of assets recorded in SysAid. The Procurement Division completed a full inventory update of the Court's assets as part of a special project for 2013 Summer Interns. The completion of the project was a collaborative effort by the Procurement Division, IT Division, and 2013 Summer Interns: Khalfani Benjamin, Nida Shadeed and Chesney and Taylor Henry.



2013 Summer Interns pictured with Chief Justice Rhys S. Hodge and HR Director Koya S. Ottley

Judicial Security

The Office of the Supreme Court Marshal is tasked with the protection, safety and security of the Justices, employees, visitors, staff, facilities and property of the Supreme Court of the Virgin Islands. The duties include management, monitoring, maintenance and testing of all security systems, radio communications, and fleet vehicles, as well as oversight of the Court's Emergency and Disaster Response through the coordination of the Emergency Response Team (ERT).

Operations. During fiscal year 2013, the Marshal Office logged 1,877 visitors, screened 3,723 pieces of mail/packages, conducted eight background investigations and documented six incidents, none of which resulted in any harm to a Justice, visitor or employee.

Training. During fiscal year 2013, the Supreme Court Marshals successfully completed the required weapons training and qualification standards on their available

issued weapons systems and completed training towards annual Peace Officer Recertification such as Use of Force, Constitutional Law, and Judgmental Shooting Scenarios. Marshal Office personnel participated in Defensive Tactics, Law Enforcement Active Shooter Emergency Response, Impact Weapon Training and an instructor attended the International Law Enforcement Educators and Trainers Association (ILEETA) Conference to take part in various law enforcement related training where Certification as a Handcuffing Instructor was earned through the Smith and Wesson Academy. The Supreme Court Marshals also took part in Law Enforcement Firearms Instructor Certification and Integrated Use of Force Instructor Certification provided through the Virgin Islands Police Department's (VIPD) Training Division.

Emergency and Disaster Response. In Fiscal Year 2013, a supplement to the Emergency and Disaster Plan was approved. The Office of the Supreme Court Marshal conducted staff training and a copy of the Emergency Procedures and Natural Disaster Preparedness Manual

was distributed to the employees. Division Managers and Emergency Response Team (ERT) members also took part in a Hurricane Tabletop Exercise (TTX) designed to test and assess current response plans.

Accomplishments. During Fiscal Year 2013, approval was granted for the following manuals and plans: Standard Operating Procedures for the Office of the Supreme Court Marshal, a supplement to the Emergency Procedures and Disaster Plan, an Off-Site Security Guide for the Justices, Defensive Tactics Lesson Plan and Physical Fitness Lesson Plan. The Office of the Marshal also conducted staff training on emergency and disaster response.

Judicial Security Fiscal Year 2014 Goals and Objectives. For Fiscal Year 2014, the Office of the Supreme Court Marshal will continue to fulfill the mandate of securing and protecting the public, Justices, employees and all other assets of the Supreme Court of the Virgin Islands. Priorities include; emergency/evacuation drills, distribution of the Off-Site Security Guide for the Justices, review and testing of the Continuity of Operations Plan draft, Defensive Tactics and Physical Fitness Training, and review of the Use of Force Policy in order to update or modify.

Community Outreach

The Supreme Court remains steadfast in its commitment to educating the public about its processes and the Virgin Islands Judicial System. In fiscal year 2013, the Court continued to record and stream its oral arguments live on the internet, making archived recordings available on its website as well as permitting free public access to view all documents associated with all open and closed cases, other than those filed under seal. The Court also continues to develop and circulate information in plain language, related to discipline matters, informing the public about the grievance process for attorneys and judicial officers.

As part of its public outreach, the Supreme Court has also engaged in student outreach by partnering with local public schools through on-the-job training programs. This partnership, which began in fiscal year 2012 with one student intern, continues to grow. During the course of fiscal year 2013, 2 student trainees from the Charlotte Amalie High School Business Department interned at the Supreme Court. In furtherance of their classroom business training, the students were assigned to various divisions within the court and worked an average of 12 hours per week alongside court staff over the course of a 12 week period.



Student Interns: Japera Krigger and Shareal Salem

The Supreme Court assisted the Virgin Islands Bar Association by hosting the 19th Annual Moot Court competition. The second and final rounds of the competition were held in Supreme Court courtroom on St. Thomas.



Charlotte Amalie High School Team Ameen Rashid, Rudel Hodge Jr., and Natalia Hill (1st. Place) Not pictured Benjamin Bogoneau, Shelia Joseph and K'Mani Dowe.



Central High School Moot Court Team took 2nd Place with team members Richelle Allen, Brendon James, Patrice Gumbs, Marcus Johnson and Shanice James.



Charlotte Amalie High School Team Members K'Mani Dowe, Shelia Joseph and Benjamin Bobouneau.



Charlotte Amalie team with Coach Marie Thomas-Griffith, and VI Bar members, Ernest Morris, Nullissa DeWeese, Emile Hendersen III, Nesha Christian-Hendrickson and Angela Polk.



Winning team members pictured with Chief Justice Rhys S. Hodge, Federal Magistrate Judge Ruth Miller and Superior Court Presiding Judge Darryl Dean Donohue.

In addition to the efforts to educate and inform the public about the Supreme Court, the Court also took steps to increase visibility in the community through employee participation in local events and programs such as the Government of the Virgin Islands' 10,000 Steps health and fitness initiative.



Team Supreme. In honor of one of the Court's long tenured employees who is a cancer survivor, Court employees established Team Supreme and participated in the 2013 American Cancer Society's Relay for Life which was held at the Charlotte Amalie High School from June 29-30, 2013.





JUDICIAL OUTLOOK

In 2010, with the assistance of the National Center for State Courts, the Supreme Court established and published a strategic plan which set critical goals and objectives for its evolution and development. On account of the careful execution of the developmental strategies established in this plan, the Supreme Court has achieved significant milestones, culminating in its recognition as bona-fide Court of last resort, which earned direct review by the Supreme Court of the United States in fiscal year 2013. Looking ahead, 2014 will mark 7 years since the Court first assumed appellate jurisdiction and an appropriate point in time for the Supreme Court to begin to evaluate its own performance under the current strategic plan and chart new courses for its best possible future. Accordingly, 2014 will be the advent of a new chapter in the Court's development, and potentially in the development of the entire judiciary of the Virgin Islands as legislators contemplate the re-establishment of a unified judiciary.

Additionally, the territory's ongoing fiscal crisis has caused the dialogue regarding a unified judiciary to re-surface. During the 2012 budget hearings before the 29th Legislature of the Virgin Islands, Senator Shawn-Micheal Malone indicated that he would like to see a study performed on the cost benefits associated with unification.

Accordingly, in October of 2012, the Supreme Court applied for and received a grant from the State Justice Institute to assess the administrative organizational structure of the Virgin Islands Judiciary, and contracted for the National Center of State Courts to conduct the necessary research and issue a final report in June of 2013. The report identified, among other things, significant duplication in senior administrative positions as well as

procurement inefficiencies that were directly attributable to the current separate administration of both courts. The final recommendation of that report was unified administration of the Judicial Branch through the creation of a judicial management council or committee as the principal internal governing body to increase efficiency and consistency of operations, and give the judiciary a single unified voice.

While uncertainty may lie ahead as it relates to the ultimate structure and organization of a unified judiciary, the Supreme Court will nonetheless forge ahead with the following critical initiatives:

- The establishment of an Access to Justice Commission. Through the establishment of this Commission, the Supreme Court will continue to nurture the necessary partnerships within the judiciary and legal community, with the objective of improving and ensuring access to civil justice for all persons in the Virgin Islands.
- Adoption of the Virgin Islands Rules of Professional Conduct for attorneys.
- Implementation of a Standards and Rules Committee to assist the Court in reviewing current rules, and the amendment, revision and adoption of pertinent procedural and other rules for the improvement of the administration of justice in the Virgin Islands.

SUPERIOR COURT OF THE VIRGIN ISLANDS FY-2013 JUDICIAL OFFICERS

HONORABLE DARRYL DEAN DONOHUE SR.+
PRESIDING JUDGE

HONORABLE MICHAEL C. DUNSTON
ADMINISTRATIVE JUDGE

DISTRICT OF ST. CROIX

HONORABLE PATRICIA D. STEELE
JUDGE

HONORABLE JULIO A. BRADY*
JUDGE

HONORABLE HAROLD W. L. WILLOCKS
JUDGE

HONORABLE DOUGLAS BRADY
JUDGE

HONORABLE DENISE HINDS-ROACH
JUDGE

HONORABLE MIGUEL A. CAMACHO
MAGISTRATE

HONORABLE JESSICA GALLIVAN
MAGISTRATE

DISTRICT OF ST. THOMAS/ST. JOHN

HONORABLE BRENDA J. HOLLAR
JUDGE

HONORABLE AUDRY L. THOMAS
JUDGE

HONORABLE JAMES S. CARROLL III
JUDGE

HONORABLE ADAM G. CHRISTIAN
JUDGE

HONORABLE KATHLEEN MACKAY
MAGISTRATE/JUDGE*

HONORABLE DEBRA SMITH WATLINGTON
JUDGE

HONORABLE ALAN D. SMITH
MAGISTRATE

HONORABLE HENRY V. CARR, III
MAGISTRATE

*RETIRED MAY 2012/SENIOR SITTING JUDGE - NOVEMBER 2012

+RETIRED SEPTEMBER 25, 2013

*EFFECTIVE NOVEMBER 2012

GLENDIA B. CAINES, MBA
COURT ADMINISTRATOR

LISA DAVIS MCGREGOR, MPA
ASSISTANT COURT ADMINISTRATOR

VENETIA H. VELAZQUEZ, ESQ.
CLERK OF THE COURT

PAUL G. GIMENEZ, ESQ.
GENERAL COUNSEL



MISSION STATEMENT
OF THE
SUPERIOR COURT



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.



Superior Court Of The Virgin Islands



MESSAGE FROM THE PRESIDING JUDGE

As Presiding Judge, I am pleased to report on the ongoing initiatives and activities of the Superior Court of the Virgin Islands undertaken to fulfill the Court's commitment to serve the people of the Virgin Islands in the administration of justice.

During fiscal year 2013, the Court underwent substantial changes in its judicial ranks. The Court wished a reluctant farewell to six judges and one magistrate, with more than seventy collective years of judicial experience, when they retired from the bench:

St. Thomas/St. John District:

Honorable Brenda J. Hollar
Administrative Judge

Honorable Audrey L. Thomas
Judge

Honorable James S. Carroll, III
Judge

Honorable Alan D. Smith
Magistrate

St. Croix District:

Honorable Darryl D. Donohue, Sr.
Presiding Judge

Honorable Patricia D. Steele
Judge

Honorable Julio A. Brady
Judge

During the same period, the Court welcomed four new judges and one magistrate to its ranks:

St. Thomas/St. John District:

Honorable Kathleen Y. Mackay
Judge (Former Magistrate)

Honorable Debra S. Watlington
Judge

Honorable Henry V. Carr, III
Magistrate

St. Croix District:

Honorable Douglas A. Brandy
Judge

Honorable Denise Hinds-Roach
Judge

In addition, the Clerk of the Court, Ms. Venetia H. Velazquez, Esq. resigned from her position effective December 27, 2013, and Chief Deputy Clerk, Mrs. Estrella H. George, succeeded her as Acting Clerk of the Court.

In response to the Territory's ongoing fiscal challenges, the Superior Court has continued to enforce its austerity measures throughout Fiscal Year 2013. As with Fiscal Year 2012, those austere measures forced the Court to analyze its business practices, which led to cutbacks in several areas of operations. The Superior Court could no longer sustain its operations in the Boulon Center in Cruz Bay, St. John, so it entered into a Memorandum of Understanding with the Legislature of the Virgin Islands to conduct its operations at the Legislature's St. John facilities. To further attenuate the effects of the budgetary constraints, other cost saving measures were implemented that included eliminating several monthly recurring services and redirecting certain services to be performed by existing staff.

In addition to reduced levels of operation, strained funding and the austerity measures adversely impacted many of the training ventures previously employed by the Superior Court for its employees. Notwithstanding these challenges, I am pleased to report that the Superior Court was able to procure federal grants that allowed it to coordinate essential training efforts for its Marshals and Court Security. In light of the local government's grave financial standing, it is the intent of this Administration to continue exploring and tapping into other potential funding that might allow the Court to resume normalcy in its operations.

In the face of this adversity, the Superior Court persevered in laying the groundwork to effectuate other ongoing initiatives. At the close of the year, the Superior Court finalized one of its major initiatives - A Differentiated Case Management System. Additionally, the Court neared full official implementation of its new electronic case management system, and the Court is excited about the prospective impact it will have on operations including improving case flow, reducing delays in disposition, providing quality controls, and improving service to court users.

The Superior Court continues to implement technology, where possible, to improve and enhance its operations. The Court is proud to report that, as of April 2013, it has employed a new software based jury management system that allows prospective jurors to go online to complete their questionnaires, apply for exemptions and check their scheduled appearances. Essentially, this new system has had a tremendous impact in streamlining the juror selection process, allowing the Jury Management Division to adopt more effective and efficient procedures. In addition, the Information Technology Division has been working to replace and upgrade the Court's telephone system.

These efforts and initiatives undertaken by the Administration of the Superior Court will benefit the entire public and legal community. Notwithstanding the financial and other limitations presented during Fiscal Year 2013, the foregoing accomplishments are a testimony to the dedication of the Court's remarkable employees and the commitment of its judicial officers to serve the People of the Virgin Islands in the administration of justice. For this, I am grateful, and I am honored to serve as the Presiding Judge of this Court.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael C. Dunston". The signature is fluid and cursive, with a prominent loop at the end.

Michael C. Dunston
Presiding Judge



HISTORICAL OVERVIEW

THE PRESENT DAY SUPERIOR COURT OF THE VIRGIN ISLANDS IS A TWENTY-FIRST CENTURY COURT, WITH A FRAMEWORK THAT WAS ESTABLISHED MORE THAN HALF A CENTURY AGO. TODAY'S COURT EVOLVED FROM THREE POLICE COURTS IN THREE MAJOR CITIES: THE POLICE COURT OF FREDERIKSTED; THE POLICE COURT OF CHRISTIANSTED; AND, THE POLICE COURT OF CHARLOTTE AMALIE. THESE COURTS EXISTED UNDER THE 1921 CODES OF ST. THOMAS AND ST. JOHN, AND ST. CROIX.

On July 22, 1954, the revised Organic Act of the Virgin Islands was amended and approved. Section 21 of that Act vested judicial power in the court of record, the District Court of the Virgin Islands, and in any lower courts established by local law. The three Police Courts were then abolished and two municipal courts were established: one for St. Thomas and one for St. Croix. After a decade of this structure, the make-up of the local judiciary changed again. On March 1, 1965, the two municipal courts were combined into a single court called the Municipal Court of the Virgin Islands.

On September 9, 1976, the Legislature of the Virgin Islands established the forerunner of today's Superior Court of the Virgin Islands – in accord with Act. No. 3876 (§ 5, Session 1976, p. 17.) The Municipal Court of the Virgin Islands' name was changed to the Territorial Court of the Virgin Islands. Almost three decades later, the Territorial Court gained a substantial amount of judicial autonomy. This was authorized by the 1984 amendments to the Revised Organic Act of 1954 and triggered by local enactments by the Legislature as well as the Governor of the Virgin Islands.

On October 1, 1991, the Territorial Court obtained jurisdiction over all local civil actions – in accordance with 4 V.I. Code Annotated § 76 (a). Later, on January 1, 1994, pursuant to Act 5980, the Legislature of the Virgin Islands granted expanded jurisdiction in criminal matters to the Territorial Court. Then, on October 29, 2004, the Territorial Court of the Virgin Islands' name was officially changed to

the Superior Court of the Virgin Islands by means of Act No. 6687 (Bill No. 25-0213).

COMPOSITION OF THE SUPERIOR COURT OF THE VIRGIN ISLANDS

In accordance with Title 4 V.I. Code Ann. Section 71, the Superior Court of the Virgin Islands shall consist of not less than six (6) judges learned in the law, one half of whom shall reside in the Division of St. Croix and one half of whom shall reside in the Division St. Thomas-St. John. The Governor shall designate one (1) of the judges of the court to serve as Presiding Judge of the Superior Court for such a term, performing such duties, and exercising such authority as may be otherwise provided by law or by rules of the court.

The Superior Court is comprised of two judicial districts: District of St. Thomas-St. John and the District of St. Croix. Operational facilities in the District of St. Thomas-St. John are located in the Alexander A. Farrelly Justice Center and, the Magistrate Division is located in Barbel Plaza on St. Thomas, U.S. Virgin Islands. The Court also maintained an operational facility in the Boulon Center on St. John, U.S. Virgin Islands - through the end of July 2013. In the District of St. Croix, the Court is located at the R. H. Amphlett Leader Justice Complex, Kingshill, St. Croix, U.S. Virgin Islands.

During Fiscal Year 2013, the Superior Court was staffed with five judges in the District of St. Thomas-St. John and four judges in the District of St. Croix. Additionally, there are two magistrates situated in each district to complement the judicial staff. The Court also maintains off-site locations/offices at the Bureau of Motor Vehicles (BMV) on St. Thomas and St. John to facilitate the needs of the motoring public. Due to the fiscal and budgetary constraints the Court faced in FY2013, it was forced to close the courthouse

in the Boulon Center on St. John. Thereafter, the Court entered a Memorandum of Understanding (MOU) with the Legislature of the Virgin Islands to utilize its facilities on St. John to hold monthly court sessions for the residents of St. John that will continue into the future.

LEGAL JURISDICTION OF THE SUPERIOR COURT OF THE VIRGIN ISLANDS

In accordance with V.I. Code Ann. Title 4 § 75-76, the Superior Court of the Virgin Islands has original jurisdiction over all criminal and civil cases brought under local law. The Court's jurisdiction to hear criminal matters extends to misdemeanors, felonies, traffic, and litter violations. Additionally, the Superior Court is also charged with the resolution of family and estate disputes, which includes divorce, custody and neglect, juvenile matters 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.

Appointed by the Governor of the U.S. Virgin Islands, with the advice and consent of the Legislature of the Virgin Islands, and pursuant to 4 V.I.C. § 72, trial judges continue to have jurisdiction over all case types before the court, except for non-felony traffic offenses which - by statute - now fall within the exclusive jurisdiction of the Magistrate Division (See 4 V.I.C. § 124(b)). Additionally, trial judges serve an appellate role in consideration of petitions for writs of review from agency decisions; and, pursuant to Court rule and case law, as appellate judges for internal review of magistrate decisions. Finally, trial judges also serve on appellate panels, to consider appeals in the District Court's Appellate Division, as well as on the Supreme Court of the Virgin Islands in the event of recusals.

During the first quarter of FY 2013, the Superior Court experienced a significant change in its judicial officers as four of the judges (two in each district) said goodbye to their Superior Court Family. In the St. Croix District, Judge Julio Brady completed his six (6) year term at the end of May 2012. He continued to serve as a Senior Sitting Judge until the end of November. Judge Brady had served previously in the Territorial Court from 1992 to 1994, and returned to the Superior Court once again in 2006. Also, after serving eighteen (18) years in the Family Division in the District of St. Croix, Judge Patricia Steele retired from the bench on December 8, 2012. In the St. Thomas/St. John District, the Court's two female judges also retired. After serving

twelve years (12) on the bench, Judge Audrey Thomas of the Family Division 11 retired at the end of November. During her last six years on the bench, Judge Thomas served as the Family Court Judge in the St. Thomas/St. John District. Judge Brenda J. Hollar served eighteen (18) years in the Court (Territorial and Superior) and also retired on November 30, 2012. Even as the Superior Court family bid farewell to those four honorable judges, they warmly welcomed the four new judges who were confirmed by the 29th Legislature of the Virgin Islands on November 20, 2012 and joined the Superior Court.

In the District of St. Croix, Attorney Douglas Brady was nominated to succeed Judge Julio A. Brady. Since 1984, Attorney Brady worked for the firm of Jacobs & Brady P.C. He has also been a U.S. District Court and V.I. Superior Court certified mediator, an arbitrator on commercial and employment panels, and on the V.I. Public Employees Relations Board. Attorney Brady graduated in 1976 from the Columbus School of Law at Catholic University of America. He was elected as a delegate for the Fifth Constitutional Convention of the Virgin Islands, sitting on the Judicial Branch Committee. Attorney Brady was informally sworn in as a Judge of the Superior Court on Monday, December 17, 2012 and began working in earnest in the St. Croix District. He was officially sworn in to office on February 11, 2013.

Attorney Denise A. Hinds-Roach was confirmed to serve as a judge in the St. Croix District, succeeding Judge Patricia Steele in the Family Division. Attorney Hinds-Roach obtained her law degree and Bachelors of Science Degree from Duquesne University. From 1995 she served as an Assistant U.S. Attorney at the U.S. Attorney's Office on St. Croix. She was the prosecutor on Project Safe Childhood, which targeted criminals who sexually exploited children. Before becoming a federal prosecutor, Attorney Hinds-Roach worked for a year with the V.I. Department of Justice as an assistant attorney general. Attorney Hinds-Roach was informally sworn in as a Judge by the Hon. Judge Harold Willocks on December 31, 2012 and began her service on the bench on January 2, 2013. She was officially sworn in to office on February 11, 2013.

In the St. Thomas-St. John District, Attorney Debra Watlington was confirmed to serve as the judge in the Superior Court's Family Division and succeeded Judge Audrey L. Thomas. Attorney Watlington, a graduate of Howard University School of Law has, since 2010, served as the Chief Territorial Public Defender for the V.I. Territorial Public Defender's Office. She joined the Public Defender's Office in 2003 and, before that, served as Chief of Staff for the Virgin Islands Housing Authority. Attorney Watlington was informally sworn in as a Judge by the Hon. Judge Adam

Christian on December 31, 2012 and began her service on the bench on January 2, 2013. Judge Watlington was officially sworn in to office on February 11, 2013.

The Hon. Magistrate Kathleen Mackay was “promoted” through Governor John DeJongh’s appointment to serve in the position of Judge of the Superior Court of the Virgin Islands. Before joining the Superior Court, Magistrate Mackay was a partner in the Law Firm of Hodge and Mackay. Judge Mackay served as a Magistrate Judge since July 2009 and was nominated to succeed retiring Judge Brenda Hollar. In her position as Magistrate Judge, she presided over criminal bench trials, advice-of-rights hearings, landlord/tenant and small claims cases, traffic court and domestic violence cases. Magistrate Mackay was informally sworn in as a Judge by Presiding Judge Darryl Dean Donohue, Sr. on December 7, 2012 and officially sworn in to office on February 11, 2013. Judge Mackay continued to work in the Magistrate Division until a new Magistrate was selected and began her judicial duties as a judge in July 2013.

