

For Publication

**UNDER THE DIRECTION OF
THE SUPREME COURT OF THE VIRGIN ISLANDS**

IN RE:)
)
THE OFFICIAL PROCEEDINGS RELATING TO THE) **S. Ct. Misc. No. 2017-0024**
NAMING OF THE RAYMOND L. FINCH SUPREME)
COURT BUILDING.)
)
)

The Supreme Court of the Virgin Islands strives to be a model of judicial excellence, to serve the public and earn its trust and confidence through innovative leadership, professional, efficient, accountable, and accessible services, and the impartial, prompt disposition of cases in accordance with the rule of law. Recognizing that the Honorable Raymond L. Finch, Senior Sitting Judge, U.S. Virgin Islands District Court, embodies all those qualities and more, the 30th Legislature of the Virgin Islands passed Bill No. 30-0340 to honor him.¹ It states:

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. The Legislature of the Virgin Islands, on behalf of the people of the Virgin Islands, honors and commends the Honorable Judge Raymond L. Finch for his career accomplishment and for his brilliant legal mind, his high moral and ethical character and his compassion towards the Virgin Islands community.

SECTION 2. In recognition and appreciation of his contributions to the people of the Virgin Islands, particularly the legal community, the Virgin Islands Supreme Court building located in the town of Frederiksted, on the island of St. Croix is named “Raymond L. Finch Supreme Court Building” in honor of the Honorable Judge Raymond L. Finch.

SECTION 3. In recognition and appreciation of his contributions to the people of the Virgin Islands. The President of the Legislature shall prepare a perma plaque

¹The bill was sponsored by Senators Alicia Hansen, Shawn Michael Malone, Kenneth Gittens, Diane Capehart, Samuel Sanes and Craig W. Barshinger.

copy of this Act and present it to the Honorable Judge Raymond L. Finch, or his designee by the President of the Legislature at an appropriate ceremony.

SECTION 4. The Supreme Court of the Virgin Islands shall erect and post the appropriate signage required by this Act

Governor John P. de Jongh, Jr. signed this Bill into law as Act No. 7626. While Section 4 of the Act simply instructed that “[t]he Supreme Court of the Virgin Islands shall erect and post the appropriate signage” such a course would not fully recognize the critical import of naming the Supreme Court Building for Judge Raymond L. Finch. Based on the landmark moments of U.S. Virgin Islands history that unfolded around the Supreme Court Building and Judge Finch’s important place in the legal history of the U.S. Virgin Islands, the Court determined that 2017—the 100th anniversary of Denmark’s transfer of St. Croix, St. Thomas, St. John and the surrounding islands and cays to the United States and the tenth anniversary of the Supreme Court’s assumption of appellate jurisdiction—was an appropriate occasion to hold a ceremony formally dedicating the naming of the Supreme Court Building in honor of Judge Finch.

History of No. 18 Strand Street, Frederiksted²

Strand Street runs along the shoreline border of the Virgin Islands Historic and Architectural Control District in Frederiksted, St. Croix, U.S. Virgin Islands, (*see* 32 V.I.C. § 901(b),(c)), and is listed in the National Register of Historic Places under the National Historic Preservation Act of 1966.³ Several of the most notable events in U.S. Virgin Islands history

² The architectural history of No. 18 Strand Street was provided by Gerville Larsen, A.I.A. and member of the Virgin Islands Historic Preservation Commission. The factual history is summarized from *The Umbilical Cord: The History of the United States Virgin Islands from Pre-Columbian Era to the Present* (1995), by now-Superior Court Judge, the Honorable Harold W. L. Willocks. (“*Umbilical Cord*”).

