

ACT NO. 6985
BILL NO. 27-0132

TWENTY-SEVENTH LEGISLATURE OF THE VIRGIN ISLANDS

Regular Session

2007

An Act amending 4 V.I.C., sections 31, 32, 34, 74a, 122, 124 and 126 relating to relations between the Supreme Court of the Virgin Islands and the Superior Court of the Virgin Islands; amending Act 6965 relating to an increase in the appropriation for Fiscal Year 2008 operating expenses for the Supreme Court of the Virgin Islands; providing for a deadline for full implementation of Act 6919 establishing the Magistrate Division of the Superior Court; and providing for other related purposes

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Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 4 Virgin Islands Code, Section 22, subsection (b) (3), is amended by striking “an actual place of abode” and inserting “a domicile”

SECTION 2. Title 4 Virgin Islands Code section 24 is amended in the following instances:

(a) Subsection (a) is amended by:

(1) striking the phrase, “judge or” after the word, “retired” in the first sentence; and by

(2) adding a new sentence after the first sentence to read:

“A retired judge may also be appointed as a designated justice of the Supreme Court, but only with the judge’s consent.”

(b) Subsection (c) is amended in the second sentence by striking all of the language after “Supreme Court”, and in the fourth sentence strike “court” and insert “Supreme Court or Superior Court, as provided by rules.

SECTION 3. Title 4, Virgin Islands Code, Section 32, subsection (f), is amended in the following instances:

(a) In paragraph (1) strike “Supreme” and insert “Superior”, strike “and such other courts as may be established by law” and insert instead: “consistent with section 21(c) of the Revised Organic Act of the Virgin Islands.”

(b) Strike the language in paragraph (2) in its entirety and insert the following language in its place:

“The Supreme Court may adopt the rules of procedure governing criminal and civil matters before the Supreme Court, the rules of judicial ethics, and the rules for admissions to and governance of the Virgin Islands. Bar”

(c) Strike paragraph (3) in its entirety.

SECTION 4. Title 4 Virgin Islands Code, chapter 5, section 74a is amended in the third sentence by striking all of the language after “Code”.

SECTION 5. Section 4 of this Act takes effect retroactively to January 1, 2007.

SECTION 6. Title 4, Virgin Islands Code, Chapter 8, section 122 is amended in the following instances:

(a) Subsection (a) is amended by striking “Chief Justice of the Supreme Court”. “Chief Justice” and “Supreme Court” wherever they appear in the first three sentences and inserting in their place: “Presiding Judge of the Superior Court”, “Presiding Judge” and “Superior Court”, as the case may be; and by striking in the last sentence “Supreme Court” and inserting “Presiding Judge”.

(b) Subsection (e) is amended by striking “Chief Justice” and “Supreme Court” wherever they appear and inserting “Presiding Judge” and “Superior Court”, as the case may be.

SECTION 7. Title 4 chapter 8 is amended in the following instances:

(a) Section 124, subsection (b) (1), is amended by striking “including”; and

(b) Section 126, is amended by striking “Supreme” and inserting “Superior”.

SECTION 8. Act No. 6919, relating to the Magistrate Division, as amended by Act No. 6929 SECTION 40 (b), must be fully implemented by July 1, 2008.

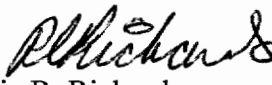
SECTION 9. Act No. 6965 (Bill No. 27-0121) is amended in SECTION 1 by striking “\$1,498,742” and inserting “\$3,000,000”.

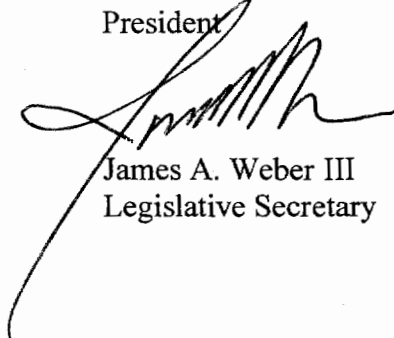
SECTION 10. Title 24 Virgin Islands Code, section 362, subsection (g), paragraph (4) is amended by striking “and employees of the Superior Court” and inserting “in the judicial branch”.

Thus passed by the Legislature of the Virgin Islands on December 6, 2007.

Witnessed our Hands and Seal of the Legislature of the Virgin Islands this 11th
Day of December, A.D., 2007.



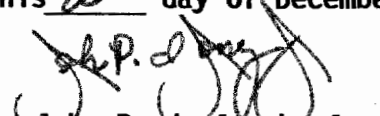

Usie R. Richards
President


James A. Weber III
Legislative Secretary



Bill No. 27-0132 is hereby approved.

Witness my hand and the Seal of the
Government of the United States
Virgin Islands at Charlotte Amalie,
St. Thomas, this 22nd day of December,
A.D., 2007.


John P. de Jongh, Jr.,
Governor