During the last quarter of FY2013, the Superior Court experienced yet another change to its judicial makeup. In the District of St. Croix, Presiding Judge Darryl Dean Donohue, Sr. retired from his almost thirty years (30) of service to the people and Government of the U.S. Virgin Islands. Judge Donohue was appointed to the bench in 2004 and became the Presiding Judge in 2007.

In the District of St. Thomas-St. John, Judge James S. Carroll, III also retired after serving six years on the bench. Judge Carroll assisted the Court as a Senior Sitting Judge for a brief period of time following his retirement. As a direct result of Judge Donohue’s retirement, and the 30th Legislature’s reconfirmation on September 25, 2013 of Judge Michael C. Dunston to another six-year term as a Judge, Governor deJongh also appointed Judge Dunston to serve as the Presiding Judge of the Superior Court.

The following trial judges were seated in the Superior Court during Fiscal Year 2013:

District of St. Croix

Honorable Darryl Dean Donohue, Sr. (Presiding Judge)

Honorable Julio A. Brady*

Honorable Douglas Brady

Honorable Patricia D. Steele#

and, Honorable Harold W.L. Willocks

District of St. Thomas-St. John

Honorable Brenda J. Hollar+ (Administrative Judge)

Honorable James S. Carroll, III

Honorable Michael C. Dunston

Honorable Audrey L. Thomas+; and,

Honorable Adam G. Christian

•Retired September 25, 2013

*Retired May 2012; served as Senior Sitting Judge until November 2012.

+Retired in November 2012; and,

#Retired in December 2012

Two additional judges joined the Superior Court in the latter days of FY2013: Attorney Denise Francois, a former partner in the firm of Hodge and Francois, succeeded Judge James S. Carroll, III and was confirmed by the 30th Legislature on September 25, 2013. Judge Francois was one of the first class of women admitted to Amherst College in Massachusetts, where she majored in political science. Following her graduation, she returned home to the Virgin Islands and later attended and graduated from the University of San Diego School of Law. Judge Francois has practiced before the V.I. Superior Court, the V.I. Supreme Court, the District Court of the Virgin Islands and the 3rd Circuit Court of Appeals. She is a member of the California Bar, the District Court of the Virgin Islands and United States Court of Appeals for the Third Circuit. She has been member of the American Bar Association since 1985 and a past member of the Association of Trial Lawyers of America which is now known as the American Association for Justice.

In the District of St. Croix, Attorney Robert A. Molloy was appointed to succeed Judge Darryl Dean Donohue, Sr., and was also confirmed by the 30th Legislature on September 26, 2013. Judge Molloy holds a Masters of Business Administration and a law degree from American University. Immediately prior to the commencement of his judgeship, Judge Molloy worked as an Assistant Attorney General-Labor for the Virgin Islands Department of Justice assigned to the Office of Collective Bargaining (OCB). Prior to working at OCB, Judge Molloy had the privilege of working as a judicial law clerk for the Honorable Raymond L. Finch at the District Court of the Virgin Islands. Judge Molloy also served as a judicial law clerk at the Arlington County Circuit Court in Arlington, Virginia, where he conducted legal research and writing for four judges of the Arlington County Circuit Court. At the culmination of FY2013, the Court had lost more than seventy (70) years of judicial experience following the retirement of its senior judges.

The Court also appreciates the assistance rendered in the resolution of cases during Fiscal Year 2013 by the Honorable Julio Brady, who served as a Senior Sitting Judge following his retirement enabling the Court to have a smooth transition with its new judges.



THE MAGISTRATE DIVISION

On May 11, 2007, Act 6919 was signed into law, providing a Magistrate Division within the Superior Court of the Virgin Islands. Pursuant to 4 V.I.C. § 120, et. seq., the Superior Court implemented the Magistrate Division during Fiscal Year 2009. In accordance with 4 V. I. C. § 122, and based on the advice and recommendation of a selection panel, along with the trial judges in each district, magistrates are appointed by the Presiding Judge. The magistrates are subject to the supervision of the Presiding Judge and the jurisdiction of the Magistrate Division is as set forth in 4 V. I. C. § 123.

In accordance with Title 4 VIC §122(a), the Superior Court of the Virgin Islands sought public input and comment concerning the reappointment of the magistrate judges in the District of St. Croix to a new four-year term. Following the receipt and evaluation of said public comments, the sitting magistrates were retained for another term in the Superior Court's Magistrate Division.

As noted before, Magistrate Kathleen Mackay was nominated to serve as a Judge of the Superior Court and was unanimously confirmed by the 29th Legislature on November 19, 2012. Additionally, Magistrate Alan D. Smith elected to retire from Government service, and the Superior Court's Magistrate Division, at the culmination of his initial term in office in June 2013. Thereafter, the Superior Court, in accordance with Title 4 VIC §122, initiated the application process to select new magistrates. The Court organized the selection panel which is comprised of attorneys and individuals from within the community. They reviewed the applications, conducted interviews and made their recommendations to the Presiding Judge. Utilizing the advice and consent of the additional judges, the Presiding Judge then appointed two new magistrates to serve in the Superior Court's Magistrate Division.

Attorney Henry V. Carr, III was selected by the first Magistrate Selection Panel and succeeded Magistrate Kathleen Mackay. Attorney Carr practiced law on St. Thomas for almost thirty-five years. He is a member of the Bar Associations of Maryland, the U.S. Virgin Islands and the Third Circuit Court of Appeals. Prior to his

selection as a Magistrate, Attorney Carr served as a Senior Staff Attorney at the Virgin Islands Port Authority. He has also served in the VI Department of Justice, the Law Firm of Campbell & Arellano, the Law Firm of Murnan and Carr, and the Law Office of Henry V. Carr, III. Prior to being officially sworn into office on January 23, 2014, Magistrate Carr was informally sworn in by Presiding Judge Donohue on August 23, 2013 and began his tenure as a Magistrate Judge on August 26, 2013.

Attorney Carolyn P. Hermon-Percell was selected from the second Magistrate Selection Panel to succeed retired Magistrate Alan D. Smith. Attorney Hermon-Percell holds a Bachelor of Arts Degree in American Government from Georgetown University, a Masters in Public Administration from the University of the Virgin Islands and a Juris Doctorate from Case Western Reserve University School of Law. Prior to her selection to the position of Magistrate, Attorney Hermon-Percell had an illustrious career in private practice with her husband, Karl Percell, in the Law Offices of Percell & Hermon-Percell, P.C. Although Magistrate Hermon-Percell was appointed to this position during the latter months of FY2013, she did not begin her tenure as a magistrate until the first quarter of FY2014.

The following Magistrates were seated during Fiscal Year 2013:

District of St. Croix:
Magistrate Jessica Gallivan; and,
Magistrate Miguel A. Camacho.

District of St. Thomas-St. John:
Magistrate Kathleen Mackay*;
Magistrate Alan D. Smith*;
Magistrate Henry V. Carr, III.

•Became a Judge in November 2012

*Retired June 2013

THE OFFICE OF THE COURT ADMINISTRATOR

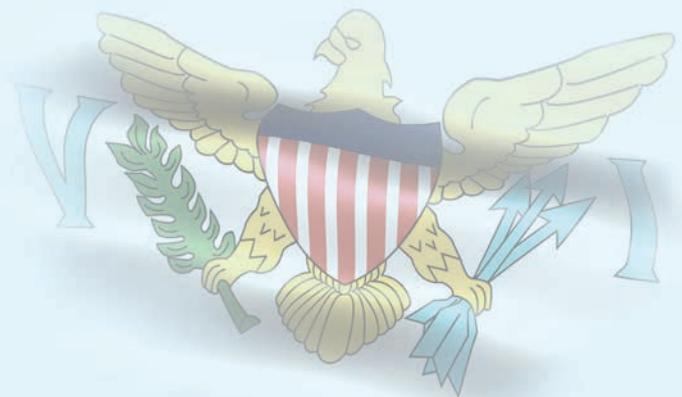
Created by Title 4 V.I. Code Ann. §91, the Office of the Court Administrator is responsible for the daily functions of the Administrative and Support Division of the Court. This office encompasses both jurisdictions and is comprised of the Court Administrator, who is located on St. Thomas, and the Assistant Court Administrator - who performs the mandated duties on St. Croix. The Office of the Court Administrator has the primary responsibility for daily operations of the court system with direct oversight of the Offices of Accounting and Finance, Human Resources, Information Technology, Jury Management, Law Library Services, Maintenance and Facilities Management, the Pretrial Intervention Program/Rising Stars Youth Steel Orchestra, Probation and Parole, Property and Procurement, Research and Development; and, the Court's administrative and other support staff.

Additionally, and in accordance with the V.I. Code, the Court Administrator is responsible for examining the administrative and business methods employed by the Office of the Clerk of the Court (Operational Division) and the other offices that serve the Court, ensuring efficiency and professionalism. The mission of the Office of the Court Administrator is to promote the administration of justice by providing professional, responsive administrative support to the Presiding Judge and Judiciary programs to expedite, facilitate and enhance the mission of the Superior Court of the Virgin Islands.

THE OFFICE OF THE CLERK OF THE COURT

The Office of the Clerk of the Court is responsible for the daily functions of the operational division of the Court which is comprised of Civil and Small Claims, Conciliation, Criminal, Family, Traffic, and Probate Divisions. Additionally, the Clerk oversees the Office of the Cashier, Court Reporting Division and the Jury Trial Division. The Clerk of the Court is designated as the custodian of records for all judicial matters brought before the Superior Court of the Virgin Islands.

The Clerk's Office is directly responsible for receiving and processing court documents, attending and assisting in all court proceedings, maintaining the Court's files, ensuring access to the Court of persons with limited English proficiency, which requires ensuring the availability of interpreting services in multiple languages and sign language; and, entering the Court's orders, judgments and decrees. Additionally, the Clerk's Office collects and disburses money for court fees, fines, court costs, judgments and restitution at the Court's direction. The Office of the Clerk of the Court provides enhanced services to all persons conducting business with the Court by promoting the automation of the Court's business procedures and practices, and endorsing the themes of efficiency and professionalism.



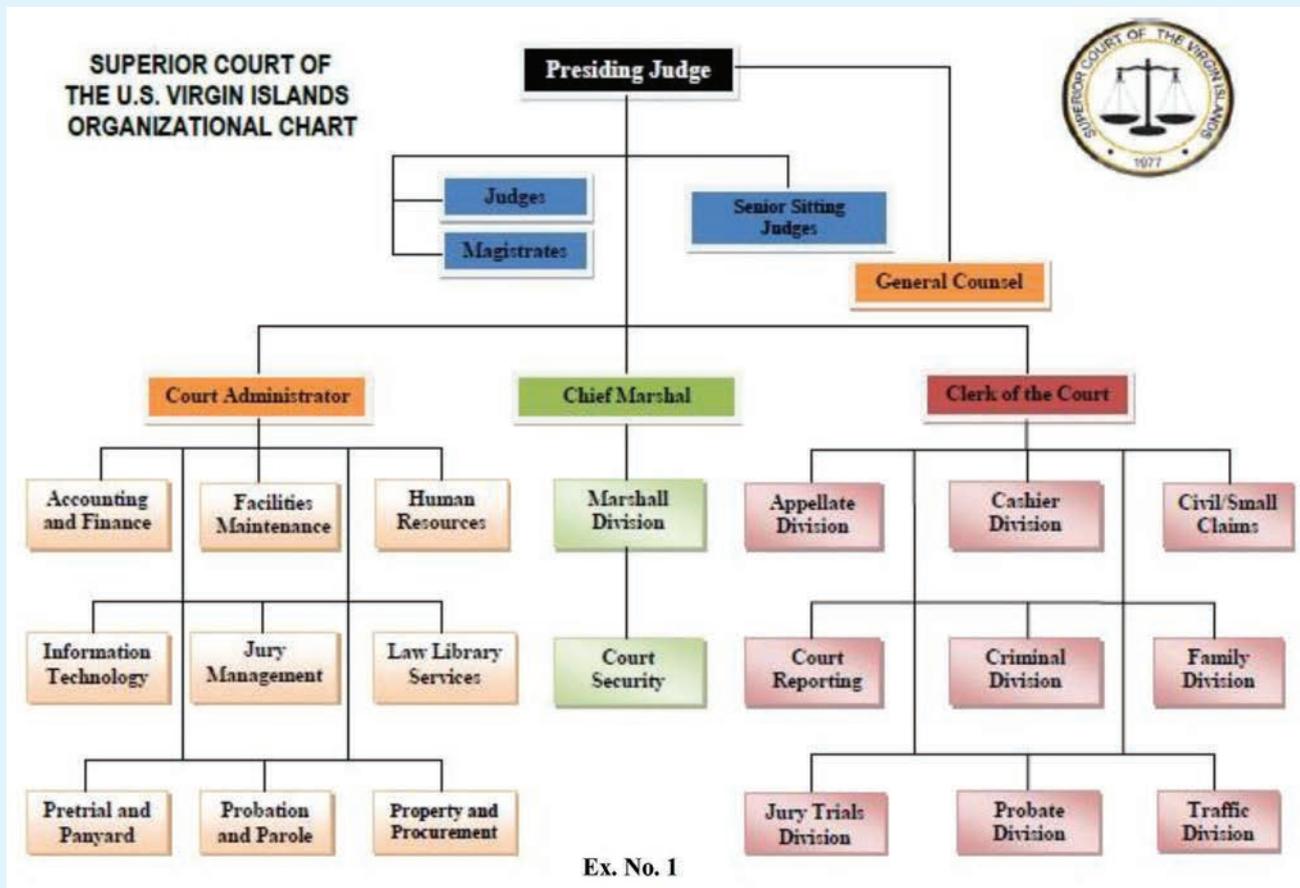
ORGANIZATIONAL STRUCTURE OF THE SUPERIOR COURT OF THE VIRGIN ISLANDS

The Presiding Judge serves as the administrative head of the Superior Court and is supported in those duties by an Administrative Judge who is designated by the Presiding Judge. The Office of the Court Administrator (Administrative and Support Division) and the Office of

the Clerk of the Court (Operational Division) are the two divisions of the Court that carry out the mandates of the Presiding Judge and the Court in service to the community.

The Presiding Judge is also responsible for the direct supervision of the Office of the Territorial Marshal, Court Security and the Office of the General Counsel.

See the Superior Court's current Organizational Chart (Exhibit No. 1).



ADMINISTRATION AND SUPPORT DIVISION

Fiscal Year 2013 presented the Superior Court with significant challenges – especially in the area of the Court's finances. The Administrative and Support Division was challenged once again in its various attempts to carry out the functions necessary to ensure the efficiency and effectiveness of the Court during FY 2013. The fiscal constraints imposed on the Court by the severely inadequate funding level of \$23,000,000 that was appropriated by the 29th Legislature of the Virgin Islands and signed into law (Act No. 7446) by the Governor, along with the Court's required austerity

measures, facilitated this division's struggle to maintain its usual operational level.

The Court faced enormous financial challenges when it came to procuring the requisite supplies needed to carry out the Court's mandated functions, duties and responsibilities in various areas, including but not limited to: providing the requisite maintenance and repair to the Court's aging facilities and vehicle fleet; securing necessary external services in areas where the Court was unable to provide such services; and, providing the youth of our community with opportunities to prevent their entrance into the judicial system - through participation in career workshops, summer employment, and school tours.



ACCOUNTING AND FINANCE DIVISION

The Accounting and Finance Division of the Superior Court is charged with the responsibility of the direct management of the Court's finances, which includes budget preparation, payments to vendors and employees, and the preparation a myriad of mandated fiscal and financial reports and other documentation that must be submitted to the various entities of the government.

Fiscal Year Overview

Under the leadership and guidance of the Chief Financial Officer (CFO), the Accounting and Finance Division continued its efforts in Fiscal Year 2013 (FY13), to provide financial accounting, payroll, tax withholding and reporting as required, and budgetary support services to our internal and external customers— namely the employees of the Superior Court, our vendor community, other government agencies and community organizations.

The division maintained the schedule of check runs for payments to vendors, subject to the significant and ongoing fiscal constraints and austerity measures imposed since FY2011 (FY11); the schedule of biweekly payroll preparation and submission to the Department of Finance (DOF) for processing as well as other cyclical budgetary and financial reporting as required on an annual, quarterly or ad hoc reporting basis. Overall, Accounting Division had a relatively successful year in FY13, managing multiple priorities given the small nature of its staff and the number of challenges that were encountered during the fiscal year.

The Superior Court faced another significantly reduced appropriation level of \$23,000,000 in Fiscal Year 2013 (FY13), as appropriated by Act 7446. The Court knew from its passage that this appropriation level was woefully inadequate, and that it could not sustain the Court's operations at its current levels. An appropriation level of \$23,000,000 fell below the approved appropriation levels of the Court, which date back as far as Fiscal Year 2002 (FY02), as noted in the Chart of Budgetary Information (Exhibit No. 2).

The FY02 appropriation level of the Court was \$24,273,944, and for FY03 to FY05, the approved level was the same at \$23,347,703, despite the changes in budgetary requests submitted. More importantly, in Fiscal Year 2009 (FY09), the staffing of the Court was expanded in response to Act 6919 which authorized the establishment of the Magistrate Division. In June 2009, the first four Magistrates took their respective oaths of office, and thereby established a new level of personnel requirements for the Superior Court. The final appropriation of the Court for FY09 was \$33,325,357, after considering a \$2,000,000 reduction in the annual appropriation, per Act 7060, and the addition of a \$1,000,000 appropriation - made available until expended - for the establishment of the Magistrate Division, pursuant to Act 6919. Therefore, the FY13 appropriation level represented not only an \$8.99 million reduction from the Court's budget request, but also a \$9.3-\$10.33 million dollar reduction in the operating level of the Court since the implementation of the Magistrate Division in FY09.

Being fully cognizant of the insufficient level of the appropriation during the passage of Act 7446 in September of 2012, several members of the 29th Legislature indicated that the Superior Court would have the option to return to the Legislature to seek a supplemental appropriation to fully fund its operations in FY2013. Therefore, from the outset, the Court was placed in the position of being forced to use the supplemental budget process to request funding for the ordinary and necessary expenditures required for its base operating budget.

In October 2012, Presiding Judge Donohue advised his financial team of his meeting with Governor deJongh, who indicated to him that he had advised the Director of the Office of Management and Budget (OMB) to work with the Court in developing a supplemental budget request. Thereafter, the Court's financial team had several meetings and sent correspondence to OMB providing all requested information to facilitate the Supplemental Budget Request initiative. The Court moved independently of OMB to develop its request for an additional \$5,550,000 in supplemental funding which was submitted to the 30th Legislature on April 10, 2013. Also included in that submission was a request to obtain authorization to utilize

Fiscal Year	Budget Request	Appropriation	% Chg from PY	Revision to Appropriation or Authorization	Final Appropriation/ Authorization	% Chg from PY-Rev	Allotments to Date: OMB and SC Internal	SC Request vs. Annual Appropriation	Final Approp./Auth. vs. Allotment
FY2001	23,894,659	18,157,476	0.00%	0	18,157,476	0.00%	18,157,476	5,737,183	0
FY2002	24,273,944	24,273,944	33.69%	0	24,273,944	33.69%	23,060,247	0	1,213,697
FY2003	27,106,497	23,347,703	-3.82%	0	23,347,703	-3.82%	23,347,703	3,758,794	0
FY2004	24,899,098	23,347,703	0.00%	0	23,347,703	0.00%	23,347,703	1,551,395	0
FY2005	25,597,221	23,347,703	0.00%	0	23,347,703	0.00%	23,347,703	2,249,518	0
FY2006	24,929,400	24,929,400	6.77%	0	24,929,400	6.77%	24,929,400	0	0
FY2007	26,390,022	26,390,022	5.86%	0	26,390,022	5.86%	26,390,022	0	0
FY2008	26,574,378	26,574,378	0.70%	0	26,574,378	0.70%	26,574,378	0	0
FY2009	39,903,155	34,325,357	29.17%	-1,000,000	33,325,357	25.40%	33,325,357	5,577,798	0
FY2010	35,244,418	31,550,103	-8.09%	1,000,000	32,550,103	-2.33%	32,550,103	3,694,315	0
FY2011	35,370,394	28,810,794	-8.68%	-864,324	27,946,470	-14.14%	27,946,470	6,559,600	0
FY2012	31,718,491	21,135,210	-26.64%	6,500,000	27,635,210	-1.11%	27,635,210	10,583,281	0
FY2013	31,998,999	23,000,000	8.82%	4,218,667	27,218,667	-1.51%	27,218,667	8,998,999	0

Note 1: FY2002 Appropriation of \$24,273,944 per Act 6457 was reduced via allotments to \$23,060,247. OMB conveyed that the FY2002 allotment was less than the appropriation because the Government of the Virgin Islands did not realize its FY2002 revenue projections.

Note 2: FY2009 Appropriation of \$34,325,357 per Act 7051 was reduced to \$32,325,357 pursuant to Act 7060; and \$1,000,000 was appropriated for the creation of the Magistrate Division pursuant to Act 6919 (which was made available until expended).

Note 3: FY2010 Appropriation of \$31,550,103 per Act 7124 was reduced to \$32,325,357 pursuant to Act 7060; and a line-item appropriation of \$1,000,000 for Retroactive Salaries was also made pursuant to Act 7124.

Note 4: FY2011 Appropriation of \$28,810,794 per Act 7227 was reduced three percent (3%) pursuant to Act 7248 to the level of \$27,946,470. This was an across-the-board cut for all branches of Government, although the Superior Court's appropriation was already cut by eight (8%) from the prior-year's appropriation level of \$31,550,103, when the fiscal year began.

Note 5: FY2012 Appropriation of \$21,135,210 was an unprecedented cut to the Court. However, the Legislature considered the alternatives of providing the Court authorization to reprogram prior-year encumbrances and utilize reserves on account to provide additional funding sources for the Courts operations via Acts 7306 and 7316. This provided a total authorized level of \$27,635,210.

Note 6: FY2013 Appropriation of \$23,000,000 was another significant cut to the Court. However, we submitted a supplemental budget request for \$5,550,000 and were appropriated \$2,740,296 pursuant to Act 7497. Additional authorization per Act 7497 provided authorization to reprogram prior-year encumbrances and utilize reserves on account of \$1,478,371 to provide additional funding for operating purposes. This provided a total authorized level of \$27,218,667.

Ex. No. 2: Chart of Budgetary Information

approximately \$1.4 million in reserves in FY13 that were maintained on account from the prior year to supplement the FY13 operations after the severe budgetary cuts in FY12 and to lessen the uncertainty of what appropriation level would be made available to the Court during the first quarter of FY13 and beyond.

