

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE:) **PROMULGATION No. 2019-004**
ADOPTION OF SUPREME COURT)
RULE 109)
_____)

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, and title 4, sections 24, 32(f), and 74a of the Virgin Islands Code, it is hereby

ORDERED that the language attached hereto as “Exhibit 1” **SHALL BE ADOPTED** as Supreme Court Rule 109. It is further

ORDERED that this Rule 109 **SHALL TAKE EFFECT on March 31, 2019**, and **SHALL REMAIN IN EFFECT** unless modified as a result of comments from the public and the local Bench and Bar. It is further

ORDERED that the public as well as members of the local Bench and Bar **MAY SUBMIT WRITTEN COMMENTS** on these proposed rules to the Clerk of the Court **no later than thirty (30) days from the date of entry of this Order**. It is further

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

SO ORDERED this 28th day of February, 2019.

/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

EXHIBT 1

SUPREME COURT RULE 109

Judicial Conference of the Virgin Islands

(a) Purpose. In accordance with 4 V.I.C. § 6, there will be held annually, at a time and place designated by the Chief Justice of the Virgin Islands, a conference of all the active justices and the active judges and magistrate judges of the Superior Court of the Virgin Islands, for the purpose of considering the state of business of the courts and advising ways and means of improving the administration of justice within the Virgin Islands. It will be the duty of each judicial officer summoned to attend the conference and, unless excused by the Chief Justice, remain throughout the conference. The conference will be called the Judicial Conference of the Virgin Islands.

(b) Composition. In addition to the active justices of this court and the active judges and magistrate judges of the Superior Court of the Virgin Islands, invited participants of the conference who will have voting privileges consist of the following:

(1) The retired justices of the Supreme Court and retired judges and magistrate judges of the Superior Court;

(2) The Clerks of the Supreme and of the Superior Court; and

(3) The Administrator of the Virgin Islands Courts.

(c) Invited Guests. The following individuals may be invited annually as guests of the Conference:

(1) The Chief Judge of the United States Court of Appeals for the Third Circuit;

(2) The Chief Judge, judges, and magistrate judges of the United States District Court of the Virgin Islands;

(3) The Justice of the Supreme Court of the United States who is assigned to the Third Circuit;

(4) The Clerks of the United States Court of Appeals for the Third Circuit and the United States District Court of the Virgin Islands;

(5) The Attorney General of the Virgin Islands;

(6) The Chief Territorial Public Defender of the Virgin Islands;

(7) The United States Attorney for the Virgin Islands;

(8) The Chief Federal Public Defender for the Virgin Islands;

(9) The President and President-Elect of the Virgin Islands Bar Association; and

(10) Members of the Virgin Islands Bar Association, employees of the Virgin Islands Judiciary, and other invited guests in such numbers as will promote the purpose of this conference as defined in Rule 109(a). Selection of the members pursuant to this subsection will be subject to the approval of the Supreme Court.

(d) Pre-conference Arrangements. The Chief Justice will appoint a Committee on Arrangements for the Conference consisting of at least one active justice of the Supreme Court and one active judge of the Superior Court and one member of the Bar. The Committee must:

(1) Prepare and submit for the approval of the Judicial Management Advisory Council a plan for the conference to include:

(i) Location;

- (ii) Program of professional matters to be covered during the Conference; and
- (iii) Coordination of arrangements in instances where the Judicial Conference is to be held jointly with a Bar activity.

(2) Carry out such other tasks relative to the Conference as may be assigned by the Chief Justice.

(e) Conference Procedures.

(1) The Chief Justice will preside at the meetings of the Judicial Conference and the meetings will be conducted in accordance with Robert's Rules of Order.

(2) The Chief Justice may appoint such committees as may be appropriate, including those committees authorized by the Conference or determined by the Chief Justice to be necessary to implement its actions, and may fill vacancies in or reconstitute such committees.

(3) The Clerk of the Supreme Court will serve as Secretary to the Conference and must make and preserve an accurate record of its proceedings.