

# ACT NO. 6965

BILL NO. 27-0121

OVERRIDDEN  
DATE 10/18/07

Sections 5 & 6

## TWENTY-SEVENTH LEGISLATURE OF THE VIRGIN ISLANDS

### Regular Session

2007

An Act providing appropriations for operating expenses of the Supreme Court of the Virgin Islands, the Superior Court of the Virgin Islands, the Judicial Council and the Office of the Public Defender and amending title 4 Virgin Islands Code, chapter 2 relating to the administration of the Judiciary

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*Be it enacted by the Legislature of the Virgin Islands:*

**SECTION 1.** The sum of \$1,498,742 is appropriated from the General in the fiscal year ending September 30, 2008, to the Supreme Court of the Virgin Islands for operating expenses.

**SECTION 2.** The sum of \$26,574,378 is appropriated from the General Fund in the fiscal year ending September 30, 2008, to the Superior Court of the Virgin Islands for operating expenses.

**SECTION 3.** The sum of \$300,000 is appropriated from the General Fund for the fiscal year ending September 30, 2008, to the Judicial Council of the Virgin Islands for operating expenses.

**SECTION 4.** The sum of f \$3,000,000 is appropriated from the General Fund for the fiscal year ending September 30, 2008, to the Office of the Public Defender for operating expenses.

**SECTION 5.** ~~Title 4 Virgin Islands Code, section 31, subsection (d) is amended in the following instances:~~

~~(a) In paragraph (1), strike the language "courts in this regard" and insert "Supreme Court";~~

~~(b) In paragraph (2), strike the word "courts" where it first appears and insert "Supreme Court";~~

~~(c) Strike the language in paragraph (3) in its entirety and insert the following:~~

~~“The Chief Justice has general oversight of the judicial branch of the Government of the Virgin Islands. Nothing in this chapter may be construed to authorize the Chief Justice to exercise control over the day-to-day administrative operations of the Superior Court of the Virgin Islands, including the Magistrate Division.”;~~

~~(d) In paragraph (4)(A), after the word “judiciary” insert “including the report for the Superior Court prepared by the Presiding Judge of the Superior Court” and after the word “budget” insert “for the Supreme Court, which must include the annual budget for the Superior Court prepared by the Presiding Judge of the Superior Court”;~~

~~(e) In paragraph (4)(B), insert at the end of the first sentence the following phrase, “including transfers and schedules submitted by the Presiding Judge of the Superior Court for consolidation by the Supreme Court”; and~~

~~(f) Strike the language in paragraph (5) in its entirety and insert the following:~~

~~“The powers entrusted to the Presiding Judge of the Superior Court pursuant to 4 V.I.C. §§72b, 79, 86, 91, 92, 351, 411, 412 and other provision of the Virgin Islands code remain in effect as they pertain to the Superior Court.”~~

~~SECTION 6. Title 4 Virgin Islands Code strike §34, subsection (b) in its entirety and renumber the remaining subsection accordingly.”~~

Thus passed by the Legislature of the Virgin Islands on September 20, 2007.

Witnessed our Hands and Seal of the Legislature of the Virgin Islands this 20th Day of September, A.D., 2007.



*Usie R. Richards*  
Usie R. Richards  
President

*James A. Weber III*  
James A. Weber III  
Legislative Secretary



**THE UNITED STATES VIRGIN ISLANDS**

OFFICE OF THE GOVERNOR  
GOVERNMENT HOUSE

Charlotte Amalie, V.I. 00802  
340-774-0001

**THE GOVERNOR'S OBJECTIONS**

Bill No. 27-0121 is hereby approved with the exception of the following items, part or parts, portion or portions thereof, which are hereby objected to (and deleted and disapproved in full) pursuant to Section 9(d) of the Revised Organic Act of the Virgin Islands of 1954, as amended:

**SECTION 5.** Title 4 Virgin Islands Code, section 31, subsection (d) is amended in the following instances:

(a) In paragraph (1), strike the language "courts in this regard" and insert "Supreme Court";

(b) In paragraph (2), strike the word "courts" where it first appears and insert "Supreme Court";

(c) Strike the language in paragraph (3) in its entirety and insert the following:

**"The Chief Justice has general oversight of the judicial branch of the Government of the Virgin Islands. Nothing in this chapter may be construed to authorize the Chief Justice to exercise control over the day-to-day administrative operations of the Superior Court of the Virgin Islands, including the Magistrate Division.";**

(d) In paragraph (4)(A), after the word "judiciary" insert "including the report for the Superior Court prepared by the Presiding Judge of the Superior Court" and after the word "budget" insert "for the Supreme Court, which must include the annual budget for the Superior Court prepared by the Presiding Judge of the Superior Court";

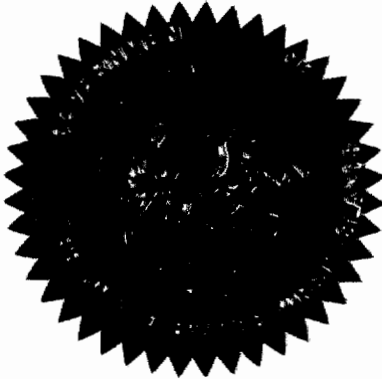
(e) In paragraph (4)(B), insert at the end of the first sentence the following phrase, "including transfers and schedules submitted by the Presiding Judge of the Superior Court for consolidation by the Supreme Court"; and

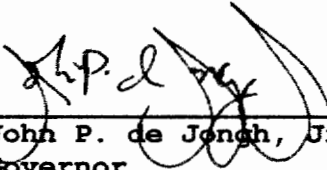
(f) Strike the language in paragraph (5) in its entirety and insert the following:

**“The powers entrusted to the Presiding Judge of the Superior Court pursuant to 4 V.I.C. §§72b, 79, 86, 91, 92, 351, 411, 412 and other provision of the Virgin Islands code remain in effect as they pertain to the Superior Court.”**

**SECTION 6. Title 4 Virgin Islands Code strike §34, subsection (b) in its entirety and renumber the remaining subsection accordingly.”**

Witness my hand and the Seal of the Government of the United States Virgin Islands at Charlotte Amalie, St. Thomas, Virgin Islands, this 10<sup>th</sup> day of October, A.D., 2007.



  
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John P. de Jongh, Jr.  
Governor