Additionally, in an effort to cope with the reduced funding level, the Court implemented cost-containment initiatives as follows:

- Instituted a hiring freeze that included many critical vacancies that existed at the start of the fiscal year and other positions that became vacant throughout the year;

- Retained the “stay” placed on the cash payment of overtime;
- Maintained the austerity measures implemented in FY2011, which included delayed maintenance and repair on the Court’s aging vehicle fleet; delayed replacement of the Court’s vehicle fleet in accordance with its replacement schedule; and, a stay on tuition reimbursements; and,
- Implemented additional austerity measures to augment those implemented in FY2011, which also included the cessation of payments related to educational incentives and the assumption of the cost of gasoline purchases by 24/7 drivers, with the exception of law-enforcement personnel.

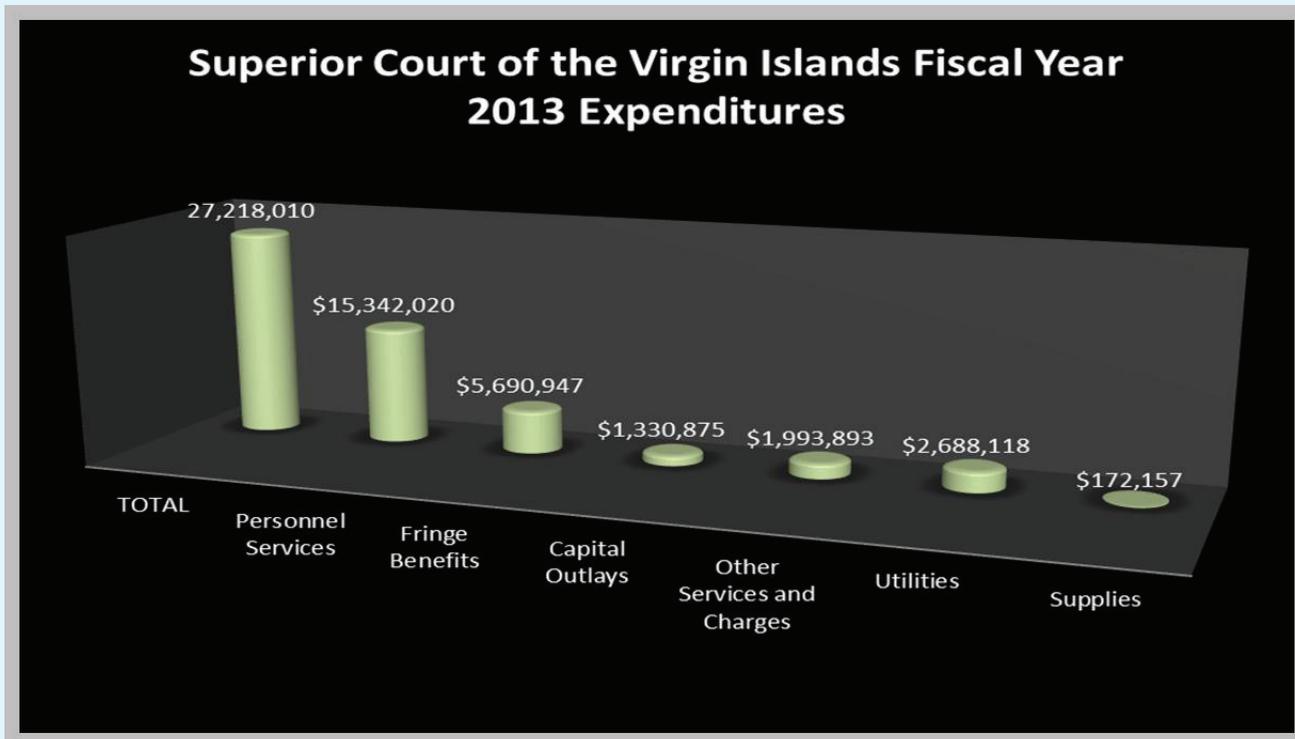
In the face of significant cash flow constraints, the Court also utilized longer turn-around times on many of its payments to vendors. By the time of the Court's appearance before the 30th Legislature regarding its Supplemental Budget Request, we had reached the point where the decision was made to place a hold on paying the utility (WAPA) bills in both districts.

At the session before the 30th Legislature on June 18, 2013, the Senators indicated that they would consider the Court's Supplemental Budget Request of \$5,550,000 but did not expect to approve it in its entirety. On July 8, 2013 the 30th Legislature approved a supplemental budget of \$2,740,296, which was signed into law (Act 7497) by the Governor on July 19, 2013. This Act also provided the Court with the authority to reprogram prior-year encumbrances and to utilize reserves on account to meet the needs of the Court. This authorization facilitated the utilization of \$1,478,371

which brought the total authorized spending level for the Superior Court's operations in FY13 to \$27,218,667. Notwithstanding the passage of Act No. 7497, obtaining the release of the supplemental funding to the Court proved to be a challenge, as noted below:

- The Court received one-half of the authorized amount (i.e., \$1,370,155.96) in mid-August; and,
- On September 19, 2013, the remaining balance of the supplemental appropriation (i.e., \$1,370,140.04) was released to the Court.

The Superior Court's chart of FY2013 Expenditures (Exhibit No. 3) summarizes how the Court utilized its authorized spending level of \$27,218,667 to support the overall functions.



Ex. No. 3: Superior Court FY2013 Expenditures

Overall, the division continues to experience challenges with the ERP conversion by the Department of Finance (DOF), particularly the payroll module and the recently implemented STATS biometric time and attendance system. The lack of adequate and/or timely reporting—due to certain reporting limitations experienced by outside (non-proprietary) users—continued to be a challenge well into FY13 and beyond. The policy decision by DOF in FY13 to discontinue the issuance of certain core reports (by district), which were key to the Court's payroll reconciliation process, only exacerbates the situation. This impact is also coupled, at times, with the inability to obtain certain "off-cycle" miscellaneous reports for late cycle and

void cycle payroll runs (by district), which accurately reflect the associated costs.

In FY13, DOF also mandated that the Court move to the STATS biometric system for time and attendance processing. The Court initially indicated that we were not ready to move to the STATS system due to insufficient training of Court personnel overall, a failure by DOF to facilitate a parallel test system to allow us to see how the new environment would line up with the then existing ERP batch processing environment; and a shortage of staffing in the Accounting Division - District of St. Croix - in particular. We had suffered the loss of two employees

within the three months ending October 2012, which was directly attributable to the closing of the HOVENSA oil refinery and the ensuing decision by some families to relocate for employment opportunities. One was a tenured employee with about 10 years of experience and the other was a supervisor of just over a year and a half of experience with the Court. Nonetheless, we were at the tail-end of DOF's conversion plan and were advised that the batch processing environment would be discontinued by the last pay cycle of February 2013.

Similar to the Enterprise Resource Planning (ERP) environment, STATS produced a series of reporting challenges as well. We had to make modifications to the types of reports that we had come to expect for payroll processing, especially since STATS, unlike the ERP, maintains no salary information. It therefore offered no opportunity, unlike the prior reporting, to obtain preliminary control totals for the salary portions of the pending payrolls directly from those available reports. Additionally, during each pay cycle, the Court continues to encounter a lack of timely updates of the leave balances within STATS—creating balances that are either too large or too small—and thus requiring the Accounting Division staff to continually double-check the STATS system against the ERP balances in an attempt to avoid costly errors in the processing of employees' leave requests.

And, we have also observed that many of the STATS software updates that were intended to address certain problems rarely fully addressed the targeted problem when the software update or fix was loaded. Oftentimes they spurred other problems that had not been experienced before - such as the disappearance of punches and total hours from the screen. These plaguing problems seem to be escalating as time goes on.

During FY 2013, the Division was engaged in five (5) main areas of external cyclical reporting:

1. The 1099 Miscellaneous Income Tax Forms;
2. The Occupational Safety and Health Administration (OSHA) reporting;
3. The Workers' Compensation reporting;
4. The Annual Budget submission for the Superior Court; and,
5. The Gross Receipt Tax reporting. This includes the up-front enforcement of Gross Receipts Tax (GRT) withholding, where appropriate, and the related filing of the GRT return with the IRB.

One additional area that normally requires reporting and/or payment, but which had no activity in FY13, is the area of unemployment insurance contributions. On occasion the Court does receive past-due notices from the Department

of Labor, Division of Unemployment Insurance (DOL-UI). Although we have requested supporting documentation for the billings and have formally disputed several portions contained in the billing, we have not received any formal response to our request for documentation or our dispute; and no payments were made in FY13.

We continued support of the ongoing case management system (CMS) project implementation. Current year payments included \$350,000 in contractual expenditures to the primary software vendor. Total project expenditures through September 30, 2013 amounted to \$1,214,522.15; while the residual balance of the \$1,000,000 appropriation pursuant to Act 7227, Section 6 - which was reserved for equipment and other project needs - amounted to \$93,889.55 at September 30, 2013.

In light of the Court's austerity measures, training initiatives for the Accounting Division in FY13 once again came by way of the webinars offered via our membership in the Extended Value Plan (EVP) offered by our software support partner. The webinars, which are often recorded, offer flexibility for the employees to work them into their schedules if they are unable to participate in a live webinar. This also allows them to be revisited at different times and multiple times to enhance learning.

As a result of the reduced appropriation level for the majority of the fiscal year, the Division was unable to fully undertake some of the initiatives that it had hoped to accomplish in FY13. We continue to seek an automated solution to our manual procurement process and to also automate the associated accounts payable process for invoices from all sources via a document management solution. A review of document management systems, including software that would support the noted efforts while also providing the capability to integrate additional modules for fixed assets, inventory, budget, and human resources, has been initiated. However, little progress beyond start-up product demonstrations was made in light of the fiscal constraints. We expect to continue these reviews in FY14.

We are cognizant that the fiscal challenges that continued into FY13 are likely to go forward. Even though we have received a slightly higher appropriation level of \$28 million for FY14, the projected deficit of \$70 million reported by the Governor in the State of the Territory address suggests that the projected shortfall is substantial and could affect all branches of government if the revenue projections do not improve during the remaining months of FY14. We therefore approach the remaining months of this fiscal year with cautious optimism.

FACILITIES MAINTENANCE AND MANAGEMENT

The Facilities Maintenance and Management Division is responsible for the comprehensive maintenance and upkeep of the facilities currently utilized by the Court. This includes four locations in the District of St. Thomas-St. John, including: the Alexander A. Farrelly Justice Center, the Magistrate Division in Barbel Plaza South, the Rising Stars Panyard in Barbel Plaza North and Long Bay; and, two in the St. Croix District, including the R.H. Amphlett Leader Justice Complex in Kingshill and the Rising Stars Panyard in Hannah's Rest.

This division is also responsible for making routine repairs to the buildings, structures and accessories – including the performance of preventive maintenance and normally recurring repairs within the interior and exterior of the buildings. The continuous lack of funding since FY2011 that has prevailed through FY2013 contributed to the inability of the Court to provide adequate maintenance to these aging Court facilities. Additionally, the Court continues to be hampered in its efforts to expand the Court as these facilities are no longer adequate to support a court with increasing responsibilities and continuous growth.

During this fiscal year, the lack of funding continued to severely impact the Court's ability to adequately maintain its facilities or to utilize various contracts for several of these major activities that were curtailed in FY2012. As a direct result, the maintenance staff continued to fulfill a significant portion of those duties as in the previous fiscal years.

The Maintenance staff in both districts will continue to put forth additional green initiatives that were initiated to provide various cost-saving measures - especially with regard to our utilities. The Court will continue to work on additional ways to improve and regulate the overall functioning of its air conditioning systems; to work diligently to improve the air quality in the Courts; and, to replace traditional internal and external lighting with energy efficient items. Utilizing current staff, this project is nearing completion in the District of St. Croix.

During FY2013, the Court contracted the services of an external vendor to complete air quality testing in both districts and has since procured services to complete the cleaning of its vents and other remediation projects in both districts. Additionally, the purchase of additional equipment will be necessary to ultimately reduce the cost of completing additional tasks territorially, to include roof cleaning and the replacement of energy efficient lights - internally and externally.

The Court's capital improvement plans included a variety of maintenance and repair projects, several of which could not be completed due to the Court's fiscal constraints. However, it is anticipated that most of them will be completed during Fiscal Year 2014, based on the availability of funds.

The accomplishment of these projects would permit the Court to reduce its overhead expenses, eliminate various leases for the rental of properties, and facilitate various green initiatives while reducing the Court's expenses.

PROJECT	DESCRIPTION
ELEVATOR REPLACEMENT	<ol style="list-style-type: none"> 1. South Elevator: Replace aged elevator in the South Wing of the Alexander A. Farrelly Justice Center 2. North Elevator: Replace aged Judges Elevator in the Alexander A. Farrelly Justice Center
DRAINAGE SWALE	Installation of grill work over existing swale of approximately 561 linear feet. Repair damaged concrete at the western end of the culvert. Install guardrail the length of the swale. Walk-through conducted on 9/20/13 with (3) vendors.
SOFTWARE UPGRADE	Accounting Systems and Software Upgrades, Licenses and Maintenance (Fixed Assets Modules, document management and reporting.
TELEPHONE UPGRADE	Replacement/upgrade of the Court's aged telephone system
COURT SECURITY: CAMERAS	<p>Security Cameras:</p> <ol style="list-style-type: none"> a. (3) Day/Night Cameras 55- Lines Resolution, (2) 10MM Lens, (1) 16-Channel 12vdc Power Supply, etc. (Hallway Surveillance) Main Wing; b. Supply & Install 16-Channel DVR w/2TB Hard Drive, 16 Day/Night Cameras, Wall Mount Brackets, Power Supply, Keyboard Control, 40" Video Monitor to Security Room, 19" Video Monitor, Video Balun; c. Replace PTZ Outdoor Camera in the Magistrate Division

Ex. No. 4: SCVI FY2013 Capital Plans

PROJECT	DESCRIPTION
COURT SECURITY: FACILITIES—BUILDING INTERIOR AND EXTERIOR	<ol style="list-style-type: none"> 1. Security Lights - Interior: Purchase and install 50 LED Canopy light fixtures throughout the court's interior. These will replace mercury vapor fixtures. Installation will be done by Maintenance staff. 2. Security Lights - Exterior: Purchase and install (16) LED exterior security lights for the exterior of courthouse. Installation will be done by the Maintenance staff. 3. Security Monitors: Replace damaged security monitors at the Alexander Farrelly Center and the Magistrate Division 4. Access Control and Parking Lot Security: 2nd Floor Accounting & 3rd Floor South Wing; and, replace door strikes in the Court. Also, retrofit Employee parking lot, utilizing Employee ID Cards for access and control; and, replace electronic eyes in the Supervisor's Parking Lot. 5. Marshal's Parking Lot: Repair/replace transformer and security light 6. Access Control Panel: Purchase & installation of (1) PCSC Access Control Panel Board, (1) PCSC Power Supply & (1) 12-Volt Battery for the Automated Card Reader System, which controls Pretrial, HR, Family & Cashier. **Also allows for the automatic release of all gates during a power outage* 7. Security Fencing: Installation of a security fence around the parking lots in both districts.
BUILDING MAINTENANCE & REPAIR	<ol style="list-style-type: none"> 1. A/C Upgrade: Replace A/C Units at the Barbel Plaza Panyard 2. Roof Repairs/Resurfacing: Material & labor for roof repair, resurfacing and coating. (2) quotes solicited; only one vendor responsive. "Sole-source". 3. A/C Vent/Duct Cleaning: Cleaning of all A/C vents and ducts. 4. Floor/Carpet Maintenance: Clean carpets in the Alexander Farrelly Justice Center and Rising Stars Panyard; Strip/Wax/Buff Floors in the Main Office/IT Office & Accounting Supervisor's Office. 5. Family Division: Replace missing/damaged floor tiles in the Family Division. 6. Chief Deputy Clerk's Office: Remove old carpet & install ceramic tiles. 7. Building/Window Cleaning: Washing of exterior walls, glass windows and doors 1st, 2nd, and 3rd floor of the Alexander Farrelly Justice Center
FIRE ALARM MAINTENANCE	Annual service of smoke detectors throughout the Courthouse.
MOLD REMEDIATION	Cleaning, sanitizing and removing mold in the common areas of the Court , Courtrooms, and Library.

HUMAN RESOURCES DIVISION

Under the guidance and leadership of the HR Director, the Human Resources Division is responsible for assisting in the management of human capital at the Superior Court of the Virgin Islands. The HR Division provides support, gives guidance, and disseminates information to all employees. The administration of the personnel policies and procedures as outlined in the Superior Court's Policies and Procedures Manual is one of the Division's main priorities, to help ensure the functionality and productivity of existing talent, and the recruitment of available talent, in order to improve Court operations.

Education Incentives

With the implementation of additional austerity measures during the first quarter of FY13, the Court's Education Incentive Program was phased out, allowing only those individuals who were within the final term of their course

of study to participate in the program. During FY13, three (3) additional individuals joined the program in the St. Thomas-St. John District, earning one (1) associate's degree; one (1) bachelor's degree; and one (1) master's degree.

After four (4) years of implementation, this brings the total participation in the program to 19 (10 in STT, and 9 in STX), with a total cost of \$95,529. Throughout the year, two (2) participants resigned employment in the St. Thomas-St. John District, and one (1) participant resigned in the St. Croix District. Accordingly, the total cost associated with participation in the program increased by \$12,714 in FY13.

Career Incentive

In accordance with the Virgin Islands Code, the Court continued to administer the Career Incentive Program for Deputy Marshals who earned degree credits and/or degrees. During FY13, one (1) Deputy Marshal in St. Thomas-St. John, earned an Associate's Degree, and joined

the program. Additionally, two (2) already participating deputies (1 STT and 1 STX), earned bachelor's degrees; while one (1) participating Deputy in the St. Thomas-St. John District resigned.

At the end of FY13, there were fourteen (14) Deputy Marshals participating in the Career Incentive Program at a cost of \$79,354 (7 in St. Croix; and 7 in St. Thomas-St. John). This represents an increase of \$10,861 over FY12.

ERP Processing

During FY13, 186 personnel actions were processed through the ERP, 103 in the St. Thomas-St. John District, and 83 in the St. Croix District. This represents a slight increase in the number of personnel actions processed in St. Thomas-St. John (93 to 103); and a reduction in the number of actions processed in St. Croix (127 to 83). Overall, there was a reduction of approximately 15% (220 to 186) over the prior fiscal year. This reduction in personnel actions was primarily due to the halt of salary increases for satisfactory performance evaluations, reduced recruitment efforts which would typically result in new hires and promotions, as well as the cancellation of the Court's Summer Employment Program, which hired and rehired interns.

With the continuation of implemented austerity measures, no step or merit increases have been processed for any of the Court's employees since Calendar Year 2010.

Recruitment

Due to the Court's fiscal constraints and austerity measures imposed, recruitment efforts were limited throughout FY13. However, as staffing levels began to fall below the Court's efficient levels of operation due to employee separations (retirements and resignations), these efforts increased at the end of the fiscal year. Accordingly, in addition to the appointment of four (4) new judges, one (1) new magistrate, nine (9) law clerks, and one (1) appellate law clerk - between both districts, four (4) new employees were also hired externally in the St. Croix District.

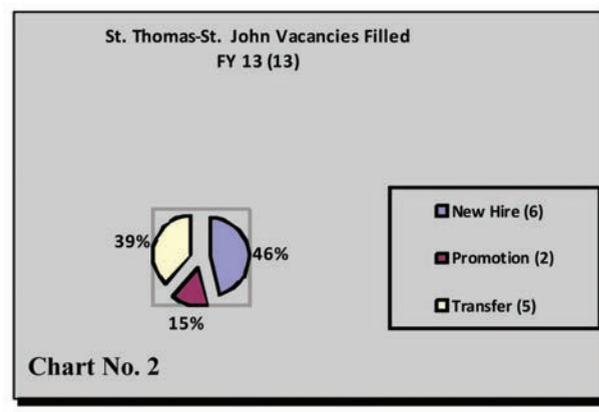
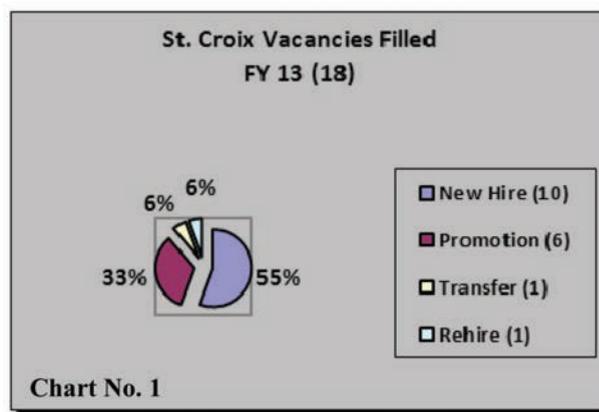
Additionally, three (3) employees in the St. Thomas-St. John District were transferred, and one (1) employee was promoted. In the St. Croix District, six (6) employees were promoted, one (1) employee was transferred, and one (1) temporary intern was hired as a regular employee.

Currently, there are a total of 338 positions at the Court: 194 in the St. Thomas-St. John District, and 144 in the St. Croix District. In the St. Thomas-St. John District, 176 positions are filled and 18 positions are vacant; and, in the St. Croix District, 117 positions are filled, and 27 positions

are vacant. Recruitment efforts will continue through FY 14 to fill vacant positions based on operational needs and the availability of funds. The below tables provide details of vacancies filled.

During Fiscal Year 2013, the Court received 287 applications from external applicants. Those individuals were vetted to determine eligibility for the positions for which they applied. The successful applicants were further scrutinized utilizing various levels of pre-employment testing that culminated in interviews for the various positions. Additionally, as is customary, orientation was conducted in both districts to onboard 16 new employees (6 in STT and 10 in STX).

As part of the recruitment efforts during FY13, the Court was represented at the 3rd Annual Law Enforcement Career Day activities by employees from the Marshal, Probation and HR Divisions.



Reward and Recognition

As in prior years while austerity measures have been in effect, the usual Court sponsored Christmas celebration did not take place in December 2012. However, funds generated from employee fund raisers were utilized to host a Christmas celebration in the St. Croix District.

Nevertheless, during the second quarter of FY13 (January 2013), employees were recognized with congratulatory certificates and an announcement to all staff relative to their years of service.

In the St. Thomas-St. John District, 26 employees were recognized for their years of service, and five (5) employees were congratulated on their retirement. Additionally, in the St. Croix District, 21 employees attained recognizable years of service, while six (6) employees were recognized on their retirement. Once again, due to fiscal constraints and the unavailability of funds, monetary awards were not given.

The Employee of the Quarter initiative was continued during FY13, with eight (8) employees in the St. Thomas-St. John District being nominated as candidates for Employee of the Quarter between October 2012 and September 2013. Successful nominees received certificates recognizing their outstanding contributions. In the St. Croix District, three (3) employees were nominated for Employee of the Quarter. In May 2013, the Court participated in the annual government-wide Employee of the Year recognition ceremony.

