

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE:) **PROMULGATION No. 2019-009**
ADOPTION OF THE VIRGIN ISLANDS)
RULES OF FAMILY DIVISION)
PROCEDURE)
_____)

ORDER OF THE COURT

THIS MATTER comes before the Court pursuant to comments received on the Virgin Islands Rules of Family Division Procedure, which were promulgated on April 9, 2019, with a June 1, 2019 effective date. After reviewing the comments, this Court agrees that a technical amendment to Rule 6(a) pertaining to consolidation of family matters is warranted, and has also determined that a delay in the effective date of Rules 50 through 71, pertaining to abuse and neglect proceedings, is appropriate in order to facilitate further consideration of the comments received. Accordingly, it is hereby

ORDERED that Rule 6(a) of the Virgin Islands Rules of Family Division Procedure is **HEREBY AMENDED** to strike and insert language as indicated:

Consolidation of related family matters. The court may, upon the motion of any party or upon its own motion, consolidate an ~~abuse and neglect~~ action with other cases before the Family Division relating to the child or members of the same family or household, including juvenile, abuse, neglect, domestic violence, domestic relations, custody, visitation, support, adoption, termination of parental rights, paternity, guardianship, mental health and involuntary commitment cases. Upon consolidation, copies of the order of consolidation shall be filed in each case so consolidated; however, all other papers filed in an adoption case shall be maintained only in the adoption case file.

It is further

ORDERED that Rules 50 through 71 of the Virgin Islands Rules of Family Division Procedure **SHALL GO INTO EFFECT on January 1, 2020**, unless the effective date is further extended by order of this Court. All other provisions of the Virgin Islands Rules of Family

Division Procedure **SHALL GO INTO EFFECT on June 1, 2019**, and all Rules of the Superior Court inconsistent with the Virgin Islands Rules of Family Division Procedure are **HEREBY REPEALED effective June 1, 2019** as previously provided for in this Court's April 9, 2019 order; provided, however, that any relevant provisions of Rules 81 through 116 of the Rules of the Superior Court applicable to abuse and neglect proceedings shall remain in effect solely with respect to abuse and neglect proceedings until the effective date of Rules 50 through 71 of the Virgin Islands Rules of Family Division Procedure. It is further

ORDERED that all Rules of the Superior Court inconsistent with the Virgin Islands Rules of Family Division Procedure are **HEREBY REPEALED effective June 1, 2019**. It is further

ORDERED that the Advisory Committee on Rules **MAY COLLABORATE** with the Virgin Islands Bar Association and other interested entities to facilitate the transition to these new rules, including, but not limited to, raising awareness of the new rules, providing training to judicial officers and members of the Virgin Islands Bar with respect to the Virgin Islands Rules for Family Division Procedure and how they may differ from the rules previously in effect, and ensuring the availability of hard-copy or electronic publications or reference materials. It is further

ORDERED that copies of this order be directed to the appropriate parties.

SO ORDERED this 29th day of May, 2019.

BY THE COURT:

/s/ Rhys S. Hodge
RHYS S. HODGE
Chief Justice

ATTEST:
VERONICA J. HANDY, ESQ.
Clerk of the Court