

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE:) **PROMULGATION No. 2016-005**
)
ESTABLISHMENT OF THE JUDICIAL)
BRANCH ADMINISTRATIVE OFFICE.)
)
)
)
)
)

ORDER OF THE COURT

Pursuant to its inherent authority and the authority granted to it by section 21(c) of the Revised Organic Act of 1954, as amended, and title 4, section 4(b) of the Virgin Islands Code, the Supreme Court of the Virgin Islands hereby establishes the Judicial Branch Administrative Office to assist the Chief Justice as the administrative head of the Virgin Islands Judiciary and the Supreme Court as the administrative policy-making body for the entire Virgin Islands court system. Accordingly, it is hereby

ORDERED that the Judicial Branch Administrative Office is **HEREBY ESTABLISHED** effective on today’s date. It is further

ORDERED that Supreme Court Rule 101 **SHALL BE AMENDED** by striking all existing language in its entirety and replacing it with the new language attached as “Exhibit 1” to this Order. It is further

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

SO ORDERED this 10th day of August, 2016.

/s/ Ive Arlington Swan
IVE ARLINGTON SWAN
Associate Justice

/s/ Maria M. Cabret
MARIA M. CABRET
Associate Justice

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

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

Exhibit 1

SUPREME COURT RULE 101. Judicial Branch Administrative Office

Rule 101.1 Establishment

Under the administrative policies established by the Supreme Court of the Virgin Islands and the management authority of the Chief Justice of the Virgin Islands, there is established the Judicial Branch Administrative Office (“Administrative Office”), which shall be maintained at such places as directed by the Supreme Court.

Rule 101.2 Administrator of Courts

The Administrator of Courts (“Administrator”) shall supervise the Administrative Office and, subject to the authority of the Chief Justice and the Supreme Court, shall exercise the powers and perform the duties by law vested in and imposed upon the Administrative Office. The Administrator shall be appointed by and serve at the pleasure of the Chief Justice, and devote his or her full time to the duties of the position to the exclusion of engagement in any other business or profession for profit.

Rule 101.3 Duties of Administrative Office

In accordance with title 4, section 4(c) of the Virgin Islands Code, the Administrative Office shall perform the following functions:

(1) considering and evaluating the business of Virgin Islands courts and means of improving the administration of justice within the Virgin Islands court system and adopting policy and rules for the operations of all local Virgin Islands courts, including, personnel, procurement, facilities and property, financial, security, and travel, as well as developing, implementing, coordinating, and monitoring strategic plans as well as administrative and other policies;

(2) assisting the Chief Justice in preparing and publishing an annual report of the judicial branch and the Virgin Islands court system regarding the works of the courts, the performance of the duties enumerated in this section, and of any recommendations relating to the courts, as well as preparing a single annual budget request for the judicial branch, including funding for operations of the Supreme Court, the Superior Court, and the Judicial Council, to the President of the Legislature, with a copy to the Governor, on or before May 30 of each year;

(3) recommending to the Legislature of the Virgin Islands, as appropriate, changes to the organization, jurisdiction, operation, and procedures of the courts which are appropriate for legislative action, as well as any other changes that promote the effective and expeditious administration of the Judicial Branch and the Virgin Islands court system;

(4) establishing, coordinating, and monitoring compliance with general personnel policies for the Judicial Branch and all Virgin Islands court system personnel; however, justices, judges, and magistrate judges shall have full authority to control their personal chamber staff, subject to the general policies of the courts, as established by the Supreme Court. Law clerks and judicial secretaries constitute personal chamber staff.

(5) developing, implementing, coordinating, and enforcing all matters throughout the Judicial Branch relating to policies, standards, procedures, programs, and personnel with respect to the following areas:

(A) budgets, accounts, and auditing, including oversight of the expenditure of funds consistent with the Judicial Branch's budget;

(B) procurement and disbursement;

(C) jury management;

(D) the safety of justices, judges, magistrate judges, court personnel, court facilities, and members of the public using court facilities, as well as the orderly conduct of judicial proceedings and continuity of Judicial Branch operations;

(E) case and records management;

(F) information technology;

(G) continuing professional education, as are desirable and feasible for justices, judges, magistrate judges, and court personnel from the National Center for State Courts, National Judicial College, or other such providers;

(H) statistical and management information systems, including the collecting and analysis of quantitative and qualitative data and the evaluation of court system programs and services;

(I) library management; and

(J) procuring legal services to enforce any rights granted to the Virgin Islands court system or to represent individual judges, justices, magistrate judges, supervisors, and other court personnel in legal matters arising from performance of their official duties, provided that the Administrator of Courts may not personally serve as the attorney for any judicial officer or interfere with the attorney-client relationship.

(6) approving bonds of fiduciary employees within the Virgin Islands court system;

(7) serving as a liaison between the Virgin Islands court system and the court systems of other state, federal and territorial jurisdictions, including but not limited to the District Court of the Virgin Islands and the United States Court of Appeals for the Third Circuit;

(8) developing, implementing, coordinating and enforcing programs, policies, and procedures designed to educate and liaise with the general public, the news media, the bar, the Legislature, and executive branch agencies, including development and dissemination of educational materials to better inform the public regarding the laws and judicial procedures governing the Virgin Islands, accessing the courts, and the responsibilities of litigants, witnesses, and jurors;

(9) employing, retaining, or contracting for the services of qualified specialists or experts, as individuals or organizations, to advise and assist the judicial officers and employees of the Virgin Islands court system in the fulfillment of their duties;

(10) proposing the adoption of filing and other fees in the Virgin Islands court system;

(11) leasing, evicting, or suing on behalf of the Virgin Islands court system, relative to court properties, equipment, and facilities; and

(12) such additional duties as may be assigned by the Supreme Court or the Chief Justice.

Rule 101.4 Divisions

The Administrative Office shall be divided into the following divisions:

- (1) Facilities Management & Planning;
- (2) Human Resources Services;
- (3) Information Technology Services;
- (4) Procurement;
- (5) Marshal Service & Security;
- (6) Financial Services;
- (7) Court Policies & Standards; and
- (8) Such other divisions as may be determined by the Chief Justice or Supreme Court, including but not limited to Jury Operation, Probation/Pretrial Services, Court Reporting Services, and Law Library Operations.

With the approval of the Chief Justice, the Administrator may appoint and remove such personnel as may be necessary for each division of the Administrative Office to perform its duties.

Rule 101.5 Cooperation

All judicial officers and employees of the Virgin Islands Judiciary, as well as all arms of the Supreme Court, including the Virgin Islands Bar Association, Committee of Bar Examiners, Board of Professional Responsibility, Board on the Unauthorized Practice of Law, Commission on Judicial Conduct, and the Commission on Access to Justice, shall cooperate with all standing and special requests made by the Administrative Office for information and statistical data; *provided, however*, that no confidential or privileged information shall be disclosed in furtherance of this rule.