In the St. Thomas-St. John District the Employee of the Year honoree was Mr. Jevon Thompson, Network/Systems Support Technician; and, in the St. Croix District, the Employee of the Year honoree was Ms. Sandra Hall of the Court Reporting Division. The continuous fiscal and budgetary constraints did not allow for any other Court sponsored employee appreciation or recognition initiatives during FY13.



STT/J Employee of the Year, IT Tech Jevon Thompson, with Personnel Director Kenneth Herman, Court Administrator Glendia B. Caines, Governor John DeJongh and Lt. Governor Gregory Francis

Student Programs

The Court participated in the Youth Employment Program with the Department of Labor and utilized seven (7) students during the summer. In the St. Thomas-St. John District, five (5) students worked in



STX Employees of the Year Court Reporter Sandra Hall (STX)

the following Divisions: Jury Trial two (2), Criminal one (1), Traffic one (1), and Probation one (1). In the St. Croix District, two (2) summer students were utilized; one (1) worked in the Pretrial Division, one (1) law student also volunteered with Judge Watlington's Chambers, and one (1) worked as the Receptionist.

The Court continued its annual collaboration with the Charlotte Amalie High School Business Department's On-the-Job Training Program. The internship program was held from February to May 2013, with three (3) participants. The students were assigned to departments within the Operational Division. Similarly, three (3) students participated in the School to Work Program from the St. Croix Educational Complex. Two (2) students were placed in the Administrative and Support Division, and one (1) was placed in the Operational Division.

Training and Development

With the implementation of the Use of Force Policy in March 2013, the Court initiated several in-house training sessions for the applicable employees in the areas of: Use of Force, Civil and Criminal Liability of Peace Officers, Laws of Arrest and Service of Process. The lectures were facilitated by Attorneys Paul Gimenez and Pamela Colon, and Mr. Richard Velazquez, Chief of Law Enforcement at the VI Lottery. The HR Division coordinated the issuance of the Use of Force Policy, as well as the Standard Operating Procedure Manual for the Marshal's Division.

In addition to lectures, tactical sessions were conducted on defensive tactics and baton techniques by Chief Richard Velazquez. Marshal Andrew Ayala of the Supreme Court also assisted with some of these tactical training sessions, and the Supreme Court Marshals joined the baton techniques sessions in the St. Thomas-St. John District. The feedback from attendees was positive, enthusiastic and encouraging. Indications were that the sessions were applicable and timely. Participants expressed the desire to receive continued training in the areas presented, as well as other applicable areas. Plans are being made to continue routine training sessions in accordance with the

Curriculum established by the Peace Officer Standards and Training (P.O.S.T.) Council.

The Court held or participated in additional in-house and external training sessions that included the following:

1. **October 2012** - The Court Administrator and the employees of HR Division attended a free workshop hosted by UVI's Virgin Islands University Center for Excellence in Developmental Disabilities, the Disability Rights Center and VI Small Business Development Center.
2. **February 2013** - A 'lunch and learn' session was initiated, and a "Supervisory Solutions" workshop was held for all supervisors via video conference;
3. **March 2013** - HR Director and Assistant HR Director attended an Ethics Workshop sponsored by the Center for Spirituality and Professionalism at the University of the Virgin Islands, which was offered at no cost. Also, during the month of March, the Superior Court was recognized at a luncheon hosted by the Hero to Hired Program, as a cooperative employer supporting members of the armed services. The luncheon was attended by Assistant Marshal Simmonds, the HR Director and Assistant HR Director in the St. Thomas-St. John District.
4. **April 2013** - HR Director attended a free webinar sponsored by Halogen Software on the topic Strategic HR Principles, which incorporated concepts for linking recruitment, training, pay and performance.
5. **August 2013** - During FY13, the Court was awarded two (2) grants from the State Judicial Institute for the National Center for State Courts. These grants would be utilized to work on two projects to improve the efficiency of the Court's operations as follows: a) Implementation of the CourTools Performance Measurements; b) and, the development and implementation of a Strategic Plan Framework for High Performing Courts. Both projects were launched during the Court's Annual Employees' and Supervisors' Training that was held in both districts.
6. **September 2013** - HR Director attended a free webinar on Recruitment and Retention offered by ICIMS (a recruitment vendor) which shared information on new trends for employers to recruit and retain the best talent. The Employees' Training also included presentations on Retirement Reform (GERS); Conquering Judicial Stress (CIGNA Behavioral Health); Court Security Awareness (Richard Velazquez); and, Sexual Harassment/Code of Conduct (Paul Gimenez).
7. The Supervisors' Training which was also attended by judicial officers, focused on the selection and development of performance management tools that would most suit the Court's immediate needs. At the end

of the two-day training, which was held in each district, it was determined that the following performance measures would be pursued first:

- i. Access and Fairness;
- ii. Time to Disposition; and,
- iii. Employee Satisfaction, which will incorporate the efforts already invested during FY12 in developing an employee satisfaction survey.

In order to effectively measure performance in the selected areas, task force committees were formed with employees from both districts representing three Court Divisions (Operational, Administrative and Support, and Marshal). Additionally, towards the end of FY 13 and in keeping with developing a five-year strategic plan for the Superior Court, approximately 38% of the employees participated in the self-assessment survey. The feedback from the survey will be utilized to better position the Court as a high-performing court.

8. During FY13, HR employees in each district (Ms. Abena Meade in STT/STJ and Ms. Nissa Bailey – STX) were designated as ADA Coordinators and were involved in completing assessments at the Court's locations in order to ensure ADA compliance.
9. Additionally, in keeping with the Court's commitment to ensure equal access to all patrons, four (4) employees (three in STT-STJ and one in STX) participated in the American Sign Language Beginner's Class Level I offered by the UVI Center for Excellence in Developmental Disabilities. The Beginner's Class Level II will be offered in FY14, and it is anticipated that these employees will complete future certification classes in order to ensure that the Court has certified sign language interpreters in its employ.
10. Throughout FY13, the Court's Assistant HR Directors continued their attendance at quarterly training courses (at their own expense) towards becoming Certified Professionals by the International Personnel Management Association. Consequently, both Ms. Nissa Bailey and Ms. Colleen Clendinen have been successful in attaining their Certified Professional credentials.

The cost associated with training initiatives for FY13 totaled \$10,501.81. These costs include expenses for training with the National Judicial College for newly appointed judicial officers, but do not include inter-island travel airfare or accommodations costs for training facilitators.

Wellness

In August 2013, Court employees participated in the health fairs coordinated by the HR Division in both districts. The fairs included insurance benefit representatives from MASA, AFLAC, and Midland; and health care providers, such as HOPE Inc., and CIGNA HealthCare, who provided employees with the opportunity to participate in health screenings.

In keeping with maintaining employee wellness, several employees participated in the 10,000 Steps-a-Day Programs that were launched during FY13. The top walkers at the Court were Court Reporter, Ms. Persha Stoutt-Warner (St. Thomas-St. John District) and Rising Stars Chief Instructor, Mr. Henry Potter (St. Croix District). Additionally, sixty-four (64) employees participated in completing the Annual Health Risk Assessment with thirty-eight (38) receiving the \$25.00 gift card, and 8 hours of administrative leave for successful completion. Additional wellness initiatives are planned for FY14.



The following recommendations for FY 2014 have been put forward by the HR Division:

- *Compensation:* The present compensation plan has been in effect for five years and it may be due for review based on best practices, although it is still valid for the large majority of employees (~93%). Review of the current levels of compensation for the affected individuals who are off the compensation plan, and for those individuals who passed their probationary period as of the implementation of austerity measures in FY 11 but remain at the first step of their respective salary grade as new employees.
- *Employee Recognition:* Explore availability of funds, and fund raising activities to support employee recognition initiatives.
- *Human Resource Information System (HRIS):* As the operational demands of the Court increase, the need for software to better meet these demands similarly increases. Therefore, it has become increasingly important to explore a proposal to procure and implement an HRIS for the Court.
- *Job Descriptions/Performance Standards:* The Court's current job descriptions are due to be updated, as many of its operations continue to evolve to improve efficiency. Utilize the Research Coordinator to revise and update the job descriptions. This will facilitate the development of measurable performance standards for performance evaluation - based on revised job descriptions - that will support accurate performance evaluation tools, as well as valid testing criteria.
- *Manual Review:* Implement reviewed and approved personnel policy updates, as required, while continuing to review and update the policies and procedures manual that was implemented in 2009.
- *Professional Development:* Revisit proposal for revised Tuition Reimbursement Program with cost containment measures to facilitate employee professional development that will benefit the community and the Court in the long run.
- *Training:* Seek funding sources, including grants, to enhance and facilitate division specific professional development that will allow for requisite trainings to be offered to employees, to include: CPR Certification for Marshal/Security and Pretrial Divisions and standard training for Peace Officers, as outlined by POST curriculum.
- *Recruiting:* Revise and utilize a selection assessment that will incorporate more job specific testing, and realistic job interviews. Developed and implement simulations to aid in the selection process that includes weighted assessments as part of the selection process with values assigned to the various selection criteria such as: testing, interview ratings, experience or past performance, reference checks or supervisory feedback.



TECHNOLOGY INFRASTRUCTURE

The Division of Information Technology is responsible for the Superior Court's technology infrastructure which facilitates internal and external communication while providing the most innovative and the highest quality of technology based services in the most cost effective manner. The Division was also engaged in facilitating the technological goals and objectives of each division within the Court to ensure that the Superior Court functions efficiently and optimally. The IT staff is also responsible for the applicable research and purchasing recommendations to obtain the various computer hardware, software, technology supplies and the myriad of support items required to maintain this complex information infrastructure.

The Information Technology Division faced a very challenging year. As a result of the Court's fiscal and budgetary constraints, coupled with the understaffing within the Division, various initiatives had to be reduced or curtailed for FY2013. Services were prioritized for expending the Court's limited resources and maintenance agreements were identified that could be reduced without severely impacting or hampering the Court's technological operations.

Those challenges have had a significant impact on the efficiency and the productivity of the division's staff. We have lost two employees in the St. Thomas/ St. John district, and in the St. Croix district we have one vacant position. The Division moved from keeping up with the latest technology to revising all technology equipment to ensure that they operated as optimally and efficiently as possible. Although faced with those challenges, the Information Technology Division was still able to initiate and facilitate the following projects:

Infrastructure Upgrades

The IT Division, in conjunction with the Property & Procurement Manager and the Office of the Court Administrator, was able to select vendors to facilitate several major projects that would serve to upgrade and

enhance the infrastructure and technological capabilities of the Superior Court, which included:

1. Replacing the Court's telephone systems;
2. Replacing the Court's network electronics; and,
3. Upgrading the Court's structured cabling at the Alexander A. Farrelly Justice Center and the R.H. Amphlett Leader Justice Complex.

These infrastructure upgrades will provide the Court with the ability to access modern and updated telecommunication features. Once completed, these upgrades not only will provide access to rich feature sets, but they also will eliminate several expenses such as costly maintenance agreements and other communication costs.

During FY13 the IT Division also was able to solicit solutions from multiple vendors and solution providers for designs to facilitate a Virtual Desktop Infrastructure for the Court. The solution that was selected will provide the Court's remote users with the ability to perform from anywhere in the world as if they were at their desk. This solution also will give the Court the ability to streamline the management of our desktops and it will provide the IT technicians with the ability to recover swiftly from severe software issues while limiting opportunities for hardware failures. Additionally, it will significantly contribute to the Court's green initiative by lowering its energy consumption and air conditioning needs.

Jury Management System Upgrade

Another major project facilitated by the Court's Information Technology Division was the migration of Jury Management to new software. The IT Division was able to successfully implement the JurySystems web and imaging solution for the Jury Management Division.

The JurySystems software produces jury management reports, maintains juror information, history, and statistics, and also maintains juror case cost. JurySystems has been configured to provide the ability for potential

jurors to fully complete their questionnaires online. The Jury Management Division also has the capability of scanning manually completed questionnaires directly into JurySystems software configuration. Training was completed over a period of nine days for Jury Management staff in both districts as they migrated to the new system for jury selection, attendance, auditing and payment. The Division was also responsible for the configuration of the web server to allow Jury Systems, Inc., to configure the web forms to enable potential jurors to complete their questionnaires online.

Case Management System

Working with the Clerk of the Court and the Project Manager for the new Case Management System, the IT Division assisted in the following aspects of this project:

1. Built the production environment for the new case management system;

2. Also was instrumental in the conversion activities for the new Case Management System providing data dumps and the transfer of images from our document management system to the vendor for conversion.
3. Also facilitated two data conversion reviews by a selected group of clerks over a 10-day period.

Accounting Software Upgrade

The IT Division also was instrumental in facilitating the upgrade of the MIP software that is currently utilized by the Accounting Division. This upgrade also was utilized to facilitate the annual preparation of the 1099 forms which must be distributed to applicable vendors by January 31st.

The following represents the goals and objectives for the Information Technology Division in Fiscal Year 2014:

TELEPHONE SYSTEM UPGRADE	Finalize the installation of structural cabling and network electronic to facilitate the upgrade of the Court’s telephone system.
COMPUTER EQUIPMENT UPGRADE	Complete the replacement of computer hardware territory-wide to include desktops and laptops for Court staff.
VIRTUAL DESKTOP INFRASTRUCTURE	Finalize the Court’s Virtual Desktop project that will enable world-wide accessibility for its users: Judicial Officers, Managers and staff members.
MICROSOFT LICENSING AGREEMENT	Finalize negotiations to obtain the requisite Microsoft licenses to bring the Court into compliance as it relates to the utilization of Microsoft software required by the Court to facilitate its functionality.
JURYSYSTEMS CHECK PRINTING AND IVR (INTERACTIVE VOICE RESPONSE)	Finalize the conversion of the Jury Management Division with the installation and utilization of the check printing software and the JurySystems Interactive Voice Response (IVR) solution that fully integrates with JurySystems database. The IVR solution will enable jurors to check their reporting status, get reporting instructions, identify court locations, process postponements and request a work letter via telephone.
CONTENT MANAGEMENT SOLUTION	A content management solution will enable the Court to centrally store documents, create divisional workflows to automate processes and archive legacy data.
MIP SOFTWARE UPGRADE	Maintain consistent software upgrades to the Court’s MIP server to facilitate the applicable processing within the Accounting Division.
CASE MANAGEMENT SYSTEM	Finalize the conversion to the new Case Management System including the review and upgrade of the forms and reports generated within this system.
IT STAFF TRAINING AND DEVELOPMENT	Seek the requisite funds to facilitate continuous training and development that is specific to the IT Division to maintain, upgrade and enhance the knowledge base of the staff.

Exhibit No. 5: IT Division Goals and Objectives FY2014

JURY MANAGEMENT DIVISION

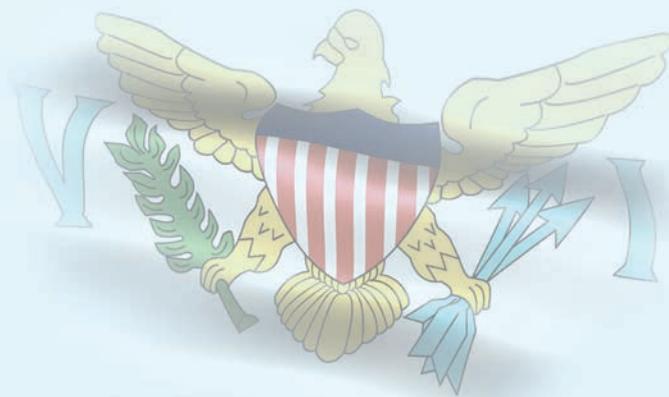
The Jury Management Division is responsible for overseeing the preparation of prospective jurors for criminal and civil jury trials at the Superior Court, including but not limited to qualifying, excusing, disqualifying and rescheduling the appearance of jurors. The office is also responsible for mailings to jurors and managing all questionnaires to prospective jurors. Individuals are randomly selected from a combined list of voter registration rolls and licensed drivers. The needs of the Court determine the number of jurors who are required to appear for specific service dates and times.

This Division made some major and significant changes during Fiscal Year 2013, including the following:

1. In April 2013, the Division initiated the first Phase of the conversion to the new JurySystems software that facilitated many changes and improvement in the division's workflow.
2. Redesigned and changed the juror questionnaire form and mailing envelope to include "Summons" on the envelope.
3. Changed the process of mailing summons and questionnaires from a two step process to a one step process where all documents are mailed out at the same time. The ultimate goal of this change is to increase the number of juror questionnaires that are returned from potential jurors.
4. Training of the staff of the Jury Management and the Information Technology Divisions during a nine-day period to facilitate the "go live" production of the JurySystem software.

5. The implementation of the JurySystem software and computer system upgrade for Jury Management came to fruition. Notwithstanding this change, the division is still experiencing some technical difficulties that must be worked out of the system in order for the staff to have optimal utilization of the system with enhanced performance and efficiency. Several issues to be addressed include the following:
 - a. The system design, with its one step process, is capable of supporting the selection of multiple cases at a time, but only after a new random listing is provided for each case.
 - b. It also supports having the juror information printed the day of the selection after attendance is taken. However, requests for juror information are still being requested weeks in advance, as was done in the past. Complying with these requests will result in the following:
 - i. Missing juror information - especially if a juror did not submit his/her questionnaire or show up for orientation but submitted information and showed up to court after the juror histories are distributed.
 - ii. Unavailable juror information in the juror histories provided to the respective parties in advance of jury selection.

The Division continues to work with the vendor, by providing feedback with regard to the system's challenges, in an effort to utilize the system to its full potential. Additional training will be necessary as the Division moves forward to finalize this project.



Juror Evaluations

During FY2013, jurors submitted evaluations following their tenure on jury duty. Overall, jurors felt that the Marshals and the Court's staff do a good job in securing them as well as their surroundings while they are on jury duty. Additionally, many of the jurors enjoyed performing jury duty, despite the few challenges they face. The Marshals, as well as Court personnel, continue to receive favorable comments with regard to the manner in which the jurors are treated. Some have expressed the willingness to return as jurors, while others feel that they are being called for jury duty too often. A few of them saw jury duty as a learning experience and

were delighted to see and experience how the justice system works.

The new JurySystems program has simplified many of the tasks involving the processing of jurors. The payment and summoning process has been simplified and enhanced.

Jury Management Statistics

During FY2013, there was a total 7,418 jurors reporting for jury service; and, jurors served a total of 217.62 days on jury panels. The cost for their jury service in both districts totaled \$312,465.55 as noted in the following breakdown:

DISTRICT	JURY FEES	TRANSPORTATION ALLOWANCE	JUROR MEALS	TOTALS
ST. CROIX	\$ 84,300.00	\$16,105.00	\$21,522.93	\$121,927.93
ST. THOMAS - ST. JOHN	\$134,380.00	\$23,880.00	\$32,277.62	\$190,537.62
TOTALS	\$218,680.00	\$39,985.00	\$53,800.55	\$312,465.55

Exhibit No. 6: FY2013 Juror Expenses Analysis

THE LAW LIBRARY

The Law Library's mission is to provide the Virgin Islands community with courteous and professional service, as well as access to the most current legal research data through print and on-line services.

The Collection - Books/Print Material

The Law Library held over 17,880 items in the District of St. Croix as of September 30, 2013; and, in the District of St. Thomas-St. John, the Law Library held over 6,782 hard cover books and other print materials within its collection. The Library maintains an extensive collection of Virgin Islands material, that includes *inter alia* the Virgin Islands Reports, Virgin Islands Code Annotated, and local court rules. The Library continues to maintain its inventory through purchases from Thomson West and Lexis Nexis Matthew Bender.

It also continues to maintain its collection on topics such as Judicial and Professional Conduct, and with materials including Law Journals and other legal materials from the American Bar Association, the Georgetown University Law Center, the Yale Law Journal Company, Inc., and other legal resource providers. Thus far, regularly utilized resources, including the Virgin Islands Code and the United States Code Annotated, are current and up-to-date with its latest supplements/pocket parts.

The V.I. Primary Law on disc is a compilation of the V.I. Code Annotated, V.I. Session Laws, V.I. Court Rules Annotated, and V.I. Judicial Decisions. For current law that is not yet published, the Library also maintains several reference binders, which are available to patrons and Court staff upon request.

The Library also has an extensive collection of federal reporters, treatises, and practice materials. However due to space limitations, new library contracts and the Court's austerity measures, certain volume and sets have been removed from the main collection.

The Collection: Database/Computer

The Law Library offers internet based research on Westlaw for authorized Court users, including its Judicial Officers, Law Clerks, members of the Executive Staff and the Librarian. The Westlaw subscription includes cases and statutes for all states and federal circuits, an extensive Virgin Islands database and some secondary material.

Patrons have access to a computer terminal located directly in front of the Librarian's office. However, access to Westlaw is not allowed unless the individual has a subscription to the database.

Circulation

Collection materials may be checked out on the honor system by Court staff. During the fiscal year, approximately 106 items were checked out by the Court's staff.

The following volume sets are no longer covered under the Court's LMA and have been removed from the library's main collection book shelves: Proof of Facts 1st Edition and American Law Reports 3rd and 4th Edition. Thomson West is in the process of gradually replacing the 3rd Edition of West's Federal Practice and Procedure with the new 4th Edition.

Discarded Books/ Donations

Books that were outdated, duplicates, or no longer in frequent use by patrons were also discarded by the Law Library. During FY13, approximately 275 hardbound books and 76 softcover books were discarded in the District of St. Thomas-St. John; while in the District of St. Croix, 193 books discarded and 182 updated volumes have replaced the discarded books. Additionally, we have also made donations to the Law Library of the Bureau of Corrections, and the Office of the Attorney General.

Library Challenges

The Law Library is running out of space in both districts, so the Court has implemented procedures to make more room for new material. All duplicative material has been discarded and unpublished memorandum opinions and newspapers are only held for four months. The Federal Codes and Rules books are discarded after five years.

The Law Library continues to be proactive in seeking ways to save money and increase the research efficiency among Court users. We will continue to seek ways to help the public and work on increasing awareness in the community of our ability to enable users to help themselves.

THE PRETRIAL DIVISION

The Pretrial Intervention Program of the Superior Court of the U.S. Virgin Islands is currently charged with two basic certain responsibilities: Diversion, as it relates to first time offenders and intervention activities regarding the Court's "school drop-out and juvenile delinquency prevention program" – the Superior Court Rising Stars Youth Steel Orchestra.

In both districts, the Pretrial office is manned by a small staff that continues to work in a cooperative and cohesive manner to complete their assignments in a very effective and efficient manner – both in its diversion activities and

its tireless work in serving as the liaison between the Court and the Panyard/steelband activities with the Rising Stars Program.

