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Chief Justice Hodge Calls for \$55 Million Budget, Labels \$41 Million Allocation as "Woefully Inadequate"

With 44 vacancies and high turnover, Chief Justice Hodge emphasizes the need for increased funding to recruit and retain essential staff, totaling \$55 million for FY2025

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Chief Justice Rhys Hodge testified before the 35th Legislature on Friday, July 19, defending the Judiciary's \$55.3 million budget request. By. V.I. LEGISLATURE

The territory's executive arm has recommended an FY2025 budget of \$41,080,620 for the Judiciary of the U.S Virgin Islands. However according to Chief Justice Rhys Hodge, the figure is "woefully inadequate" to fund the third branch of government.

He made the remarks during the Judiciary's budget defense before the Senate Committee on Budget, Appropriations and Finance on Friday. Instead of what was sent down by the governor's finance team, Justice Hodge indicated that a more suitable figure would be \$55,385,237. He noted that the \$41 million recommendation "barely covers our projected payroll expenses," adding that "the governor's recommendation bears no relation to the needs of the judicial branch." According to Judge Hodge, the concerns over underfunding are not new. "Over nearly a decade, the average difference between our funding request and the actual appropriation has been approximately \$6.9 million a year."

This was no revelation to the Legislature, as committee chair Senator Donna Frett-Gregory recalled allocating an extra \$2.5 million to the Judiciary in FY2024. However, the prospects for additional funding look slim ahead of FY2025. "Last fiscal year, we did have the American Rescue Plan [Act] money that allowed us to backfill our budget, and we utilized some \$30 million to do that. I don't know that we will have that luxury in FY2025," she said.

Nonetheless, the Judiciary believes their \$55.3 million request is necessary for the smooth operation of its responsibilities. The sum is also key to cushioning the blow of staffing challenges within the judicial system. Of the requested sum, \$25,954,091 will support salaries and \$10,647,293 is earmarked for fringe benefits. A sum of \$922,982 from the salary and fringe budget is connected to a 4% compensation scale adjustment. According to Chief Justice Hodge, the Judiciary has budgeted salaries and fringe benefits for 27 "critical vacancies" totaling \$2,648,015, all part of the personnel and fringe category.

The 27 funded vacancies represent just over half of the true number of vacancies within the Judiciary, currently totaling 44. High employee turnover at the Judiciary is compounded by the "growing threat being the sheer number of employees eligible for retirement," the chief justice disclosed — 43 employees in FY2025. As of June 30, 2024, 31 individuals had either resigned or retired. According to Judge Hodge, the judiciary is working to "stem the tide of separations by employing recruitment and retention strategies including salary adjustments." He added that the judiciary continues to participate in job fairs but contends with "a lot of ghosting" by prospective employees.

Chief Justice Hodge informed lawmakers that \$6,543,490 has been estimated for other services and charges, while the judiciary will require \$6,410,000 for projected capital expenditures. \$2,004,896 is budgeted for utilities, \$1,455,000 for other personnel services, and \$683,100 for supplies. The judiciary's hefty request for capital expenditures includes \$4,450,000 to fund phase two of the roof replacement and office expansion project at the R. H. Amphlett Leader Justice Complex. It has also earmarked \$1 million to replace vehicles that are either "poor or in otherwise inoperable condition." The remainder of the capital budget - \$750,000 - will allow the judiciary to continue its file relocation project.

Additionally, the judiciary is requesting \$1,687,367 to fund the Office of Conflict Counsel. It has made a separate request of \$148,338 for the Judicial Council which partially funds the staffing for two District Court law libraries. The amount includes a 9% salary increase for "law librarians who did not receive an increase this year due to insufficient funding."

As the Judiciary made its appeal for \$14.3 million more than the government believes it can offer, Senate President Novelle Francis reminded the judicial team that "the reality is that our revenues are not being realized at the levels that we're growing." According to Mr. Francis, the millions of dollars in outstanding vendor payments are "creating a real embarrassing situation for us." The Judiciary's outstanding obligations as of July amount to \$654,160 — is a consequence of

“significantly delayed allotments and staffing challenges,” Judge Hodge said.

The judiciary will now have to wait and see how much money will be allocated to it in the upcoming fiscal year. In his closing, Chief Justice Hodge told lawmakers, “I think it's about time that you bite the bullet and give us what we need.” As the Judiciary submits its budget request directly to the Legislature, Mr. Hodge was unaware of the reduced sum suggested by central government until receiving a post-audit report days before the committee hearing.

In a final appeal for the \$55 million requested by the Judiciary, Chief Justice Hodge noted that “there's nothing we can do if we don't get it, and I think we've made the case that we need it.”

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