

The Virgin Islands Consortium

Superior Court Announces Halt to Civil and Criminal Trials (Except Those Already in Progress), Supreme Court Halts Oral Arguments Until Further Notice

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Staff Consortium **March 13, 2020**



Chief Justice Rhys S. Hodge today signed an administrative order implementing precautionary measures throughout the Judicial Branch of the Virgin Islands to help minimize exposure to the coronavirus (COVID-19), the judicial branch has announced.

Effective immediately, no civil or criminal jury trials will be conducted in the Superior Court of the Virgin Islands except for those already in process. The Superior Court will also take immediate steps to stagger schedules for judicial proceedings to avoid situations that bring together large numbers of people in confined areas. Non-jury trials

and other Superior Court proceedings will proceed as scheduled unless determined otherwise by the presiding judicial officer, but judicial officers are strongly encouraged to decide matters without oral argument and to consider alternatives to oral argument, such as telephonic hearings.

The Supreme Court of the Virgin Islands will suspend oral arguments until further notice, and cancel the bar admissions ceremony previously scheduled for April 14, 2020, and the Annual Meeting of the Committee of Bar Examiners set for March 27, 2020. The Supreme Court will continue to decide on the record matters that would ordinarily not qualify for oral argument. Parties in fully-briefed appeals are encouraged to confer and consider waiving oral argument, according to the release.

Both the Superior Court and the Supreme Court remain open to accept filings. Those registered as Filing Users with the Virgin Islands Supreme Court Electronic Filing System shall continue to file documents in Supreme Court proceedings electronically. The Superior Court will continue to accept conventional filings but is authorized to develop a procedure for accepting court filings through e-mail in all or some cases. Filings deadlines shall not be automatically extended but may be extended by order of the presiding judicial officer

Persons who have been diagnosed with COVID-19, have had contact with anyone who has been diagnosed with COVID-19, have been asked to self-quarantine by a doctor, hospital, health provider, or public health official, or who have visited China, South Korea, Japan, Italy, Iran, New Rochelle, New York, or other locale that has been placed in quarantine will be prohibited from entering any courthouse or other facility operated by the Judicial Branch.

Parties, attorneys, witnesses, or jurors in any pending proceeding who meet the criteria for exclusion shall not visit the courthouse but shall immediately notify the Office of the Clerk of the Superior Court or the Office of the Clerk of the Supreme Court, as the case may be. Judicial officers and Judicial Branch employees who meet the criteria for exclusion shall immediately notify the Chief Justice, the Presiding Judge, or the Administrator of Courts, as the case may be, who will then take appropriate action. In addition, Judicial Branch facilities shall not be used to host any functions open to the public other than court proceedings and certain meetings approved by the Administrator of Courts. As it relates to the Superior Court Rising Stars Youth Steel Orchestra, for the safety and security of program staff, the children they serve, and parents, practice and performance sessions will also be suspended, the court said.

“The courts of the Virgin Islands shall remain open and available to fulfill their constitutional and statutory obligations during this public health emergency,” Chief Justice Hodge said. “However, these precautionary measures are necessary in order to protect litigants, attorneys, witnesses, jurors, court staff, and the public from the coronavirus. The Judicial Branch is very closely monitoring the situation and will continuously reassess these measures as more information becomes available.”