HISTORY OF PRETRIAL DIVERSION

The Pretrial Intervention Program has been in existence in the Virgin Islands since 1978. This program was established in accordance with Title V § 4612 of the VI Code, and provides a mandated Director or the designee of the Pretrial Intervention Office to intervene and "to divert individuals to a program of community supervision and service for any person who is charged with any offenses against the people of the Virgin Islands, except Murder, Kidnapping, Assault in the First or Second Degree, Rape in the First Degree and Arson in the First Degree, for which a term of incarceration may be imposed and over which the District or Territorial (now Superior) Court may exercise final jurisdiction, specifically limited to those who:

- Have not previously been convicted of a violation of any law of the Virgin Islands or of any other territory or state of the United States in any criminal court proceeding after having reached the age of seventeen years, except for minor traffic violations.
- Do not have any outstanding warrants, continuances, appeals or criminal case pending before any courts of the territory or any other territory or state of the United States."

As a result, the charges against these defendants are deferred pending their completion of the Pretrial Diversion Program. Additionally, the Code is meant to provide a means of alleviating the Court's calendar of cases that may be handled without burdening the system while still being fair, impartial and meting out justice.

Pretrial diversion provides a cost effective means of supervising first time offenders in the community while guiding them to comply with the conditions set by the Court. Diversion allows offenders to avoid criminal prosecution through successful completion of a term of community supervision. Prior to trial or sentencing, the offender is diverted from processing and given the chance to participate in treatment. This occurs before a finding of guilt and charges are dismissed if the program is successfully completed, leaving the offender without a formal criminal record. This program also enables the Court to dispense with these cases in an expeditious manner, while providing the offender with the opportunity to have charges addressed quickly, thereby aiding in the reduction of cases within the judicial system.

The Pretrial Intervention/Diversion Program is a very workable and positive alternative to incarceration. Once an under utilized program within the Court, we have now seen a tremendous increase in the number of participants for this program. Currently, all judicial officers are making regular referrals to the program.

Although participation in the diversion program is voluntary, the judicial officer makes the final decision for the placement of clients on diversion. Utilizing diversion for these offenses helps to expedite many cases and lessens the case load within the trial court. Once accepted into this program, the defendant is mandated pursuant to Title 5 V.I.C Section 4612 (d), to pay an Administrative Fee in the amount of \$200.00 in addition to the applicable Court Cost of \$75.00.

During this fiscal year, the Pretrial Intervention Program collected the following in Administrative Fees and Court Costs from clients who successfully completed their Diversion program:

District	Administrative Fees	Court Costs	Total
St. Thomas-St. John	\$ 9,800.00	\$ 3,675.00	\$ 13,475.00
St. Croix	\$15,800.00	\$5,925.00	\$ 21,725.00
TOTALS	\$25,600.00	\$9,600.00	\$35,200.00

Ex. No. 7

The goal of the Pretrial Diversion Program is to provide the client with a plan that addresses their needs and deters them from recidivism within the criminal justice system. Diversion has several benefits including:

- Prevention of future criminal activity;
- Saving time and money;
- Providing restitution;
- Reducing the stigma of formal adjudication and or conviction; and
- Providing treatment and supervision.

The clients in this program have the opportunity to discuss their cases, family matters, employment, and other issues. Once all conditions imposed by the court are adhered to, the case will be dismissed; thereafter, participants may petition the Superior Court to have their records expunged. However, if the client failed to comply with the applicable court mandated conditions, the case will be remanded to the court for the appropriate disposition.

As of September 30, 2013, sixty-one (61) cases were diverted to Pretrial in the District of St. Croix, and during this fiscal year the total caseload was comprised of 186 cases.

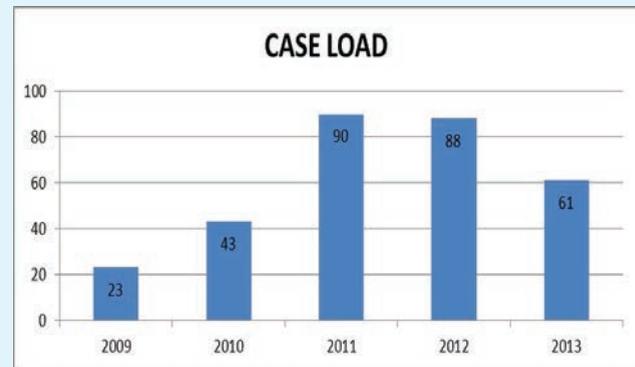
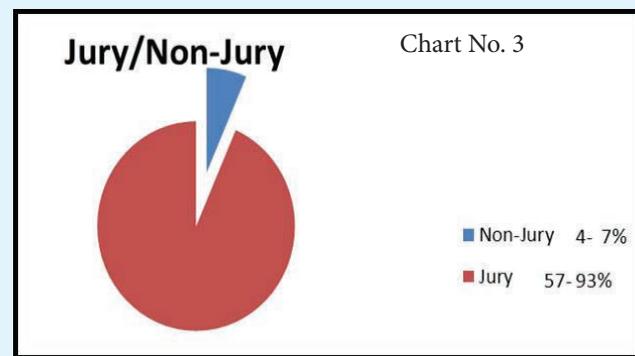


Fig. No. 1: District of St. Croix Annual Caseload



St. Croix FY2013 Pretrial Caseload

In the District of St. Thomas-St. John, Fiscal Year 2013 began with thirty-two (32) cases that were pending from Fiscal Year 2012 at the end of FY13, Pretrial received forty-three (43) referrals that consisted of twenty-three (23) Criminal and nine (9) Jury Cases (Fig. 4) for a total of seventy-five active clients during this period.

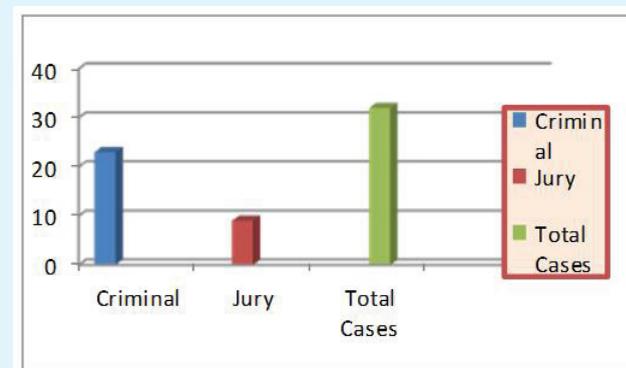


Fig. No. 2: District of STT/J Pending Cases FY12

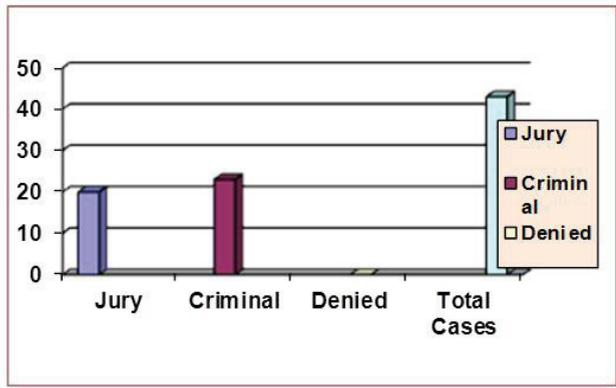


Fig. No. 3: District of STT/J FY13 Referrals

As of September 30, 2013, seventy-five- (75) cases were active for fiscal year 2013. These seventy-five (75) cases consisted of forty-six (46) Criminal and twenty (20) Jury cases (See Fig. 5).

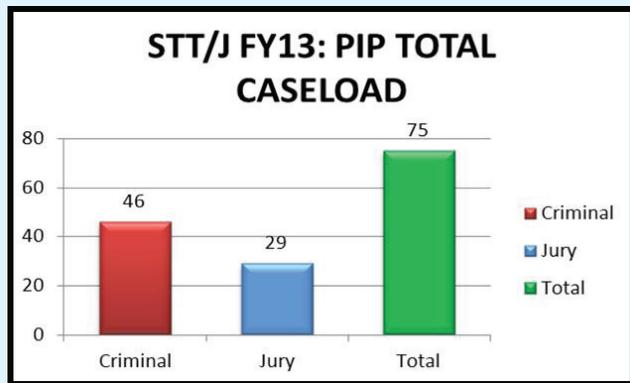


Fig. No. 4: District of STT/J FY13 Total Caseload

The vast majority of these clients were charged with simple assault and Battery (see Table 3). These charges seem to be the trend within the Hispanic community since a majority of these clients are of Spanish origin. All of the defendants were referred to the Family Resource Center where they were enrolled in Anger Management counseling. All of the clients were assigned to perform community service at a non-profit organization.

The chart below reflects the various charges of the diverted cases in the District of St. Thomas-St. John during Fiscal Year 2013:

Charges*	Total
<i>*Some clients with multiple charges</i>	
Aggravated Assault & Battery/Domestic Violence	5
Aggravated Assault & Battery upon an Officer	3
Burglary III	1
Child Neglect/Reckless Endangerment	3
Disturbance of the Peace	4
Destruction of Property Domestic Violence	8
Interfering with an Officer Discharging his Duty	3
Grand Larceny	5
Possession of Stolen Property	2
Simple Assault and Battery (DV)	4
Destruction of Property/Vehicle	2
Possession of a Controlled Substance	4
Simple Assault	4
Petit/Grand Larceny	5
3 rd Degree Assault	13
3 rd Degree Assault (Domestic Violence)	6
Aggravated Assault and Battery	2
1st/2 nd Degree Assault	2
Unauthorized use of a Credit Card	1
Possession of Dangerous Weapon	1

Fig. No. 5: STT/J PIP Client Charges FY13

The following graph represents the Annual Caseload of the Pretrial Division in the District of St. Thomas-St. John:

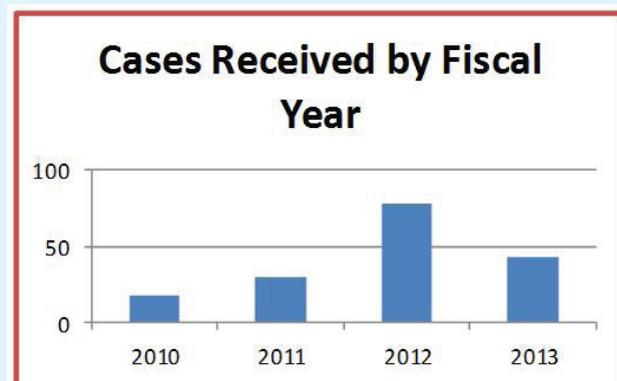


Fig. No. 6: District of STT/J Annual Caseload

RISING STARS

YOUTH STEEL ORCHESTRA

The Superior Court Rising Stars Youth Steel Orchestra continues to provide an atmosphere of a “Home Away from Home.” This program continues to be unique in that it is the only such program sponsored by a judicial system (locally, nationally or internationally) and is prominently recognized for its many accomplishments. After more than thirty-two (32) years of success in the District of St. Thomas-St. John, and six years in the District of St. Croix, this program continues to be a prime example for many other organizations to emulate. The program’s thrust continues to focus on improving member’s academic skills and preparing them for post-secondary education.

In addition to learning the art of playing the steelpan, members also participate in various life skills, career planning sessions and academic workshops, including: the Tutorial and Enrichment Program, Rap/Youth Enlightenment Sessions, College Matriculation Workshops (Planning for College and Financial Aid Workshops) and Career Planning Seminars (Workplace Etiquette, Resume Writing and Interviewing Techniques) along with their Ambassadorial Duties.

During Fiscal Year 2013, the Rising Stars Program was under the judicial leadership of Superior Court

Presiding Judge the Honorable Darryl Dean Donohue; Administrative Judge the Honorable Brenda J. Hollar, then the Honorable Michael C. Dunston; Court Administrator Glendia Caines and Assistant Court Administrator Lisa Davis-McGregor. The Pretrial staff, which remains the Panyard’s administrative liaison with the Court, included Director Adelia R. Henneman; Pretrial Officer Tamra Olive and Administrative Officer I, Sharice Richardson (STT//); and Director Natasha Williams-Modeste and Rising Stars Coordinator Noella Valmont (STX).

With the many austerity measures facing the Superior Court, the Rising Stars Program remains resilient in its ability to deal with adversities and limitations as we continue to be the premier youth organization in the Virgin Islands. During Fiscal Year 2013, the Rising Stars Program served more than 300 students who were either home schooled or attended the Territory’s public, private and parochial schools. Although the Court faced significant fiscal challenges, the Pretrial and Panyard staff—with the assistance and support of parents, supporters and volunteers — was able to maintain the Program’s three seasons in the District of St. Thomas-St. John and two seasons in the District of St. Croix.

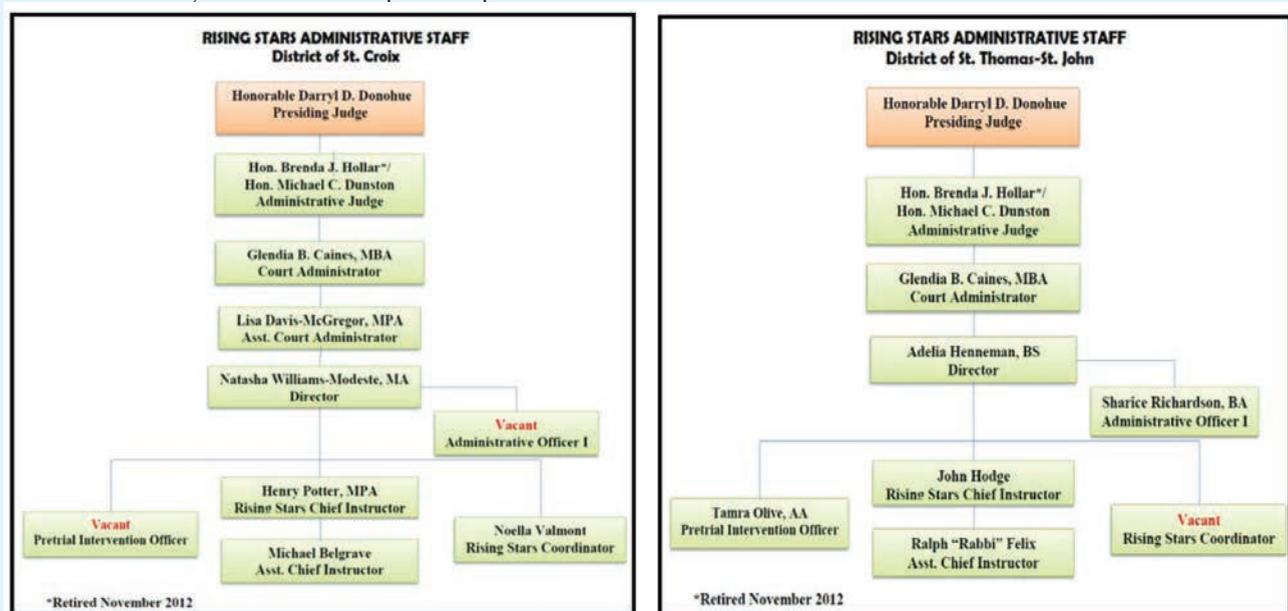
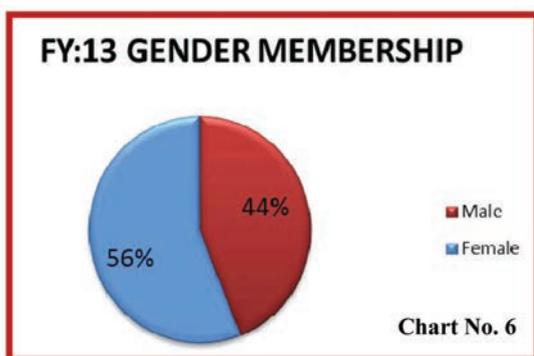
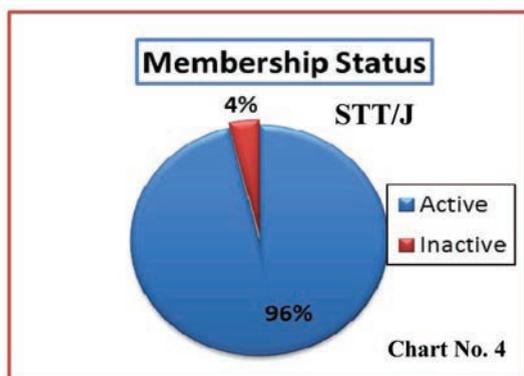
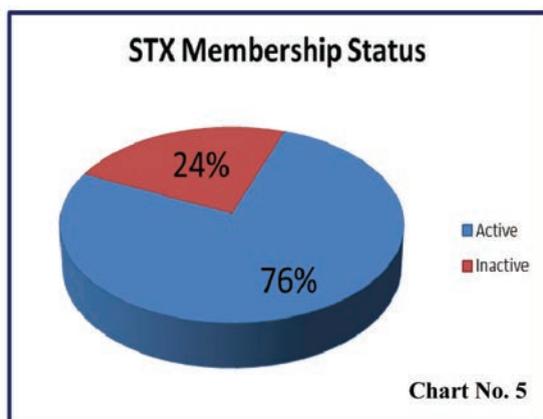
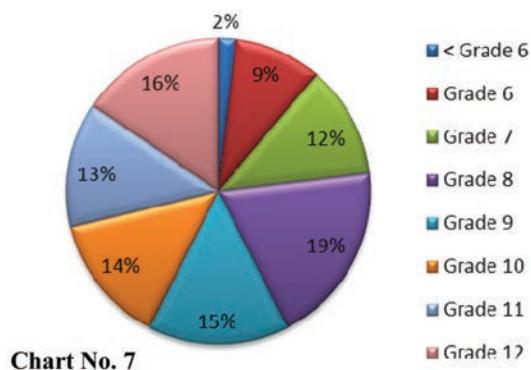


Fig. No. 8: FY2013 Rising Stars Administrative Staff

Participation in the St. Thomas-St. John District remained strong and constant as approximately 96% of the members participated in its various events. However, the Orchestra in the District of St. Croix has experienced a significant decrease in attendance and participation due to forced termination of its tutorial services as an austerity measure.



Membership Grade Levels



When funded, the Tutorial and Enrichment Program continues to be an integral part of the Rising Stars program that continues to focus on improving member's academic and employment skills while preparing them for their post-secondary education. Members who participate in this one-of-a-kind program are provided assistance in writing and reading skills along with the regular academic subjects in which they are enrolled during the current school year. This assistance is also available to alumni members who attend the University of the Virgin Islands.

During Fiscal Year 2013, the Rising Stars Tutorial and Enrichment Program was suspended due to budgetary constraints and the austerity measures imposed by the Court. Despite the suspension, the majority of the members in this program maintained GPAs from satisfactory to above average—which enabled them to actively participate in all Rising Stars activities.

In the District of St. Croix, many of the students experienced academic success and participated in extracurricular activities at their respective schools as outlined below:

- Tafari Nelson - 12th grade Salutatorian of St. Croix Educational Complex;
- Kijon Washington-12th grade Valedictorian of St. Joseph High School;
- Lee Ann Knight – 8th grade Valedictorian of Arthur A. Richards School;
- Kaliah Stanley – 8th grade Valedictorian of St. Patrick's Catholic School;
- Amaya Doward - 6th grade Valedictorian of Claude O' Markoe School.
- "A" Average Honor Roll members: Maryssa Edwin, Markeith Cornwall, Amaya Doward, Raniah Francis, Kiwan John, Kianna Stanley, Kaliah Stanley and Dale Williams.

Science Fair participants:

- 1st Place Winner: Nailah El-Amin
Arthur A. Richards, Jr. High; and,
- Lee Ann Knight - Arthur A. Richards Jr. High School

Although the Court intends to resume the Tutorial and Enrichment program in the future, the current and ongoing Territorial fiscal crisis will determine if and when this will take place.

The Rising Stars Annual Christmas Concert in the St. Thomas-St. John District continues to be one of the island's Christmas highlights during the Christmas season. This year, 125 members showcased their musical talent to an audience of more than 800 persons. Orchestra members also sang and danced during the December 2012 concert at the Reichhold Center for the Arts in their presentation of "A Pan Jazz Christmas". CAHS senior Jimar Cruz sang *This Christmas*.



Pan solos were provided by Jonelle Hodge, Tre Petersen and John Thompson; and, Rising Stars and UVI Music Education Alumna Detra Davis, performed her rendition of *Have Yourself a Merry Little Christmas*.



Other guest artists performing with the Orchestra included songbird and crowd favorite Lorna Freeman in her renditions of *Christmas Morning* and *Spain*, while the Orchestra was also accompanied in this number by Louis Taylor, Vince Wallace and Eddie LeBron. Jovier Adams also performed on bass guitar, and notable percussionist

from Trinidad - Leon Foster Thomas - was very impressive with his drums/percussions solos on *Silent Night*. Once again, the Rising Stars Dancers dazzled on stage with their dance routine choreographed by Ms. Bridget Hodge as the Orchestra played *O Christmas Tree*. Christmas gifts donated by the parents and members of the Orchestra were distributed to children in attendance following the Christmas Concert as a "pay it forward" teaching moment for the members of the Orchestra.

As the Orchestra has done for the past twelve (12) years, tickets for the concert were sold to help defray some of the expenses of the program and to generate revenues for the Rising Stars Scholarship Fund. The Orchestra raised a total of \$26,895.00 from Activity Fees, ticket sales and the sale of ads in the concert program. This contributed to an overall total of \$58,876.00 in donations and funds raised for the scholarship fund in the St. Thomas-St. John District during FY13.



The Orchestra culminated its 2012 Christmas Season by serenading and performing at various locations throughout the community: *Sea View Nursing Home, Yellow Cedar Home, Lucinda Millin Home, Post Office Square, Havensight Mall and the Monsanto Marine Terminal in Crown Bay*.

During this same time period, in the District of St. Croix the Orchestra participated in the *St. Croix Festival's Food Fair, Children's and Adult's Parades, the Holiday Jump-up and at Sunshine Mall*. Additionally, for the sixth year in a row, the Orchestra won 1st prize for their performance in the Adults' Parade.



During FY2013, the St. Croix Orchestra was also engaged in additional performances throughout the community - many yielding funds for its Scholarship Program and others being in-kind contributions, including performances at World Food Day, the Agricultural Food Fair, the Civil Air Patrol Ball, Derby Races, Christiansted Jump Up, the St. Croix Educational Complex Evening of Pan, Sunshine Mall's Back to School event, Frederiksted Health Fair, WAPA's Ground Breaking Ceremony, WTJX and the Rising Stars Seniors' Luncheon.

During FY2013 the St. Croix Orchestra raised a total of \$6,300.00 which was utilized for scholarships and other minor expenses incurred by the Program.

Following a successful Christmas season, the Orchestra in the St. Thomas-St. John District prepared for their presentation of "*A Tropical Scene for Carnival 2013*" amid severe fiscal and budgetary constraints. The financial challenges continued for the Court and, by extension, for the Orchestra. Once again the Orchestra was unable to do the following during the Carnival Season: participate in Staff Development Training in Trinidad; tune the instruments for the Carnival Season; or, to purchase replacement percussion instruments.

