

logo not found or type unknown

Bill Proposes Doubling Civil Filing Fees and Raising Prejudgment Interest to Modernize USVI Courts

Sen. Carla Joseph introduced Bill 36-0112 to double filing fees for civil complaints from \$75 to \$150, direct new funds into the Judicial Branch Improvement Fund, and raise prejudgment interest to 9 percent, aligning local practice with national standards

Judiciary / **Published On September 10, 2025 05:07 AM /**

Nelcia Charlemagne **September 10, 2025**

Image not found or type unknown



Senator Carla Joseph, sponsor of Bill 36-0112 to raise civil filing fees and increase prejudgment interest to modernize Virgin Islands courts. By. V.I. LEGISLATURE.

Legislation introduced by Senator Carla Joseph seeks to increase the filing fee for general civil complaints in the Superior Court of the Virgin Islands and allow for the collection of 9% prejudgment interest when an offer of judgment is filed with the courts.

Presented in the Committee on Rules and Judiciary on Monday, Bill 36-0112 “seeks to modernize and enhance the operation of our judicial branch.” That’s according to the bill’s sponsor, who said the adjustment is necessary to “align with current economic realities and best practices across the nation.”

Under her proposed legislation, the filing fee for general civil complaints will increase from \$75 to \$150. Sen. Joseph stated that the increase is “a modest adjustment that reflects the median filing fees in state courts of general jurisdiction.” The collected fees will be deposited into the Judicial Branch Improvement Fund, “ensuring that our aging court facilities in the territory receive the upgrades they desperately need.” The increase of \$75 applies to “big cases,” including divorce, contracts, foreclosures, and debt collection, according to Virgin Islands Bar Association President Russel Pate, who was invited to testify. Small claims in the magistrates' court would remain at \$50 under the proposed legislation, he noted.

The bill makes filing fees “more fair,” Mr. Pate believes. “Any party that countersues or brings other parties in, like third parties, pays the filing fee of \$150 too for seeking affirmative relief of damages,” he explained, noting that in complex cases with many plaintiffs, each would be required to make a \$150 filing fee payment.

Regina de Chabert Petersen, Administrator of Courts, commented on the potential infusion of funds into the Judicial Branch Improvement Fund. She stated that the Judiciary should have the “requisite flexibility and discretion to administer all funding with respect to those planned infrastructure improvements.”

Senator Alma Francis Heyliger was initially concerned about the impact of increased fees on the Virgin Islands population. The increased filing fee “is the least of your expenses” when it comes to litigating civil matters in court, Mr. Pate assured the lawmaker. “A small case is \$30,000, so if you can't pay the \$150, you've got some serious problems,” he argued.

Bill 36-0112 also “raises the prejudgment interest rate from 4% to 9%, bringing it in alignment with the majority of our states across the great United States of America,” Senator Joseph explained. It “ensures that the plaintiffs who have been wronged are fairly compensated for the delay in payment and the full opportunity of costs.” Sen. Joseph anticipates that the increase will encourage “early settlement of disputes, reducing the burden on our courts and expediting justice.”

Based on Mr. Pate's testimony, the 9% interest rate already exists in practice. “It is 9%. It's not moving up 5%. It's already at 9%,” he asserted. “This bill's interest provision creates an incentive for the parties not to delay litigation, knowing that interest costs will reflect inflation and consumer price increases,” the attorney added. He anticipates that it will “help people, particularly people in businesses which were done wrong, and seek redress in a court of law.”

Bill 36-0112 was passed by all six present members of the committee and will be considered once more at an upcoming Legislative session.