

**VIRGIN ISLANDS BAR ASSOCIATION
BOARD OF GOVERNORS**

RESOLUTION

“EQUAL JUSTICE THROUGH EQUAL JUDGES”

WHEREAS, title 4, section 71 of the Virgin Islands Code provides, in pertinent part, that

The Superior Court of the Virgin Islands shall consist of not less than six (6) judges learned in the law, one half of whom shall reside in the division of St. Croix and one half of whom shall reside in the division of St. Thomas-St. John

And

WHEREAS, even though 4 V.I.C. § 71 mandates an equal one-half distribution of Superior Court judges between the St. Croix and St. Thomas-St. John divisions, presently five (5) judges of the Superior Court reside in the division of St. Thomas-St. John, while only four (4) judges of the Superior Court reside in the division of St. Croix. And

WHEREAS, the disparity between the St. Croix and St. Thomas-St. John divisions of the Superior Court has persisted for years, with several prior Governors failing to submit a nomination for the unfilled fifth judgeship in the St. Croix division. And

WHEREAS, while the St. Thomas-St. John and St. Croix divisions of the Superior Court serve similar populations, a larger number of criminal cases are filed in the St. Croix division than the St. Thomas-St. John division. Yet because one less judge is assigned to the St. Croix division, many accused persons sit in jail for years while awaiting trial, resulting in unnecessary expense to the Bureau of Corrections that is ultimately passed onto the Virgin Islands taxpayer. And

WHEREAS, although the number of civil cases filed in the St. Thomas-St. John and St. Croix divisions of the Superior Court are comparable, many of the civil cases filed in the St. Croix division involve complex industrial and environmental issues, including class actions and cases with multiple plaintiffs or defendants. The absence of a fifth judge in the St. Croix division causes these civil cases to languish for years or even decades, resulting in unnecessary wait and expense for both sides.

Now, therefore;

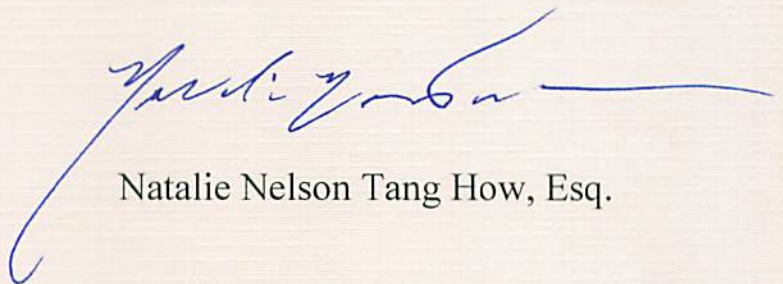
BE IT RESOLVED by the Board of Governors of the Virgin Islands Bar Association:

1. The Virgin Islands Bar Association, on behalf of all lawyers in the Territory, respectfully urges the Governor of the Virgin Islands to promptly submit a nomination for the vacant fifth judgeship in the St. Croix division of the Superior Court of the Virgin Islands, and for the 31st Legislature to expeditiously render its advice and consent on said nomination.
2. A copy of this Resolution shall be transmitted, by the Executive Director of the Virgin Islands Bar Association, to the Governor of the Virgin Islands, the Chief Legal Counsel to the Governor, each member of the 31st Legislature, the Chief Justice of the Supreme Court, and the Presiding Judge of the Superior Court.

A T T E S T
Association

*Passed Unanimously by the
Board of Governors of the
Virgin Islands Bar Association*

President, Virgin Islands Bar



Natalie Nelson Tang How, Esq.

Hinda Carbon, Executive Director