Nevertheless, throughout the 2013 Carnival Season, the Orchestra performed well and paid tribute to deceased Rising Stars Alumni Corey Lynch and avid Rising Stars supporter, Ms. Elsie George. One hundred and fifty (150) members participated in the celebration of Carnival, providing the community with a variety of calypso music from around the Caribbean. As usual, the Orchestra also participated in the Pan Jamboree (Panorama); the Pre-teen Tramp; the Cultural Fair; the Children's Parade and Adult's Parade. The Carnival Season culminated with the usual "Last Lap/Thank You" beach party at Magen's Bay, where the Rising Stars Pan-in-Motion performed in the tramp on the beach for the Orchestra members, residents and visitors alike.

The biannual Summer Recruitment Program remains the source of training and recruitment of new students for membership into the Rising Stars Program. As in prior recruitment years, several Open Houses were held for parents and students to distribute applications, provide them with the opportunity to tour the Panyard, discuss the many benefits of the Rising Stars Program, and complete and submit applications. After more than twelve (12) years, the Registration Fee for the Summer Recruitment Camp was increased from Two hundred dollars (\$200.00) to Two hundred and fifty dollars (\$250.00). These funds are also deposited into the Rising Stars Scholarship Fund and used for scholarships and minor expenses of the Rising Stars Program.

During the Summer Recruitment Program, students receive basic instructions on the art of playing the steelpan - with the major focus on learning major chords and scales while building and enhancing playing skills. Additionally, recruits are taught and tested in the following areas: the History of Rising Stars, the History of Pan, Introduction to Music and Pan, Rhythm Exercises, and Care of the Instruments.

Recruits also participated in a series of Rap and Youth Enlighten Sessions that included the following: healthy food and methods of preparation; arts and crafts workshops; self defense and safety - presented by Deputy Marshal Dale Brathwaite; and "Money Management for Teens" - presented by Banco Popular. They also participated in sports activities and team competitions with other camps at CAHS in track and field, basketball and softball; weekly sports days at Emile Griffith Ballpark; and a day trip to Water Island where they spent the day at Honeymoon Beach.

The Summer Recruitment Program was held for a total of six (6) weeks and, ninety-eight (98) recruits participated in the St. Thomas-St. John District - including seven (7) children of employees of the Superior Court. Seventy-five (75) members were selected, bringing the total membership to over two hundred students.

In the District of St. Croix, fifty-six (56) students participated in the recruitment process, with thirty-two (32) new members being accepted, bringing the current membership to sixty-seven (67) students.

Another negative impact resulting from the fiscal constraints and austerity measures was the Court's inability to once again institute a Summer Employment Program. As a result, the Panyard had to rely on volunteers from the veteran members to assist them during the summer and to serve as Summer Serenaders. Normally, the Summer Serenades Program is generally comprised of veteran members of the Orchestra who are usually high school students. The students are employed for the summer and paid through the Court's Summer Employment Program. Members are chosen to participate in this group based on their knowledge of music, skill level, academics and the positive attitude they demonstrate within the Program. Due to the fiscal constraints these past two years, the Summer Serenades group has been comprised of younger members of the Orchestra who volunteered for this assignment.

During the Summer Season, eleven (11) active members were assigned to the Summer Serenades group and the group performed Monday through Wednesday at various locations within the community, including: Post Office Square, Havensight Mall, Tutu Park Mall and Crown Bay. The members received a stipend from the Rising

Stars Scholarship Fund along with 50% of the tips they collected. The other 50% was contributed to the Rising Stars Scholarship Fund.

The culmination of the 2013 Summer Recruitment Program was held around the same time in both districts. The St. Thomas-St. John District held an Open House and Concert on Friday, August 2, 2013 at the Long Bay Panyard. Musical selections were performed by the summer recruits, the Summer Serenades, the Rising Stars Stage Band and the Rising Stars Pan-in-Motion.

In the District of St. Croix, the finale was held on August 3, 2013, in the Rising Stars Pan Yard. Musical selections were performed by the summer recruits, the Rising Stars Stage Band and Alumni members. Participants of the Summer Recruitment Program in both districts received Certificates of Participation.

During the month of June, nineteen members (19) in the St. Thomas-St. John District received their high school diplomas from the various public, private and parochial schools. In preparation for their graduation, the Rising Stars Program held College Matriculation Workshops. Representatives from the University of the Virgin Islands, Board of Education and Ms. Bridget Hodge presented workshops and hands on sessions to the students. The primary goal of these sessions was to assist members as they prepared for college selection, the financial aid process and enhancing their knowledge of resume preparation and interviewing skills.

Additionally, seniors took part in the annual College tour at the University of the Virgin Islands. They visited dorms, attended lectures in classroom sessions and ate lunch with the students in the cafeteria.

Fourteen (14) St. Thomas-St. John District members successfully completed the Rising Stars Program and were awarded the Jahmal Andrew/Rising Stars Academic Scholarship of \$1,000.00, a Certificate of Participation, and a Rising Stars Watch during their school's Honors Night program. The graduates plan to major in a variety of fields including Accounting, Biology, Business Administration, Business Management, Computer Science, Cosmetology, Mechanics, and Music.

In the District of St. Croix, the "Seniors' Luncheon" was held to recognize the Orchestra's six graduating seniors. Each of the proud graduates received a financial scholarship in varying amounts. Rising Stars graduates Kijon Washington and Tarfari Nelson were the Valedictorian and Salutatorian of their respective high schools, the St. Joseph High School and the St. Croix Educational Complex.

In addition to attending colleges and universities on the mainland, fourteen (14) of the Rising Stars graduates have decided to attend the University of the Virgin Islands.

During its more than thirty (30) years of existence, the Rising Stars Youth Steel Orchestra has collaborated with a variety of artists at the Reichhold Center for the Performing Arts - none more so than the Puerto Rico Symphony. Collaborating with the Forum, the long awaited and highly anticipated joint concert with the Rising Stars and the Puerto Rico Symphony was held on November 2, 2012. Once again, this concert brought the sweet sounds of pan and a full symphony orchestra to the Reichhold Center stage for their third joint performance.

These musical icons had their first joint performance at Reichhold Center in 1992, when Eltino Pickering was a member of the band, and again in 2001 when he had rejoined the Orchestra as an Assistant Instructor.

Currently, Mr. Pickering is the Rising Stars Drillmaster/Conductor and he travelled to Puerto Rico to partake in a rehearsal session with the Symphony. Mr. Pickering successfully collaborated with the Symphony's Conductor, Maestro Maximiano Valdes, to facilitate the steelband's portion of their collaborative selection.



Rising Stars Drillmaster/Conductor Eltino S. Pickering converses with Maestro Maximiano Valdes

Both organizations participated in a lively cultural exchange and social interaction during their only dress rehearsal at Reichhold Center. Symphony members were treated to an impromptu performance, and they marveled at the knowledge and skills of the Orchestra whose members played from memory what the Symphony was playing from written musical scores.

According to former Reichhold Center Director, Dr. David Edgecombe, ". . . the result was a musical combustion like nothing the lucky audience could have imagined. This arrangement lent a sense of fusion to the bands that was reinforced by the music they made together. As a matter of fact, you could not distinguish where the Puerto Rico

Symphony left off and the Rising Stars began. Kudos, to all who made this production possible and especially to the members of the orchestra who work tirelessly to bring the show to fruition.”



Rising Stars Drillmaster, Eltino S. Pickering presents a commemorative plaque - from the Rising Stars - to Maestro Maximiano Valdes

PROBATION AND PAROLE DIVISION

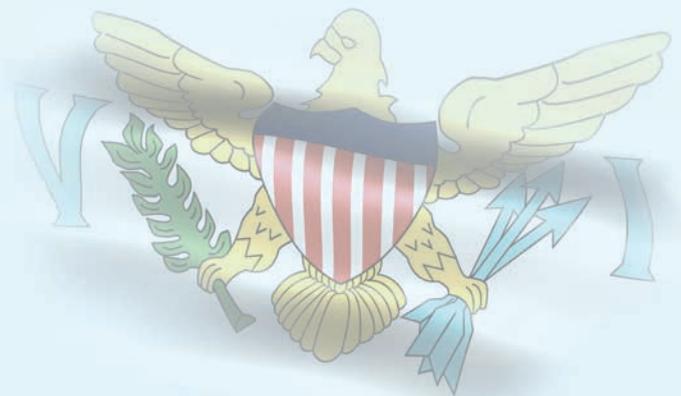
The mission of the Office of Probation and Parole of the Superior Court of the Virgin Islands is to work within the guidelines established by the Virgin Islands Legislature, federal laws, the United States Constitution, the Interstate Compact for Adult Offender Supervision Rules and Regulations, and the dictates of the Presiding Judge while honoring the safety needs of the Virgin Islands Community.

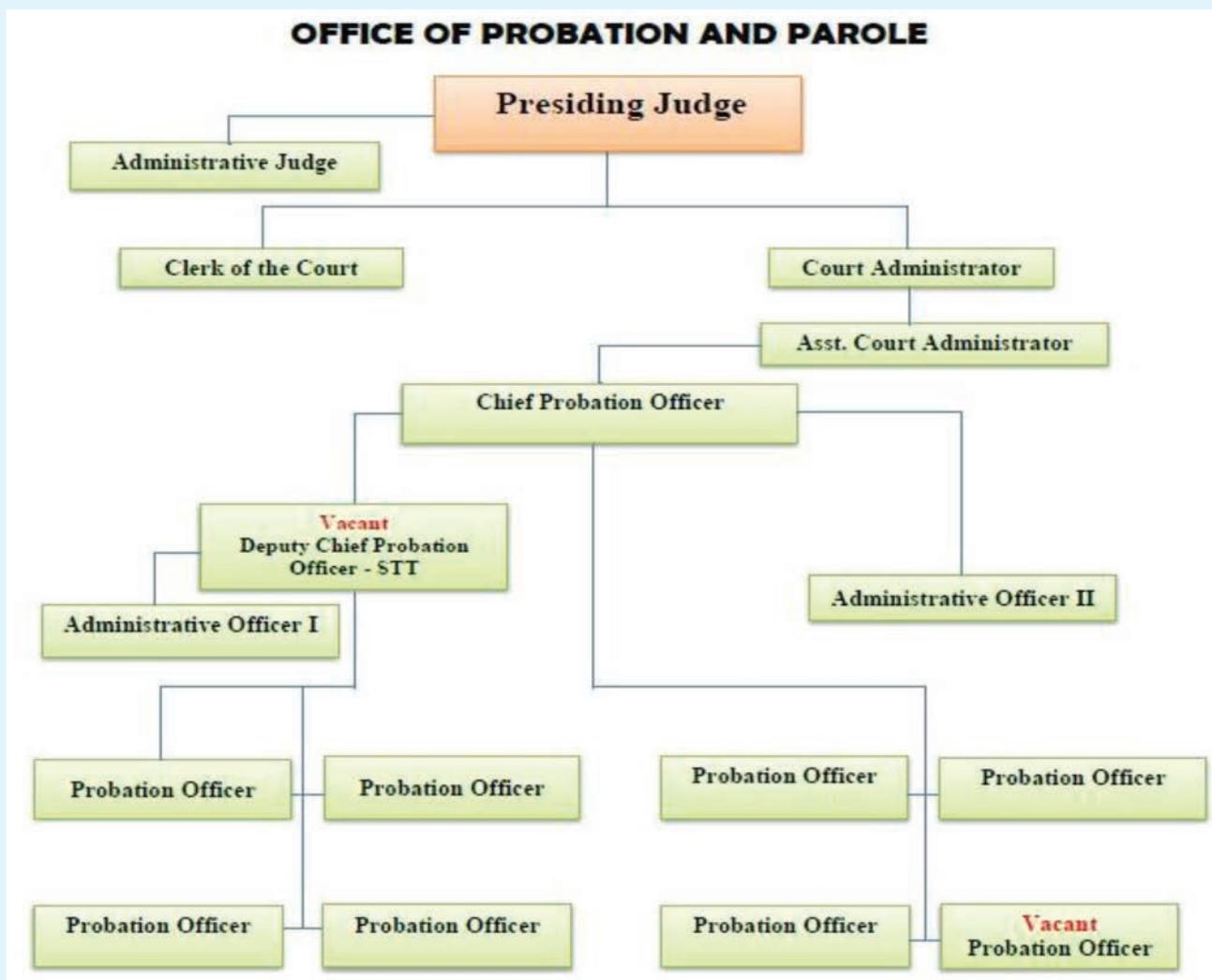
The Office of Probation and Parole is committed to working with offenders to ensure compliance with, and adherence to, Court Orders and Standard Conditions of Supervision in order to aid offenders and bring about improvement in their conduct and their ultimate reintegration into the Virgin Islands Community. The division's goal is to bring about the ultimate rehabilitation of offenders through the adoption of a holistic approach to supervision that is designed to decrease increasing instances of recidivism.

Under the leadership, supervision and guidance of the Territorial Chief Probation Officer, the Office of Probation and Parole receives tasks and assignments from the Judges of the Superior Court of the Virgin Islands, the Virgin Islands Board of Parole, U.S. Probation Office, Interstate Compact for Adult Offender Supervision, Court and Assistant Court Administrators, Clerk of the Court, General Counsel, and the Chief Probation Officer. The division's clientele also includes court personnel, attorneys, probationers/parolees/defendants and their families, Interstate Compact Offices and the general public.

During this fiscal year, it was necessary for the Office of Probation and Parole to seek several Opinions from the General Counsel of the Court. This office received a General Counsel Opinion on the following issue: The State of Florida issued a subpoena to the Probation Staff to attend a hearing in that jurisdiction regarding the Offender Violation Report that was filed against an Interstate Compact client (Sex Offender). Although Florida had no jurisdiction to subpoena the staff, General Counsel advised the staff to travel to Florida as their burden of proof could not be substantiated without assistance from this office.

Utilizing a staff of ten (10) this fiscal year, the Probation Office - Territory wide-fielded more than thirty-four thousand (34,000) office visits by a variety of individuals: St. Croix District - 18,338 office visits; and, 15,792 in the St. Thomas-St. John District. The persons visiting the Probation Offices included, but were not limited to the following: Probationers, parolees, pre-trial release clients, victims and their family members, defendants and their family members, attorneys, police officers, and individuals from other agencies and the general public.





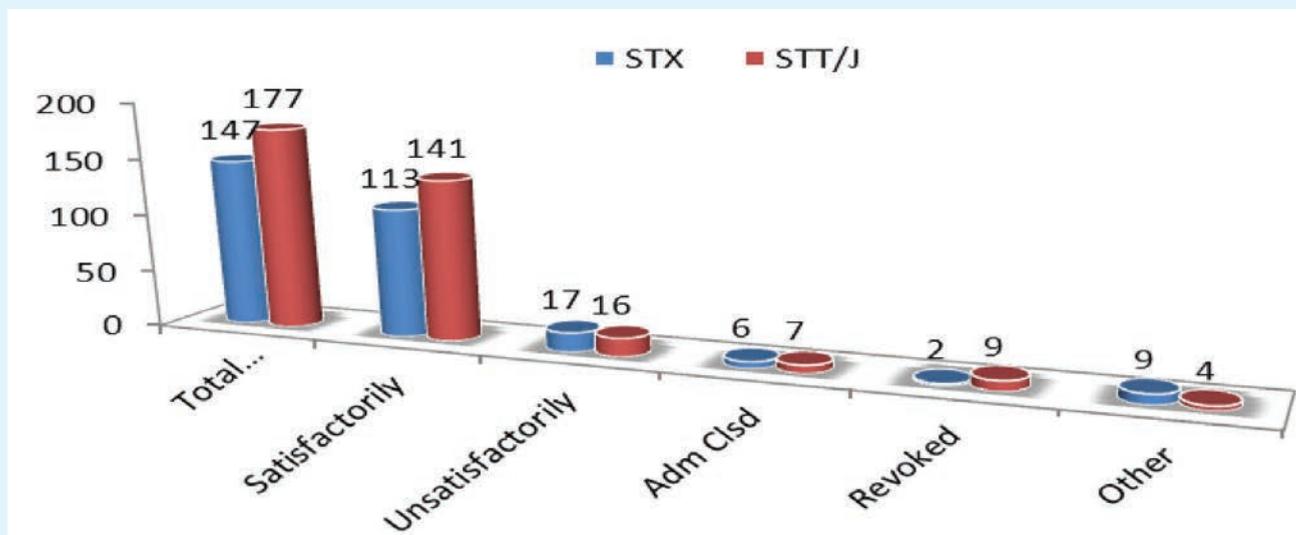
Ex. No. 9: Office of Probation and Parole Organizational Chart

The Probation Division also terminated three hundred twenty-four (324) clients from supervision. In the District of St. Croix, one hundred forty-seven (147) cases were terminated from supervision (One hundred thirteen (113) were closed satisfactorily, seventeen (17) were closed unsatisfactorily, six (6) were discharged administratively, five (5) were transferred out of jurisdiction, one (1) was transferred to the St. Thomas District, two (2) were discharged early, one record was closed, and two (2) were revoked.)

In the District of St. Thomas–St. John, one hundred seventy-seven (177) cases were terminated from supervision (one hundred forty-one (141) were closed satisfactorily, sixteen (16) were closed unsatisfactorily, seven (7) were discharged administratively, one (1) was closed as deceased, and three (3) were discharged early, nine (9) were revoked.)

The Probation and Parole Division processed the following clients within the Territory as outlined in Ex. No. 11.

During this Fiscal Year, the Office of Probation received clients of a varying age range, gender, ethnicity and educational level who were arrested for a variety charges. This section covers the statistical figures gathered throughout the Fiscal Year and the trends observed. Over the last few fiscal years, we witnessed an increase in the number of individuals with post-secondary education being arrested. However, this year we witnessed a slight decline in the figures on St. Croix. This is converse to the figures seen on St. Thomas. This may be due in part to a decrease in the number of cases received for the Fiscal Year. This year, this group represented only 8% on St. Croix, but 25% on St. Thomas/St. John. Individuals with some high school education and high school graduates represented the largest group last year. The total for this group is 353 and 408 in the St. Croix and St. Thomas/St. John Districts, respectively. Thus, these groups account for 77% and 70% of all persons arrested.



Ex. No. 10: FY 2013: Terminated Probation Cases

District/ Activity	St. Thomas/ St. John	FY12	FY13	St. Croix	FY12	FY13	Totals
Probation Officers Court Attendance	303	↑47%	↓24%	264	↑54%	↓49%	567
Field Visits Conducted	58	↓18%	↓24%	176	↑20%	↓71%	234
Pre-sentence Reports Submitted	144	↑30	↓47	208	↑35%	↓21%	352
Pretrial Release Clients Monitored	1,218			976			2,194
Supervised Probation Clients	1,058			1,252			2,310
Supervised Parole Clients	39			57			96
Supervised Probation Cases Terminated	177	↑55%	↓3%	147	↓12%	↑32%	324
Probation Client Referrals	115	↑41%	↑38%	248	↑29%	↑28%	363
INTERSTATE COMPACT							
Supervised Interstate Probation Clients	39			30			69
Supervised Parole Interstate Clients	7			10			17
Interstate Compact Investigations	14			11			25
Office Visits	18,338	↓2%	↓5%	15,792	↓5%	↑10%	34,130

Ex. No. 11 Office of Probation and Parole Caseload Statistics

During the past few fiscal years, there was a shift in the age of persons being arrested in the District of St. Croix, with persons in the age range of 18-29 years old being arrested more frequently than any other age group. This remained true during FY2013. There was an 11% increase of arrested persons in that age group (representing 51% of all persons arrested). However, in the District of St. Thomas-St. John, the statistics showed a decline to 27%, with that age group, which represents 41% of all individuals arrested.

This fiscal year, there was a slight decrease in the number of females arrested on St. Croix, but a sharp increase on St. Thomas-St. John. Currently, females represent 12% and 18% of all individuals arrested in the St. Croix and St. Thomas/St. John Districts, respectively.

Other notable trends over the past few fiscal years include the following:

- Crimes of violence, weapons/ammunition use/possession, traffic offenses and drug related offenses continue to be the most prevalent categories of offenses in the District of St. Croix.
- Domestic violence cases also continue to be a primary reason why individuals are arrested in conjunction with other offenses.
- Weapons related, property offenses and larcenies continue to be perpetrated more by young African American men than any other group.
- Young men, in the 18-29 year old age group continue to be the population most frequently arrested for violent crimes and weapons possession.

- Older black males continue to be arrested more frequently for traffic related offenses stemming from alcohol usage and domestic violence related offenses than any other age group.
- We are seeing a trend of an increasing number of Caucasians being arrested for a variety of offenses, whereas they were typically arrested mostly for traffic offenses (alcohol related).
- For the first time, traffic offenses outnumber property offenses in the St. Thomas/St. John District.
- Additionally, during the past few years, a new and continuing trend was observed in both districts: specifically, an increasing number of Caucasians being arrested for a variety of offenses, and a slight increase in arrests among Hispanic groups in the St. Thomas/St. John District.

This fiscal year, however, there was a decline in both groups in the St. Croix District. Conversely, there was an increase in the number of Hispanics arrested and a slight decrease in the number of Caucasians in the St. Thomas/St. John District.

During FY2013, the Probation and Parole Office collected a total of \$152,405.36 in administrative fees, court costs, fines, monetary donations and restitutions as outlined in the following chart:

Ex. No. 12: Fy 2013 Probation And Parole Collections

District	Admin Fees	Court Costs	Fines	Restitution	Other	Total
St. Croix	\$29,942.50	\$ 10,569.00	\$22,246.00	\$10,827.44	\$3,725.90	\$77,310.84
St. Thomas-St. John	\$20,483.00	\$ 7,510.00	\$ 33,374.00	\$13,727.52	\$ - 0 -	\$75,094.52
TOTALS	\$50,425.50	\$18,079.00	\$55,620.00	\$24,554.96	\$ 3,725.90	\$152,405.36

Ex. 13: Fy 2013 Probation Officers Caseload Distribution

CASELOAD DISTRIBUTION BY CASEWORKER - FY 2012 - 2013							
PROBATION OFFICER	DISTRICT	FY 2011-2012 YEAR END TOTALS	1ST QUARTER	2ND QUARTER	3RD QUARTER	4TH QUARTER	FY 2012-2013 YEAR END TOTALS
I	STX	348	335	350	360	407	407
II	STX	335	314	337	344	379	379
III	STX	149	139	143	141	151	151
IV	STT	114	109	111	109	113	113
V	STX	359	303	328	325	325	325
VI	STT	190	165	180	191	200	200
VII	STT	270	248	263	277	289	289
VIII	STT	150	118	129	142	156	156
D. SIMMONDS	STT	155	143	157	173	184	184
PRETRIAL SUPERVISION *	STX	294	208	249	263	327	327
PRETRIAL SUPERVISION *	STT	404	260	304	359	444	444
TOTAL OUTSTANDING	STX & STT	2768	2342	2551	2684	2975	2975
ST. CROIX	TOTALS	1485	1299	1407	1433	1589	1589
ST. THOMAS/ST. JOHN	TOTALS	1283	1043	1144	1251	1386	1386
* This value is not inclusive of all pretrial cases since some of these cases are assigned to caseworkers (pending sentencing).							

