

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE: ORDER ADOPTING RULE 102)
PROVIDING FOR SUPREME COURT)
MARSHALS.)
_____)

PROMULGATION ORDER
NO. 08-002

ORDER

WHEREAS under section 21(c) of the Revised Organic Act of 1954, as amended, the Supreme Court is authorized to promulgate rules prescribing the qualifications and duties of the officers of the Court; and

WHEREAS under sections 30(a) and (b) of title 4, of the Virgin Islands Code, the Supreme Court is further authorized to appoint and employ such professional, administrative and clerical personnel as it considers necessary, and to fix the terms, duties and compensation of the officers and employees of the Court; and

WHEREAS a marshal is a judicial officer who provides court security, executes process, and performs other tasks for the court. *See* Black’s Law Dictionary (8th Ed.)(Citing 58 CJS *Courts* § 108); and

WHEREAS under 5 V.I.C. § 3561, any marshal and deputy marshal of a Virgin Islands court is a “peace officer” authorized to execute arrest warrants; and

WHEREAS section 34(a) of title 4, of the Virgin Islands Code authorizes the Supreme Court to from time to time, promulgate or amend general rules, or where it considers it best for the advancement of justice, make special orders to provide for the conduct of the business of the Court; and

WHEREAS the Supreme Court has determined that for the advancement of justice and to provide for the conduct of the business of the Court, it is imperative and necessary for the Supreme

EXHIBIT A
(To Promulgation Order No. 08-002)

“RULE 102. SUPREME COURT MARSHALS

(a) In accordance with the authority provided by Section 21(c) of the Revised Organic Act of 1954, as amended, (48 U.S.C. § 1611(c)) and 4 V.I. Code Ann. §§ 30(a), 30(b) and 34(a), there is established in the Supreme Court of the Virgin Islands the positions of Supreme Court Chief Marshal and Supreme Court Deputy Marshals as officers of the Supreme Court. The Supreme Court Chief Marshal will be selected by the Chief Justice and will supervise the Supreme Court Deputy Marshals, subject to the control and direction of the Chief Justice. There may be appointed a Supreme Court Chief Deputy Marshal and such Supreme Court Deputy Marshals as the Chief Justice deems necessary for the proper administration and performance of duties and functions of the Supreme Court.

(b) It is the duty of the Supreme Court Chief Marshal and the Supreme Court Deputy Marshals to attend sessions of the Supreme Court and preserve order; provide for the safety and security of the Court’s justices, employees, patrons, property and buildings; serve and execute process, writs and orders issued under the laws of Virgin Islands by the Supreme Court or any court of record when so directed by the Supreme Court; and perform such other duties as may be directed by the Chief Justice or by the rules and procedures adopted by the Supreme Court.

(c) The Supreme Court Chief Marshal and all Supreme Court deputy marshals shall be peace officers as defined and provided for marshals and deputy marshals by 5 V.I.C. § 3561, with the powers, duties and obligations thereof, and are entitled to all benefits provided by law for such peace officers, marshals and deputy marshals.

(d) To be eligible for appointment as a Supreme Court marshal, each must have successfully completed the training required for peace officers as established by the Government of the Virgin Islands or its equivalent training, and taken the oath of office required of officers of the Government of the Virgin Islands and of the Supreme Court.

(e) The Supreme Court will provide its marshals with an official badge, protective equipment and uniforms of distinctive design as determined by the rules, regulations and specifications prescribed by the Supreme Court.

(f) This Rule will be effective on August 1, 2008.”