³ Public Law 89-665; 54 U.S.C. § 300101 *et seq.* Strand Street is listed as “Strandgade.” “Strand” is the Danish word for “beach” or “seashore” and “gade” is the Danish word for “street.”

happened on Strand Street at Fort Frederick. On July 2, 1848, when the territory now known as the U.S. Virgin Islands was the Danish West Indies, slaves stopped working and gathered around Fort Frederick to demand freedom.⁴ The gathering was peaceful, but the leaders stated that if they were not freed by noon the next day, they would burn Frederiksted down.⁵ The next day, Danish West Indies Governor General Peter von Scholten arrived at Fort Frederick and declared that “all unfree in the Danish West Indies are from today, free.”⁶ To date, July 3rd is celebrated as Emancipation Day, one of the official Virgin Islands holidays recognized in title 1 section 171 of the Virgin Islands Code.

After the slaves were emancipated, the property and business owners were still able to set onerous labor requirements and travel restrictions with contracts that began on October 1, 1849 and were renewed annually.⁷ On the October 1, 1878 contract renewal day, workers again took to Fort Frederick with demands for better labor conditions and wages.⁸ This time, violence broke out and the laborers set fires throughout Frederiksted in the historic event now known as “The Fireburn.”⁹ And on March 31, 1917, Strand Street hosted one of the three simultaneous ceremonies at which the Danish Flag was lowered and the United States Flag was lifted, memorializing the transfer of St. Croix, St. Thomas, St. John and the surrounding islands and cays from Denmark to the United States, thus turning the Danish West Indies to the United States Virgin Islands.¹⁰

⁴ *Umbilical Cord* at 172.

⁵ *Id.* at 174.

⁶ *Id.* at 175.

⁷ *Id.* at 191.

⁸ *Id.* at 204-205.

⁹ *Id.* at 206.

¹⁰ *Id.* at 248.

Historical records show that No. 18 Strand Street saw all these events. Architects believe that No. 18 Strand Street was constructed in the 1780s. An historic painting dated 1800 outlines a fully built Strand Street waterfront and shows a structure almost identical to the present-day building at No.18 Strand Street. The potential for this building to have remained intact from its originally built form is quite probable. It was privately owned and originally used as a boarding house. With regards to the building's architecture, the present detailing of the west facade along Strand Street shows that during the early 20th century, it was refashioned to reflect the Victorian trends that shaped the town of Frederiksted. Unique gingerbread fretwork along the building's eave and along the enclosed upper floor veranda reflects the intricate flat wood baluster detailing that is prevalent in the town. Over the years, it fell into disrepair and changed ownership several times until 2007, when the Supreme Court of the Virgin Islands purchased the building "as is."

The renovation of any property in a Virgin Islands Historic and Architectural Control District is a substantial undertaking. It is governed by the Virgin Islands Historic Preservation Commission, which is charged with carrying out the Legislature's policy regarding the appearance and functions of all property in these districts. *See* 29 V.I.C. §§ 280, *et seq.*¹¹ For example, prior to issuing any permits in a historic district, the Commissioner of Planning and Natural Resources must first

¹¹ This statute provides an important declaration of policy:

The Legislature of the Virgin Islands finds and declares—

- (1) That the historic heritage in ancient landmarks, and the fine architecture of several centuries which reflect the skills, crafts and culture of the Virgin Islands life, as well as the taste and judgment of the settlers of these islands and the ancestors of today's citizens, are invaluable assets and the property of the people of the Virgin Islands;
- (2) That, as the custodian of this heritage, the Legislature finds that the conservation and preservation of such historic and cultural assets will enhance the prestige and attractiveness of the Virgin Islands, will reserve a cultural property for generations to come, will increase resident responsibility and tourist interest, and will maintain the charm and high quality of appearance which make the Virgin Islands of the United States unique in the Caribbean.

refer the application and plans to the Virgin Islands Historic Preservation Commission for its consideration and action. The Historic Preservation Commission shall take into consideration the design and general arrangement, the material, color, and architectural style of the building or structure in question, and the use or project to be developed, and the proper relationship thereof with the feature and characteristics of the nearby buildings and the immediate neighborhood in general. All public projects, regardless of sponsorship, shall be reviewed in the same manner where project plans relate to buildings or structures in any Control District or which are listed in the Registry.