PROPERTY AND PROCUREMENT

The Property and Procurement Division is charged with the responsibility of professionally and ethically procuring the best valued products and services, in accordance with the Territorial laws and regulations, to enable the Court to meet its objectives. This is the Court's centralized purchasing office that all divisions are required to utilize when making purchases. This division also is responsible for processing, receiving, documenting and retaining records for all bids and requests for proposals (RFPs). It also maintains inventory records for all non-expendable property and conducts yearly inventories.

During this fiscal year, this division ensured the following, within the constraints imposed by the Court's severely reduced budget and austerity measures:

- Although the availability of credit to the Court was significantly reduced, all critical procurement needs for the staff of the Alexander A. Farrelly, Magistrate Court, as well as, assistance was in the District of St. Croix rendered as requested. Purchases of supplies and other

non-emergency items were streamlined in accordance with the availability of funds.

- This office was directly involved in the negotiation and finalization of the contracts for several major projects:
 - i. the replacement of the telephone system;
 - ii. the cabling infrastructure upgrade;
 - iii. the upgrade of the Court's computer equipment; and
 - iv. the negotiations to replace the second of three elevators in the Alexander A. Farrelly Justice Center.

In light of the current fiscal constraints and the state of the economy, the Superior Court's Administration is committed to continuing to adopt applicable cost saving measures. As a direct result, this office continues to mirror the government's cost savings initiatives and no major renovation projects were performed territorially during this fiscal year. And, no replacement of furniture or non-critical equipment was made.

Nevertheless, after working on this project for several years, the Farrelly Justice Center is scheduled to replace the second of its three aged elevators and has continued negotiations with the vendor to facilitate the replacement of the second elevator in the South Wing of the Complex - especially since the current elevators are obsolete and replacement parts are virtually nonexistent. Contract negotiations for this project have been completed during this fiscal year and the elevator should be installed during FY2014.

In accordance with Act 7261, the Virgin Islands Economic Stability Act of 2011, the Court did not replace any of its aged vehicles. Based on the Court's fleet replacement plan, vehicles were scheduled to be replaced in FY11, FY12 and FY13. Additionally, many of the fleet's routine maintenance and repair issues were deferred until funds became available. This deferment was absolutely necessary due to the severe reduction in the Court's FY12 budget appropriation that stymied the Court's efforts to pay routine expenses. Once funds became available, maintenance and repair schedules were initiated to address those issues although some items remained pending due to their significant estimated costs.

As funding becomes available in the upcoming fiscal year, this office will be prepared to do the following:

1. Initiate the upgrade of the Court's copiers to provide additional cost savings;
2. Repair and replace the tiles in the Family Court lobby;
3. Provide the requisite maintenance on all carpeted and tiled areas of the Court.
4. Facilitate the procurement of items included in the Court's Capital Projects schedule as it relates to facilities, safety and maintenance.

RESEARCH AND DEVELOPMENT

Currently staffed by one person, the status of the projects assigned are as follows:

- I. Completed: Research and recommend objective promotional testing for Deputy Marshals.
- II. Pending: Development of performance standards for the Court's employees.

Ancillary Activities

Other ancillary activities during this fiscal year included assisting various divisions and working with the Rising Stars Youth Steel Orchestra in various capacities, including the following:

1. Assisted with the duties of the Jury Management Division, with the assistance of Administrative Officer

Misha Marrero, so that the staff could attend off site training on their new Jury Management System.

2. During FY2013, a total of five (5) workshops were held for the members of the Rising Stars Youth Steel Orchestra in the following areas:
 - i. *Preparing An Effective Resume* - Due to this session, several students have now developed their resumes to be fully functional and effective documents.
 - ii. *Money Management for Teens* - This highly interactive and insightful session generated constructive and valuable dialogue among all who attended (sophomores, juniors, and seniors), particularly in the area of budgeting.
 - iii. *How To Conduct An Interview* - This popular session teaches its participants appropriate interviewing skills.
 - iv. *Career Planning session* - Encouraged the members to educate themselves so that they could be prepared for the employment opportunities currently available in the workforce.
 - v. *Dress for Success/Mock Interviews*. This workshop integrated all of the elements from previous workshops and placed the students in a simulated interview environment.
 - vi. Choreographed dance routine for the Rising Stars' Dancers which was performed at the 2012 Rising Stars' Christmas Concert.
 - vii. Presented an overview of workshop items at the Rising Stars Parents' Meeting on February 20, 2013.
 - viii. Assisted the HR Division during the Court's Annual Health Fair on August 16, 2013.
 - ix. Participated in August 2013 Annual trainings for Supervisors and staff.

FY 2013: GOALS OF THE ADMINISTRATION AND SUPPORT DIVISION

It is the goal of the Administration and Support Division to work cohesively and collaboratively with all divisions of the Court to ensure that all mandates established by the Presiding Judge are effectuated and that the Court operates as efficiently and effectively as possible - given its legislatively imposed fiscal and budgetary constraints. To this end, this Division will continue to work towards the following:

- Repairs and maintenance upgrades to the Court's facilities in both districts; facilitation of the initiation and completion of the Court's Capital Projects;



OPERATIONAL DIVISION

- Preparation of the A & E RFP for the design, construction and relocation of the following: the Court Annex and the Rising Stars Panyard in the St. Croix District, in addition to the Magistrate facility and the Rising Stars Panyard in the St. Thomas-St. John District. The addition and/or enhancement of these facilities will provide adequate and up-to-date storage facilities with the goal of reducing the Court's overhead, storage, rental and other operational costs;
- Facilitation of the upgrade of the Court's communication systems: i.e. replace the Court's aged telephone system;
- Upgrade of the Court's computer equipment, software and courtroom technology;
- Secure the applicable Budget module for the Accounting and Finance Division to Upgrade the Court's computer equipment, software and courtroom technology;
- Secure the applicable Budget module for the Accounting and Finance Division to enhance the ability to provide the requisite information, report and statistical analysis that is necessary to continue to move the Court forward.
- Continue to work with the Court's management team to address issues of concern within the Court that will enhance the Court's ability to render efficient and optimal service to the community.

THE OPERATIONAL DIVISION

The Court has two central divisions to carry out the mandates of the Presiding Judge: the Operational Division, headed by the Clerk of the Court, and the Administrative and Support Division, headed by the Court Administrator. The following divisions and staffing fall within the responsibility of the Clerk of the Court: Court Reporting, Cashier, Criminal, Civil, Jury Trial, Probate, Family, Traffic, and the receptionists/switchboard operators.

As the official custodian of records, the Clerk of the Court is required to protect the integrity of all case filings and all associated functions or processes. In addition to the regular case intake, filing and document processing, the Clerk's core functions include: providing case-related service to litigants; processing and preparing all documentation for indigent attorney representation and processing vouchers for payment of the same; preparing and protecting the integrity of the verbatim records of the court; collecting and accounting for all financial collections and depositing the same into the General Treasury; ensuring access to the Court for non-English speakers, which requires ensuring the availability of interpreting services in multiple languages and sign language; and maintaining the Clerk's Office in a manner that ensures access to justice for all persons who seek the aid of the Court.

The Clerk's Office/Operational Division is staffed with one hundred seventy-five (175) positions, of which approximately thirty-two (32) are currently vacant. In Fiscal Year 2013, the Operational Division in the St. Thomas/St. John District was staffed with ninety-one (91) employees; and, in the District of St. Croix, it was staffed with fifty-two (52) employees. Numerous requests and attempts were made to fill the required vacancies that occurred as a result of resignations and retirements in the Operational Division. However, due to the severe budgetary constraints, critical positions remained vacant; but, the staff in the Operational Division continued to serve the public with pride and professionalism despite its critical staff shortages.

To facilitate the financial transactions of clients, the Court maintains automated cashier stations in the St. Thomas-St. John District and in the District of St. Croix. In order to provide easy access to clients, the cashier's stations are located on the first floor of all of the Court's facilities: the Alexander A. Farrelly Justice Center; the Magistrate Division in Barbel Plaza; Bureau of Motor Vehicle (BMV) Inspection Lane on St. Thomas and St. John; and, at the R.H. Amphlett Leader Justice Complex on St. Croix.

The Cashiers at the BMV continue to provide an invaluable service as they perform computer searches regarding outstanding citations for per- sons registering their motor

vehicles. Where there are outstanding traffic citations that do not require a court appearance, motorists can make the payment directly to the Cashier.

During the course of the fiscal year, the Operational Division undertook various projects intended to improve the efficiency and effectiveness of operations. Some of the overall operational achievements of these major initiatives are outlined below:

1. Performance Measurement: In its effort to address the challenges of delay in the administration of justice with the trial court, the Court embraced - as its mission - a commitment to improve the quality of justice that would increase public confidence in the courts. To facilitate this process, various performance measurements and standards for judges and the Court as a whole were developed, aimed at improving the timeliness of delivery of justice in all case types.

2. Differentiated Case Management: On April 23, 2013, Presiding Judge Darryl Dean Donohue, Sr. entered Misc. Civil Order No. 39/2013, with an effective date of June 1, 2013, establishing the "Superior Court of the Virgin Islands' Differentiated Case Management System". The Differentiated Case Management System would facilitate the implementation of an efficient, uniform system of case management which would reduce case backlog, promptly resolve disputes, and improve service to the people of the Virgin Islands.

3. Case Management/E-Filing: On September 17, 2013, the Case Management/e-Filing project team reported that we were in the final stages of the project and nearing implementation. The policies, procedures, rules and regulations relative to e-filing with the new case management system were completed. E-filing was scheduled to be implemented after the "go live" date of the new system.

4. Case Management Training: In preparation for the AICMS go-live, the Court's end-user training was held during the period of October 21 through October 31, 2013. Additional divisional training was held to better prepare the clerks for the upcoming go-live of the new case management system.

5. Quality Control: The Clerk's Office has implemented a quality control procedure to analyze the efficiency of its operations. This process aids in self-assessment and determining where improvements are needed and is part of our gradual movement toward the implementation of performance standards.

6. Organizational Chart Revision: Presiding Judge Donohue amended the Organizational Chart of the Superior Court pursuant to Title 4, Section 351 of the Virgin Islands Code. The VI Code requires the Superior Court Marshals be "subject to the direct control and supervision of the Presiding Judge". The revision to the Court's organizational chart became effective May 22, 2013. However, the transition of duties from the Clerk to the Chief Marshal became effective on June 13, 2013.

During FY2013, the Court continued its interagency cooperative activities and participated in a series of initiatives that involved various agencies as indicated below:

- **Bureau of Corrections (BOC):** In 2010, the Court entered into a cooperative effort with the Bureau of Corrections that permitted prisoners housed abroad to visit with their families residing in the Virgin Islands through electronic means. Facilitated by the Clerk's Office, twice a year the Court coordinates with mainland prisons, the IT Division in both districts and the BOC, as well as local families, provides them with the use of its videoconferencing facilities, and schedules prisoner visits with families. This project has continued throughout this fiscal year.
- **Court Cooperatives:** This Court continues to provide the services of its Spanish interpreters, on request, to the District Court of the Virgin Islands.
- **School Tours:** The Clerk's Office continues to coordinate and host school tours in both districts, where judges and staff take time out of their day to discuss the court system with our youth, take them on tours throughout our facilities, and permit them to observe various court proceedings.
- **Michigan State University (MSU):** During the past several years, MSU has brought its law students to St. Thomas where they have toured the Court's facilities, interacted and observed the proceedings in Magistrate Alan D. Smith's courtroom. This unofficial relationship is expected to continue even though Magistrate Smith has retired.
- **E-Citation:** The Court continues to be an agency partner in the development of an electronic citation program to service the territory; and this interagency project is ongoing.
- **Traffic Division:** The Traffic Division continues to work diligently in conjunction with the Bureau of Motor Vehicle division in an effort to adjudicate the older outstanding liens. Lien reports continue to be submitted

regularly to the BMV. Additionally, traffic tickets which were revised in FY2012, to include a field for officers to obtain and provide the driver's or vehicle owner's mailing address, have served to reduce the amount of notifications - including lien notices - that are usually returned to this Division.

- **Electronic Storage of Court Records:** The Clerk's Office continues to investigate the options for electronic archiving of Court records and files, including court reporting notes and dictionaries. This would permit the Court to account for raw notes while reducing paper storage needs and expenses as it relates to warehouse storage.
- **Budgeting and Fiscal Austerity:** The Court in FY 2011 implemented various austerity measures in response to severe budget cuts and augmented those measures in FY 2012. The budget cuts in the past two fiscal years, coupled with the Court-imposed austerity measures, resulted in divisions having to effectively serve the public "doing more with less", which proved to be a very daunting task. One of the areas greatly affected was the Court's ability to maintain its operations on the island of St. John. As a direct result of the severely reduced budget, the Court was forced to relinquish its lease of the Boulon Center, thereby eliminating daily accessibility of the Clerk's office by the St. John community.

Other impacted areas within the Operational Division included its inability to maintain adequate staffing in several divisions, to include: Family, Court Reporting and the Criminal Divisions on St. Croix. In the District of St Thomas-St. John, the affected divisions included Family, Traffic, Jury Trial and the Civil Division.

FY 2013: GOALS OF THE OPERATIONAL DIVISION

During the upcoming fiscal year, it is the goal of the Operational Division to fulfil the following initiatives:

- Continue to review caseloads and to devise solutions, in conjunction with the judges, to effectuate the reduction of delays in the resolution of cases;
- Continue more aggressive quality control reviews to ensure full compliance with operating procedures;
- Continue working with management and staff to ensure the adherence to the rules, regulations, and policies of the Court;

- Continue to improve the timely processing of cases within each division;
- Seek relevant in-house and other appropriate job specific training to facilitate the readiness of our staff to meet the needs and growth of the Court and the community we serve.
- Encourage and facilitate the "team" rather than "unit" approach for employees as we strive to accomplish the goals of the organization, fulfill the requisite mandates and core functions of the Court and the dictates of the Presiding Judge, and identify potential managerial candidates.
- Continue to encourage and promote timely responses to calls, inquiries, and all applicable external requests.
- Revisit the issue of the number of notary clerks that should be available within the Court, in accordance with the V.I. Code.
- Ensure that all outstanding warrants are updated and entered into the case management system in accordance with the law.
- Continue to work with the judicial officers to establish measurable performance standards for the Court;
- Finalize the revision of standardized forms and issue SOP's, along with revised forms, for all divisions;
- Complete implementation of the new case management and electronic filing systems;
- Adopt an approach in line with organizational goals to complete the conversion of our historical documents to electronic format;
- Continue working on the development of a fully compliant program to provide access to justice for non-English proficient (LEP) court users.

FY 2013: REVENUE COLLECTIONS

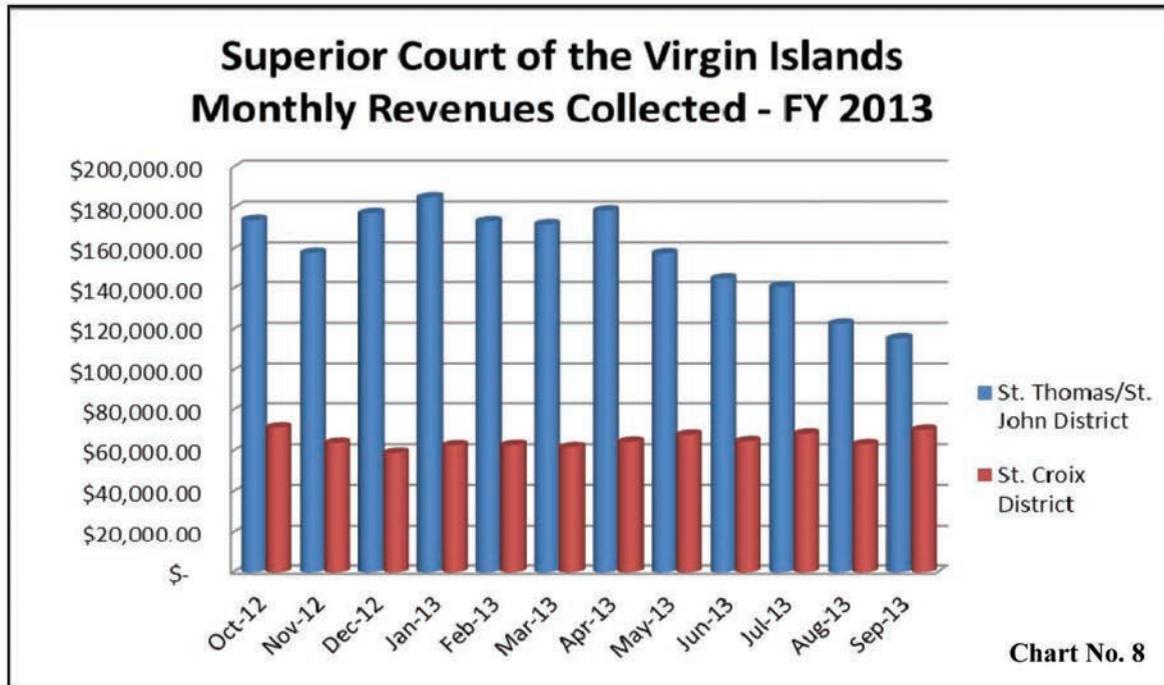
Revenues collected by the Superior Court come from various sources, and they are deposited into several funds: the General Fund, the Transportation Trust Fund, the Solid Waste Revolving Fund and Special Funds. The revenues sources for these funds includes: Marriage Applications, Marriage Licenses, Marriage Ceremonies, Certified

Marriage Returns, Filing Fees, Traffic Fines, Court Costs and Penalties, Probation Administrative Fees, Pretrial Administrative Fees, Photostatic Copies, Certified Documents, Divorce Decrees, Notary Fees, Handicap Parking, Forfeiture of Bail, Criminal Fines, Cost and Penalties, Inheritance Taxes, Conservation Fines, and Litter Fines, Costs and Penalties, in addition to Miscellaneous Revenues.

It is important to note that none of the fees collected by the Court is kept by this entity; rather, all of the funds collected by the Court are deposited into the various accounts within the General Fund.

Ex. No. 14: SC General Fund Collections

GENERAL FUND ACCOUNTS	ST. THOMAS	ST. CROIX	TOTAL
General Fund	\$ 1,063,029.00	\$440,133.50	\$ 1,503,162.50
Transportation Trust Fund	\$ 758,125.00	\$235,280.00	\$ 993,405.00
Special Fund	\$ 52,014.05	\$ 54,577.00	\$ 106,591.05
Solid Waste Revolving Fund	\$ 28,900.00	\$ 50,988.00	\$ 79,888.00
TOTAL	\$ 1,902,068.05	\$780,978.50	\$2,683,046.55



**Superior Court of the Virgin Islands
Revenues Collected - FY 2013**

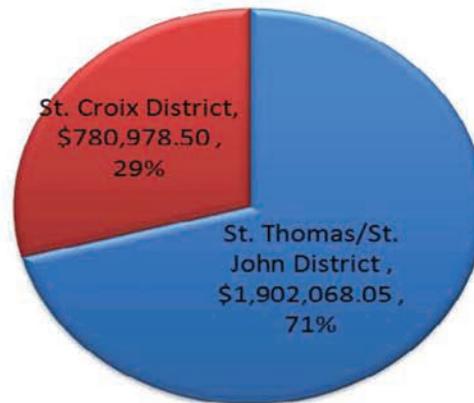


Chart No. 9

Total: \$2,683,046.55

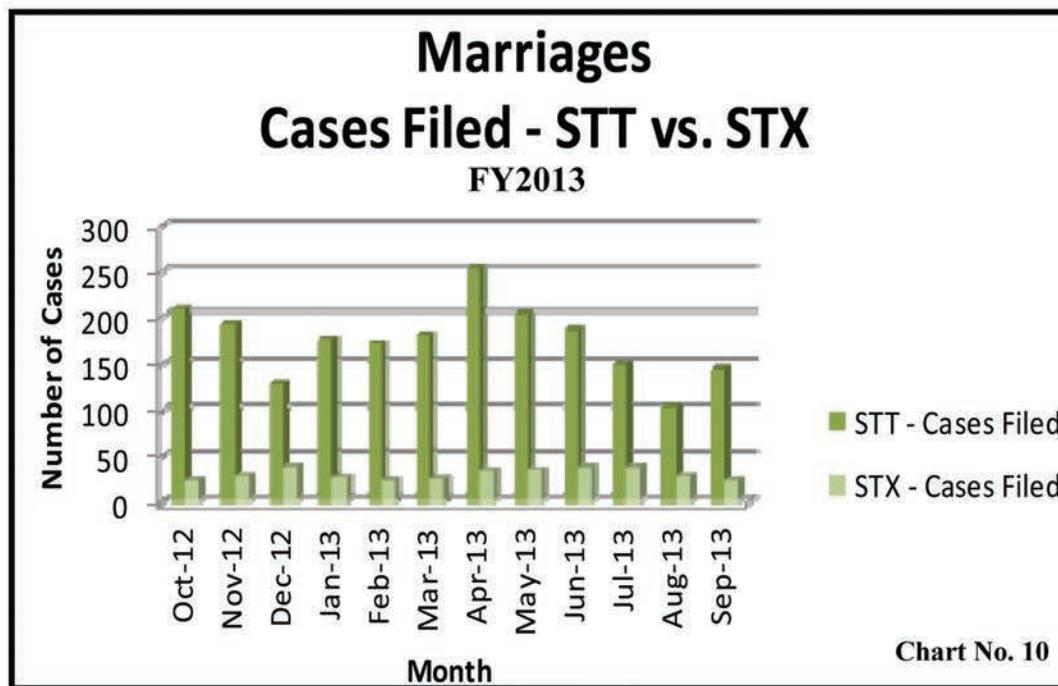
**FY 2013: CASELOAD
STATISTICAL INFORMATION**

COMPARATIVE ANALYSIS OF CASES FILED								Ex. No. 15
FISCAL YEAR 2011 - 2013								
	Previous Pending		2011		2012		2013	
	STT/J	STX	STT/J	STX	STT/J	STX	STT/J	STX
Civil-Non Jury	705	632	376	202	384	170	336	167
Small Claims	184	162	671	650	606	558	762	522
Civil Jury	412	1112	133	153	210	119	127	135
Evictions	65	69	249	238	246	218	235	127
Family	1462	644	736	545	740	454	619	353
Probate	489	172	121	94	145	85	144	96
Criminal Non Jury	113	687	294	339	252	397	167	424
Criminal Jury	427	615	561	499	504	217	444	239
Domestic Violence	105	19	234	398	243	356	182	351
Juvenile		228		158		113		74
Total	3962	4340	3375	3276	3330	2687	3016	2488
Traffic	15604	23366	13038	6816	10475	3705	6792	3150

