IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE: **ADOPTION OF TIME STANDARDS FOR DISPOSITION OF CASES IN THE SUPREME COURT OF THE VIRGIN ISLANDS .**	)))))))))))	**PROMULGATION No. 2011-005**

ORDER OF THE COURT

Pursuant to the provisions of Section 21(c) of the Revised Organic Act of 1954, as amended, (48 U.S.C. § 1611(c)) and title 4, sections 31(c) and 34 of the Virgin Islands Code, regarding the Rules governing the internal operations and conduct of the Court's business and for the advancement of justice, the Supreme Court of the Virgin Islands hereby states:

WHEREAS, the Supreme Court of the Virgin Islands recognizes that a major problem facing our nation's justice system is the unnecessary delay in the administration of justice; and

WHEREAS, the Supreme Court of the Virgin Islands desires to reduce the delay in the processing of its cases by setting goals for the timely resolution of its cases; and

WHEREAS, the American Bar Association has adopted reference models of time standards for the timely disposition of cases, to assist appellate courts in setting goals to facilitate efficient, productive case flow management that produces quality results; and

WHEREAS, the National Center for State Courts has developed an initial set of core appellate court performance measures called Appellate CourTools**;** and

WHEREAS, on August 3, 2011, the Conference of Chief Justices and the Conference of State Court Administrators adopted a resolution urging state and territorial appellate courts to

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"develop and test a balanced set of appellate court performance measures consistent with Appellate CourTools; and

WHEREAS, the Supreme Court of the Virgin Islands is convinced that it is worthwhile to adopt a modified version of the American Bar Association's reference model consistent with the performance measures of Appellate CourTools**,** as a guide establishing dispositional time standards for the Supreme Court of the Virgin Islands;

NOW, THEREFORE, IT IS ORDERED that, effective January 1, 2012 and pending further order of this Court, the following schedule is set as a worthwhile, attainable goal for the disposition of cases by the Supreme Court of the Virgin Islands:

(1) That 50% of all cases before the Supreme Court of the Virgin Islands be resolved within 365 days from the date of the filing of the notice of appeal or other filing that serves to bring the case before the Court;

(2) That 95% of all cases before the Supreme Court of the Virgin Islands be resolved within 540 days from the date of the filing of the notice of appeal or other filing that serves to bring the case before the Court;

(3) That any case not resolved within 540 days nevertheless be resolved as expeditiously as possible, given the length of the record, the complexity of the issues, and any peculiar or unusual circumstances;

(4) That 90% of all cases before the Supreme Court of the Virgin Islands be decided and opinion issued within 180 days of submission either on the record or after oral argument;

(5) That the decision on whether to grant or deny leave to appeal from an interlocutory order or to transfer to or from the Supreme Court should be announced within 90 days from the filing of the petition;

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(6) That a ruling on an application for rehearing should be released within 90 days of the date of the filing of the application for rehearing;

(7) That the decision in a case before the Supreme Court of the Virgin Islands on remand from another court should be released within 150 days from the date the case is resubmitted on remand.

The time standards specified herein shall apply to all cases filed in the Supreme Court on or after January 1, 2012, but may be applied to all cases pending in the Court for comparison purposes in determining compliance with these time standards.

DONE AND SO ORDERED this 28th day of December, 2011.

/s/ Ive Arlington Swan   /s/ Maria M. Cabret
_____   _____
    IVE ARLINGTON SWAN   **MARIA M. CABRET**
      Associate Justice   Associate Justice

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

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