29 V.I.C. § 286 (a). This Court embraced this careful approach to restoration of historic property with the clear purpose of integrating its 21st century functionality into the building's original architectural design and appearance. By 2011, all renovations were complete and this Court began to fully utilize the building as the official offices of the Supreme Court. In his printed description of the architectural history of No. 18 Strand Street, Virgin Islands Historic Preservation Commissioner Gerville Larsen commended the Supreme Court, stating that "the tender loving care bestowed on this unique building has ensured it will continue to live on as a beautiful historic cultural resource for the town of Frederiksted, St. Croix and the U.S. Virgin Islands."

Dedication Ceremony

Once the building was fit for the grand event, on June 15, 2017 the Supreme Court hosted the ceremony for the Judicial and Legislative Branches to jointly complete the tasks set forth in Act 7626: posting the name of the building and presenting the perma plaque to Judge Finch. Regina Petersen, the Administrator of Courts, served as Master of Ceremonies, with the invocation and benedictions read by Gerald A. Williams, Pastor, Lord of God of Sabaoth Lutheran Church. The Superior Court Rising Stars Youth Steel Orchestra performed the Star Spangled Banner and the Virgin Islands March. Chief Justice Rhys S. Hodge acknowledged the presence of the other members of the Supreme Court, the Honorable Maria M. Cabret and Honorable Ive A. Swan and then welcomed Judge Finch, his family and friends, as well as all dignitaries present on behalf of the officers and employees of the Judicial Branch of the Virgin Islands. He commended the 30th

Legislature “for choosing to name this building, housing the Supreme Court, after one of the most revered and respected members of the Virgin Islands legal community, who devoted most of his lengthy professional life to public service. But as much as it is an honor for Judge Finch to have this building named after him, it is perhaps even more so an honor for the Supreme Court that this building bear his name.” Virgin Islands Bar Association President Trudy Fenster, Esq., Elizabeth Centeno, Director of the Office of the Delegate to Congress, on behalf of the Honorable Stacey Plaskett, Virgin Islands Delegate to Congress, and the Honorable Wilma A. Lewis, Chief Judge of the United States District Court of the Virgin Islands gave remarks uniformly echoing the impact that Judge Finch has had on United States Virgin Islands history. The Honorable Neville James, President of the 31st Legislature, substituting for Senate President of the 32nd Legislature, Honorable Myron D. Jackson, delivered the perma plaque, expressing his pride in his fellow Crucian “native son.” The Honorable Osbert E. Potter, Lieutenant Governor of the Virgin Islands then delivered remarks on behalf of himself and Governor Kenneth E. Mapp, congratulating Judge Finch on this well-deserved honor. The Honorable Maria M. Cabret, Associate Justice of the Supreme Court of the Virgin Islands, a former law clerk and colleague of Judge Finch at the former Territorial Court, gave remarks in which she formally introduced Judge Finch. In her introductory remarks Justice Cabret called Judge Finch “a true Renaissance Man” who is not only a brilliant legal scholar, but also dedicated to the community. She said that she and all his former law clerks, many of whom were present, were not only very proud to have clerked for Judge Finch, but deeply grateful to him for teaching them, befriending them and inspiring them. “In each of our lives, that clerkship is one of our life’s greatest blessings,” she said. Then the curtain covering the front of the building was lifted, revealing the new name of the building at No. 18 Strand Street: “The

Raymond L. Finch Supreme Court Building.” After this, a visibly moved Judge Finch took the stage to reflect on his journey from his home on St. Croix as a small boy to the present day.

A Native Son

The Honorable Raymond L. Finch was born and raised in Christiansted, St. Croix, United States Virgin Islands. He is the eldest child of the late Beryl Finch and Wilfred C. Finch. He has three siblings, Gordon Finch, J’Ada Finch-Sheen and Dorette Carter. He is a father to three children, Allison, Mark, and Jennifer, and through his marriage to Anne-Marie, he gained two additional children, Marc and Michelle. He grew up in a "typical extended Caribbean-West Indian family" with his parents, siblings, grandparents, and great-grandmother. Judge Finch is among the many outstanding Virgin Islanders who attended public schools, and graduated from the Christiansted High School in 1958.