COMPARATIVE ANALYSIS OF CASES **TERMINATED**
FISCAL YEAR 2011 - 2013

Ex. No. 16

	2011		2012		2013	
	STT/J	STX	STT/J	STX	STT/J	STX
Civil Non Jury	168	130	381	218	414	120
Civil Jury	142	146	147	150	156	183
Small Claims	609	583	658	545	656	630
Evictions	257	210	250	211	233	217
Family	757	578	1074	526	547	444
Probate	206	104	191	99	159	87
Criminal Non-Jury	168	42	275	69	204	201
Criminal Jury	360	522	459	659	415	507
Domestic Violence	233	425	249	323	195	359
Juvenile		127		145		83
Total	2900	2867	3684	2945	2979	2831
Traffic	9068	4949	10570	2934	7512	3584



Marriages Cases Terminated - STT vs. STX

FY2013

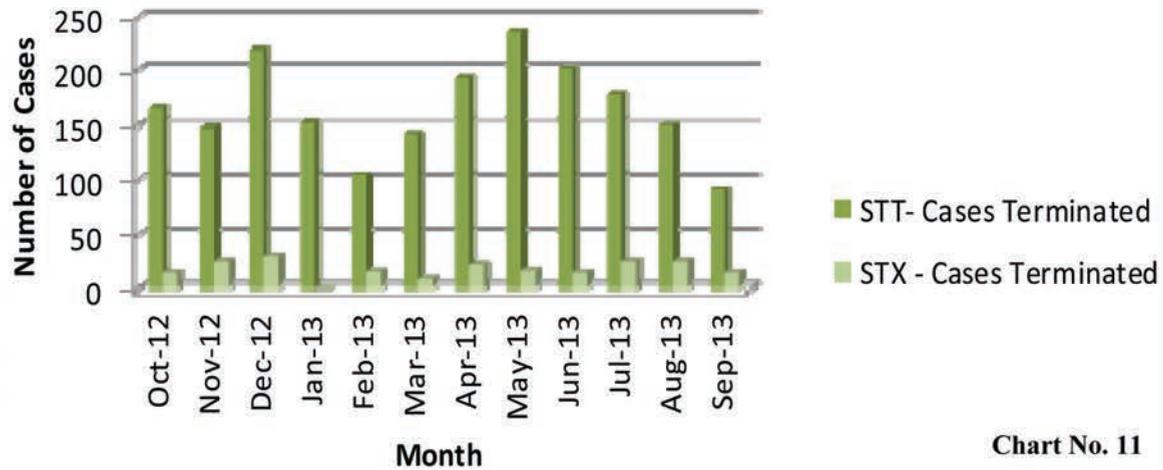


Chart No. 11

FY 2013 PENDING CASELOAD

Ex. No. 17

DISTRICT/CASE TYPE	ST.THOMAS/ST. JOHN	ST. CROIX
Criminal Non-Jury	123	181
Criminal Jury	454	613
Civil Non-Jury	659	706
Civil Jury	317	1045
Small Claims	247	141
Eviction	24	13
Family	858	419
Domestic Violence	19	43
Probate	339	512
Juvenile	320	241
Total Pending	3360	3914
Total Pending Traffic	15,279	26,970
Total Pending Marriages	3053	618

Ex. 18: FY 2013 OTHER OPERATIONAL FUNCTIONS		
COURT FUNCTION	St. Thomas/St. John	St. Croix
FTR TRANSCRIPTS REQUESTS	37	27
SUPREME COURT APPEALS	28	14
DESIGNATIONS (FORM D)	10	79
NUMBER OF MURDER ONE/ ATTEMPTED MURDER	9	4
PETITIONS FOR REVIEW		
<i>FILED</i>	15	23
<i>TERMINATED</i>	8	9
<i>PENDING</i>	7	25
COURT REPORTER TRANSCRIPTS		
<i>REQUESTED</i>	80	59
<i>COMPLETED</i>	72	54
<i>PENDING</i>	5	5
INTERPRETERS		
<i>SPANISH</i>	216	113 HRS.
<i>FRENCH CREOLE</i>	68	26 HRS.
<i>SIGN LANGUAGE</i>	3	2.5 HRS.
<i>VIETNAMESE</i>	1	N/A
<i>TIBETAN</i>	1	N/A
<i>ARABIC-LANGUAGE LINE</i>	N/A	1 HR.

SUMMARY

This past fiscal year has been an especially difficult one for the Operational Division. The primary focus during this period has been the finalization and implementation of the new Case Management System. The challenges towards its completion were many; however, with the continuous collaboration of the IT staff, the assistance of the clerks and supervisors, many of the items required for completion were realized.

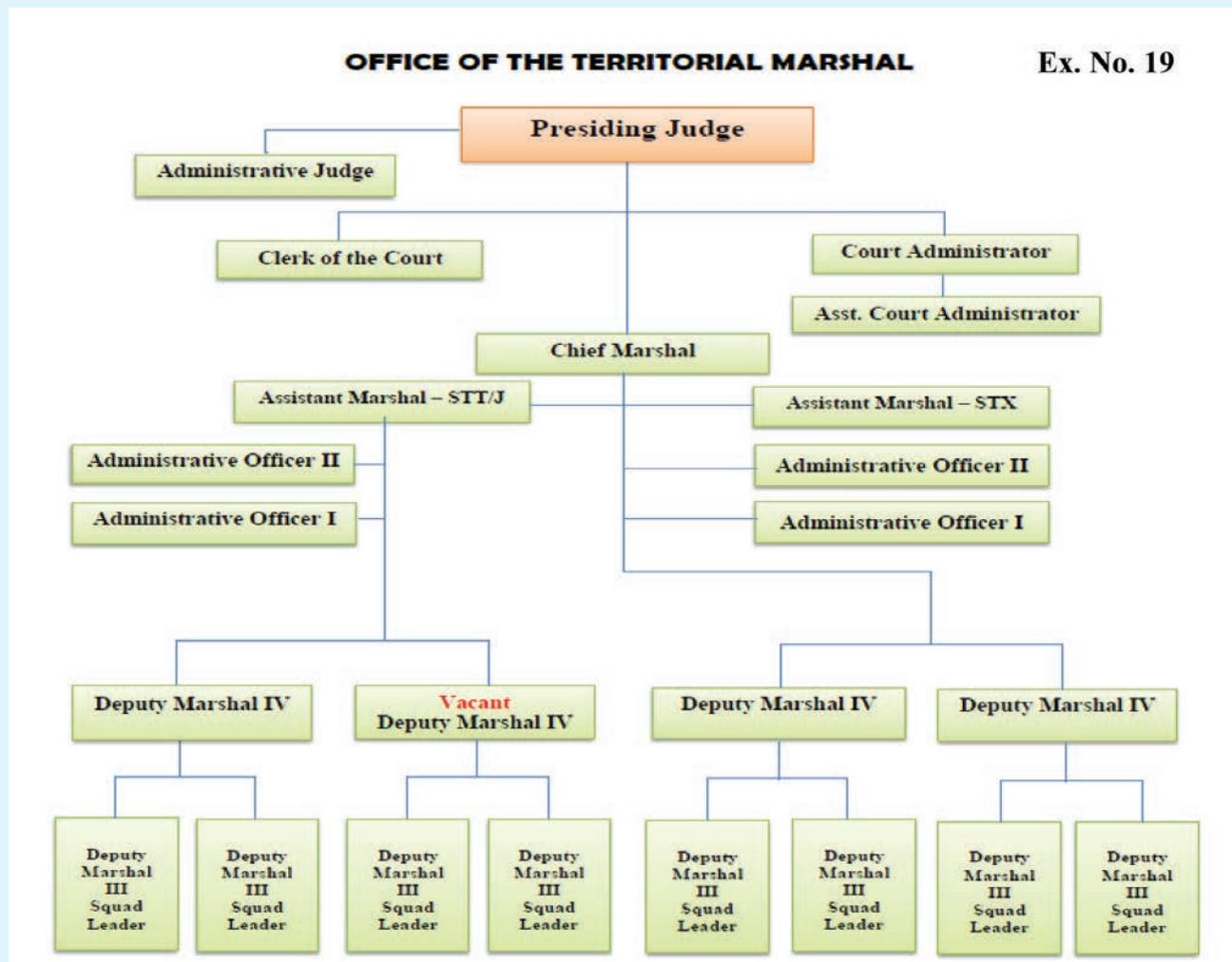
It is the goal of the Operational Division to work towards the complete conversion of the Case Management System, ensuring that all applicable reports, forms and statistical information contained therein is representative of the information obtained by the Court.

THE MARSHALS DIVISION

The primary mission of the Marshals Division is to protect and serve the judiciary - judges, magistrates and court staff - in addition to the general public by facilitating and ensuring a safe environment in the Superior Court of the Virgin Islands. Deputy Marshals are Law Enforcement Officers who are responsible for the enforcement of the mandates of the Superior Court. All orders of the Court are served and enforced with a commitment to providing those services in the most efficient, courteous, professional and cost effective manner.

The Marshals Office also carries out additional functions including, but not limited to, service of process, auction sales, courtroom duties, transportation of prisoners, augmentation of the Virgin Islands Police Department and rendering assistance to any other law enforcement agency as is deemed necessary.

During the latter part of May, then Presiding Judge Darryl Dean Donohue, Sr. revised the Court's organizational chart to bring it into conformity with the Virgin Islands Code. As a direct result, the Marshals Division now reports directly the Presiding Judge. Following a few weeks of transition, the change became effective on June 10, 2013.



The Marshals Division envisions its emergence as a division that fully manages and facilitates the Orders of the Court as well as safeguards and serves the judiciary and the public. This is accomplished through commitment, dedication, the execution of one's duties and responsibilities, professionalism, active cooperation and respect; and, by ensuring a safe environment. This Office, though at times operating with limited resources, is expecting to receive more equipment which will enable its staff to effectively

protect and serve the Superior Court and the Virgin Islands community.

Deputies are also responsible for transporting and guarding prisoners while they are at court. Their duties also include, but are not limited to, the operation of the court's holding cells, booking the defendants ordered into custody from the courtrooms, and standing guard while high-risk trials are in progress.

Another important duty performed by Deputy Marshals, civilian technicians, and clerical support personnel is the service of civil process. These segments of the Court's workforce also are responsible for delivering subpoenas, Court Orders, notices and summonses that are vital to the completion of the workload of the civil court. Deputies also seize property under court order, sell property seized to satisfy judgments and enforce orders to evict tenants.

The Marshals Division is responsible for the service of various types of warrants, the investigation of crimes reported in the courthouse and the radio communication function for the department. One clerical support personnel, along with one Deputy Marshal, handles all of the Department's radio communications and provides criminal information requested by officers and the court to carry out the dispatch function. Each of the vehicles assigned to the Marshal's Division fleet are radio equipped and are assigned part-time to specific functions such as civil process and warrant service activities.

The Marshals Division attended a number of trainings during Fiscal Year 2013 as outlined below:

- March 2013: Firearm Training
- May 2013: Law Enforcement Self-Defense Tactics Training.
- August 2013: Marshals and Security Officers attended the Court's annual in-house training which included Sexual Harassment; Ethics and Code of Conduct.

This Division continues to be engaged in the community as it regularly participates in educational programs that showcases the Marshal position as a career opportunity. Presentations are also rendered in an effort to deter young people from the negative impacts of becoming involved with the criminal justice system. Various Marshals travel to the different schools within our Territory to actively engage students in discussions about deterrence and crime prevention.

The Law and You Program, sponsored by the School Security Bureau of the Virgin Islands Police Department, educates and exposes high school students to the justice system. The program's participants have toured the Court's

facilities to include the Magistrate Division in the St. Thomas-St. John Division where they have witnessed court sessions, including criminal advice of rights and traffic cases, visited the lock-up area, met both Magistrates, and were able to ask questions regarding the judiciary.

The Marshals Division continue to undertake additional steps to improve the accountability and effectiveness of the house arrest program. These efforts started in Fiscal Year 2010 with the selection of a new service provider to provide more reliable and accountable notification service.

The Marshals Division continues to utilize the electronic monitoring system and the GPS monitoring system for the Court ordered House Arrestees. The online BI Total Access capabilities allow the Marshals assigned to and responsible for the individuals to monitor their activities. Throughout the Fiscal Year, numerous individuals were placed on and removed from the house arrest system.

In the District of St. Thomas-St. John, there was a total of thirteen (13) court ordered House Arrestees. One (1) of the applicants was arrested on a separate charge; one (1) was rearrested; and the Court modified the bail for two (2) of the applicants who were subsequently removed from the monitoring system. At the end of the Fiscal Year, nine (9) individuals remained on the system.

At the end of FY13, there were thirty-two (32) defendants on house arrest with electronic monitoring in the District of St. Croix, and more than one hundred on house arrest or curfew without electronic monitoring.

The Marshals Division maintains records of all money collected on Writs of Execution and house arrests monitors. In the District of St. Thomas-St. John, real property sales generated an estimated total of \$17,067,795.06 from the Writs of Execution filed with the Superior Court. Personal property (primarily vehicle) sales generated over \$102,986.38 (A medallion and pictures generated \$70,701.22 in cash and \$32,285.16 via a credit bid against a judgment). House arrest monitoring generated an estimated total of \$19,600.00. In the St. Thomas Division, the Marshals Division collected an estimated total of over \$17,170,781.44.

In the District of St. Croix, funds collected through Writs of Execution totaled \$33,916.44; real property sales totaled \$3,563,482.00; and, personal property/vehicle sales totaled \$98,743.67 for a total collection in of FY13 of \$ 3,696,142.11. The Marshals Division has processed an abundance of documents throughout the fiscal year. In the District of St. Thomas-St. John, it received over 12,000 documents for processing. Additionally, in the District of St. Croix,

it received over 10,000 documents for processing. The Marshals Division served more than 22,000 documents in FY13. This Division also maintains records of all legal documents submitted by the various divisions to the Marshals Office along with a Marshals service report of all documents served by every Deputy Marshal. Monthly and annual statistical reports are compiled for submission to Administration.

District	Writs of Execution	Real Property Sales (RPS)	Personal Property Sales	Total
St. Croix	\$33,916.44	\$3,563,482.00	\$98,743.67	\$3,696,142.11
St. Thomas-St. John	*Included in RPS	*\$17,067,795.06	\$102,986.38	\$17,170,781.44
TOTALS	\$33,916.44	\$20,631,277.06	\$201,730.05	\$20,866,923.55

SUMMARY

Although faced with significant challenges during the past fiscal year, the Marshals Division continues to work diligently for and on behalf of the Superior Court and the people of the Virgin Islands. Several of the challenges they have faced includes the following:

Fleet Upgrade

The total number of vehicles currently assigned to this Division is inadequate to successfully complete all assignments. Additionally, due to fiscal constraints, that affected maintenance and repair on these vehicles, a number of them are in a state of disrepair and are inoperable at the end of the fiscal year. Despite the Court's austerity measures that limits the number of vehicles that are in its home fleet, maintenance expense remains high on these vehicles given their current age. There is a significant increase in the maintenance expense on these aged vehicles, which is also a result of the Court's inability to continue with the established fleet replacement schedule.

Safety Equipment

This Division is in need of updated bullet proof vests, Tasers, batons, radios, ammunition and other items utilized within the law enforcement arena. It is anticipated that several of these items will be obtained within FY14 as a result of various grant initiatives currently being undertaken by the Court.

Courthouse Security

The current security equipment being utilized at the Court is in dire need of replacement/upgrade. Given the age of the facilities and the equipment therein, it is imperative that these items be upgraded to ensure the ultimate security of the judicial officers, court employees and the general public. The Court is currently seeking additional funding - via grants, to upgrade its security equipment, and to provide a one entry/one exit system at the Farrelly Center. It is anticipated that these upgrades will take place during FY2014.

Firearms

There is a significant need for updated weapons as the ones currently being utilized by the deputies are in need of constant repair and the replacement of various parts in order to function appropriately. It is anticipated that new weapons will be procured in FY14, changing from Smith and Wesson to Glock.

Training Initiatives

Although training activities have been initiated during the latter part of FY13, there is a great need to continue these activities that will result in maintaining necessary certifications for the deputies, especially in the area of weapons qualifications. To this end, this Division also needs to have its own certified firearms instructors as those who previously held these positions have either retired or,

because of the inability to provide the requisite training due to lack of funds, have had their certifications lapse. This situation should be corrected in FY14 as grant funding will facilitate the requisite training and required certifications for at least two marshals in each district.

Additional Staffing

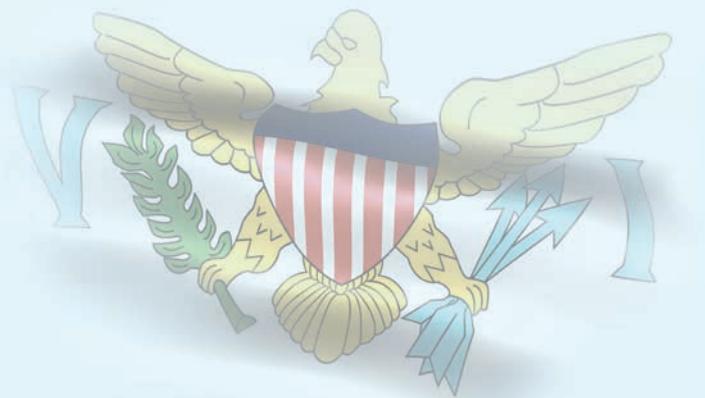
The Marshals and Court Security Division is currently working with extreme staff shortages which have resulted from the inability of the Court to fill critical vacancies occurring as a result of retirements and resignations. This is crucial, especially in the District of St. Croix, as several Marshals are also on extended assignments with the V.I. National Guard. Also, the need for the marshals to obtain training through the Police Academy also is a deterrent as the Court is at the mercy of VIPD and their decisions to have classes in accordance with their recruitment efforts - which is also a result of the extensive background checks that are required for those positions. Additional Court Security Officers are also needed in the District of St. Croix in order to replace the security service currently being utilized and to still be able to maintain 24-hour security of the Court's facility at the R.H. Amphlett Leader Justice Complex.

Employee Recognition

This Division takes this opportunity to thank its staff for their continuous commitment and dedication to the performance of their duties. Special recognition is extended to the following employees:

- i. Deputy Marshal I Chris Richardson (STX) for his attention to detail and willingness to enhance his knowledge by participating in the Career Incentive Program;
- ii. Sherry Simmonds, Administrative Officer II (STX) who has demonstrated her expertise by consolidating the processes of the Marshals Division in both districts, which has streamlined the day-to-day activities; and, her willingness to conduct tours of the Marshals Office, detailing the complex process after an individual has been arrested and brought to the Court.
- iii. Dwane Callwood, Deputy Marshal III (STT) who is a veteran marshal who has served as a Courtroom Marshal, assists in executing Writs of Execution and Writs of Restitution. Marshal Callwood was also recognized as the Employee of the Quarter during the first quarter of FY2013.

The Marshal's office continues to take strides to improve its service to the staff and to the public. The Marshal's Office continues to perform and fulfill its assigned duties, in accordance with the mandates set forth in light of the austerity measures, limited manpower and various morale issues. Despite the numerous changes within the this Division and the Superior Court, the workload during FY2013 has been executed efficiently. The Marshals, though at times inadequately equipped, were still able to perform their regular and additional duties - including assisting the Rising Stars Program by providing transportation and security - without monetary compensation. This is all accomplished in an exemplary and exceptional manner.



CONCLUSION

The current fiscal and budgetary constraints that are prevalent in the Territory and, by extension to the Superior Court of the Virgin Islands, have adversely affected the Court's ability to function in the most effective and efficient manner. Coupled with the reduction in the Court's budget is the need to render the applicable services required of the Court. This is no easy task as every expense must be carefully scrutinized to ensure that our limited funds are being expended in the most effective manner that provides the best "return on our investment."

Although several court fees were increased, reductions to the court's operating budget over the past several fiscal years remained. These reductions continue to adversely impact the Court's ability to operate effectively and to fulfill its statutory and constitutional mandates as the third co-equal branch of government.

Yearly reductions in the Court's budget do not translate to a change in the law to reflect the amount of resources available to apply to it and we are constantly faced with dwindling resources. Ironically, as the court's responsibilities, staffing and the seriousness and complexity of its cases have increased, its budget has been decreased continuously and significantly. The reductions in the Court's operational budget are too large – in the face of increasing workloads – to maintain the semblance of "business as usual." This means that the Court must make deep cuts in its operating expenses at every level.

As a direct result of the severe cuts to the Court's operational budget, the Court implemented additional austerity measures to augment those implemented in FY2011; and, during the submission of the Court's Operating Budget for FY2013, we maintained the elimination of non-critical vacant positions in both districts and zero-funded a significant number of vacant positions that are necessary for the Court's operation but which the Court decided to sacrifice at to avoid more severe impacts on judicial services.

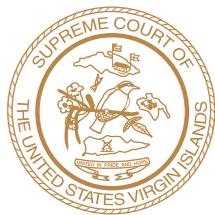
Despite our best efforts to work with the other two branches of Government during the Territory's severe budget crisis, the \$23 million appropriated to the Court in FY 2013 was woefully inadequate to fund its operations. In the face of significant cash flow constraints, the Court operated with a significantly reduced workforce that was forced to "do more with less". We also had to utilize longer turn-around times on many of our payments to vendors, until we reached the point where the decision was made to place a hold on paying our utility (WAPA) bills in both districts.

The Supplemental Budget of \$2,740,296 that was received in the last quarter of the fiscal year provided the Court with a final operating budget for Fiscal Year 2013 of \$27,218,667, an amount that was slightly more than the \$26,574,378 appropriation that the Court received in FY2008 – prior to the implementation of the Magistrate Division.

Although unable to fund its usual summer employment programs or provide tutorial services to the members of the Rising Stars Youth Steel Orchestra during fiscal year 2013, the Court was still able to embrace several opportunities to reach our youth before they enter the judicial system - through participation in career workshops and school tours during which judges and other court staff makes themselves available to speak with them about the judicial system.

With the implementation of the Court's Differentiated Case Management System, coupled with its new case management system, we expect to see significant improvements in the operations of the Court as well as the elimination of the backlog of cases as we move forward.

Finally, it is quite apparent, not only to the staff but also to the attorneys and business community as well, that there are many adverse consequences to the reductions of the Court's budget. We cannot fulfill the Court's core mission, and simultaneously live within significantly reduced means. To do so means the Court must now direct and redirect all available resources to fulfill our core mission, meet our constitutional mandates and satisfy our responsibilities to our youth and the community on a whole. Without deliberate and thoughtful – if painful and difficult – choices, the justice system will drift into delay and decay, to the point where it can no longer serve the needs of the public.



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