In his speech, Judge Finch recalled how his early education in the Virgin Islands public schools and his extended family’s home guidance shaped his entire career. “Way back, students in the sixth grade got a spelling assignment for the week and this grandmother of mine would take every day of the week, sit me down and put me through a spelling drill with words that were supplied by my sixth-grade teacher, Nedora Jackson. I was able to constantly get my spelling right every Friday when I got the test. The importance of her doing that resulted in my getting the first inkling that I could learn, that I could put things in my head and they would stay.” He was so close to his grandmother that “when she died during my final exams at Howard University, they did not tell me out of fear that I would flunk all my exams. And to her, Alice Bough Smith, I owe the beginning of my life.”

Post-Secondary Education, Military Service and Legal Career

In 1962, Judge Finch received a Bachelor of Arts in Political Science with a minor in Economics from Howard University in Washington, DC. In that same year, after meeting the Honorable Luke Moore, who was then a U.S. Marshal for the District of Columbia, Finch decided to become a lawyer. At the ceremony, Judge Finch revealed that he originally did not plan to study law. “I wanted a degree in theology. Joe Bough, my grandfather, put that idea in my head. I wanted to teach theology.” Judge Finch discussed his inspiration to become a lawyer by seeing people at home in Frederiksted getting in trouble, and wanting to help. He received his law degree from Howard University School of Law in 1965. After law school, Judge Finch returned to St. Croix and served as a law clerk for the Honorable Alexander A. Farrelly and the Honorable Antonio L. Joseph, judges of the then Municipal Court of the Virgin Islands.

Judge Finch then joined the United States Army where he served as a First Lieutenant, and then as Captain from 1966 to 1969. He served honorably in the Vietnam War, where he adjudicated claims of U.S. personnel and Vietnamese nationals, often appearing before Elimination Boards as an advocate, and as an advocate in Article 15 hearings and Article 32 investigations. For his brave service, Judge Finch was awarded the Bronze Star Medal, the Army Commendation Medal, and a Certificate of Appreciation from General William Westmoreland and the Army Chief of Staff.

Upon returning from Vietnam, Judge Finch worked as a clerk in the firm of Hodge and Sheen, and was admitted to the Virgin Islands Bar in 1970. In his congratulatory letter, Virgin Islands Superior Court Chief Judge Emeritus Verne A. Hodge recalled their early careers as young practicing attorneys in the 1970s. “We were regarded as ‘rebels’ for fighting against the status quo of the V.I. Bar, when admission took over twelve months and when we were issued ‘minimum fee schedules’ to charge our clients. We were also fully engaged in fighting immigration raids and free beach cases, for little or no compensation. . . . Appropriate changes were made over time, with

the help of our hero—Judge Almeric Christian.”¹² After working diligently as a contract and real estate attorney, he became a partner in the law firm of Hodge, Sheen, Finch and Ross in 1971. He was also an instructor at the University of the Virgin Islands, and the American Banking Association from 1965 to 1978.

Judicial Career

In 1976, Judge Finch received his first judicial appointment as a Judge of the Municipal Court of the Virgin Islands by Cyril E. King, the second elected Governor of the United States Virgin Islands. While serving on the Municipal Court, Judge Finch presided over juvenile matters, traffic, small claims, criminal cases involving maximum sentences of one year, and civil cases up to \$10,000. During Judge Finch’s 18-year tenure, the Municipal Court became the Territorial Court of the Virgin Islands and its jurisdiction was expanded by the removal of the limit to the amount in controversy in civil cases and the increase of the maximum sentences in criminal cases to 15 years.¹³ Between 1976 and 1994, Judge Finch served the local and federal judicial branches in such capacities as Territorial Court Judge, Acting Presiding Judge, Territorial Court of the Virgin Islands, and District Court Judge, Sitting by Designation.

In 1994 the United States Senate confirmed his nomination as a District Court judge for the District of the Virgin Islands. At the dedication ceremony, Judge Finch spoke about the long and winding road to this confirmation. His first nomination to the District Court was by President Jimmy Carter. He credited one of his earliest law clerks— current Virgin Islands Associate Justice Maria M. Cabret—with taking over the voluminous Personal Data Questionnaire and convincing

¹² The District Court of the Virgin Islands, Division of St. Croix, is in the Almeric L. Chistian Federal Building.

¹³ In 2004, the Territorial Court of the Virgin Islands became the Superior Court of the Virgin Islands.

him to proceed with his nomination. “It took 14 years. Every time I was nominated, the president that nominated me lost the election. I would go through the nominating process all over again with every president.” But when President Ronald Reagan called and told him that he would be nominated if he registered as a Republican, he declined. “We live in such a small area, I wasn’t going to do that. So I did not get a nomination from President Reagan.” During this time, according to Judge Finch, “the Administrative Office of U.S. Courts decided to suggest to Washington that they could get the judges of the Superior Court as temporary district judges. Judges [Eileen] Petersen, [Irwin] Silverlight and I sitting on the District Court on a rotating basis without a nomination.” After he was again nominated by President Bill Clinton, “I guess the FBI got tired of investigating me because my nomination went through in President Clinton’s first term.” On September 1, 1994, Judge Finch took the oath of office as Judge of the U.S. District Court of the Virgin Islands. In 1999, he became the Chief Judge of the U.S. District Court and Presiding Judge of the Appellate Division, of the U.S. District Court of the Virgin Islands.

Development of the Virgin Islands Appellate Courts

Even after his appointment to the federal bench, Judge Finch remained a fixture within the local Judiciary, since he concurrently served as a judge of the Appellate Division of the District Court—including a term as its Presiding Judge—and thus heard appeals of decisions of the Territorial Court and the Superior Court. Despite serving as a judge of the Appellate Division, Judge Finch believed that the power to finally determine Virgin Islands law should not belong to federal judges. Rather, such decisions should be left to Virgin Islands judges who were nominated by the Governor of the Virgin Islands and confirmed by the Legislature of the Virgin Islands. To that end, Judge Finch, in his capacity as Chief Judge of the District Court, Presiding Judge of the Appellate Division and Chair of the Judicial Council of the Virgin Islands, was a strong supporter

of the creation of the Supreme Court of the Virgin Islands, and testified before the Legislature in support of the bill that would eventually create the Court. In addition to his critical role in helping establish the Supreme Court, Judge Finch has also served as a Designated Justice of the Supreme Court. Given that Judge Finch has been inextricably intertwined with the development of the Virgin Islands judicial branch, it is only fitting that the historical building standing at No. 18 Strand Street, Frederiksted, St. Croix, home of the highest Court of the judicial branch, would bear his name.

Final Reflections

Judge Finch's moving speech reflecting on his judicial career showed how it shaped the small Virgin Islands legal community. He spoke with pride about "how many of my former law clerks are on the bench, how many of them are in leadership positions here and in the continental United States. The men and women that serve as law clerks in the Supreme Court, in the Superior Court, and in the U.S. District Court are men and women to be respected." He then thanked his wife, Ann-Marie, without whom he could not have sat on the District Court bench as long as he did. "I didn't plan anything, I really believe that I had the guiding hand of God because there is no reason for me to have been a judge in the District Court. There is no reason I had to go to law school. I'm here because community support in the business of judging is important. And I thank the community for that." And, in turn, the Virgin Islands thanks Judge Raymond L. Finch for his lifetime commitment to justice, equality and humanity. These values form the foundation of the Virgin Islands Supreme Court and the Raymond L. Finch Supreme Court Building in which it resides.

After the conclusion of the remarks of Judge Finch and delivery of the Benediction by Pastor Williams, the Master of Ceremonies expressed the judiciary's sincere thanks to all in

attendance for helping to honor Judge Finch and celebrate the naming of the courthouse in his honor, and declared the ceremony closed.