

The Virgin Islands Consortium

Territorial Public Defender Carries 974 Open Cases With Five Vacancies After Attorneys Leave for Up to \$40,000 More

Five vacancies, including three attorney openings, leave the Territorial Public Defender managing 974 open cases after losing about three lawyers to employers paying up to \$40,000 more, while lawmakers debate whether existing savings can fund raises.

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The Office of the Territorial Public Defender is managing 974 open cases while carrying five vacancies, including three attorney openings, after losing approximately three lawyers to employers offering salaries between \$30,000 and \$40,000 higher.

Chief Territorial Public Defender Jomo Meade told the Senate Committee on Budget, Appropriations and Finance that the remaining attorneys and support staff are under considerable strain as the office continues to struggle with recruitment and retention.

The OTPD is requesting \$6,696,220 for FY2027 to cover personnel and operations and is seeking an additional \$700,000 for salary and fringe-benefit increases. Senator Dwayne DeGraff, however, argued that existing savings seeking an additional \$700,000 for salary and fringe-benefit increases. Senator, including funding carried forward from the previous fiscal year, are sufficient to absorb the additional expense.

“You have the money. You have no excuse...because purely based on what you asked [and] what you have now, you have it covered,” he stated.

The office currently has five vacant positions. Those include two attorney openings on St. Croix and one on St. Thomas.

Mr. Meade said the OTPD’s FY2027 request reflects the “continued need for additional legal and support staff, increasing caseload” and other factors affecting its ability to represent clients.

“workload demands continue to place considerable strain on existing personnel.”

He said continued investment in attorneys and support staff is necessary to “ensure effective representation” and “preserve the integrity of the criminal justice system.”

Attorneys Leave for Higher Salaries

As in previous budget hearings, OTPD officials identified compensation as one of the principal obstacles to recruiting and retaining attorneys.

“One of the major problems is salary,” said Mr. Meade.

He told Committee Chairman Novelle Francis that the office had lost “approximately three attorneys because other entities have offered them salaries of up to \$30,000 and \$40,000 more than we’re paying them.”

Mr. Meade said some lawyers have the “conviction” to continue working as public defenders despite the salary differences, but “the reality of the marketplace dictates otherwise.”

Morale within the office, he said, is “excellent except sometimes when it comes to the salary discussion.”

The office competes not only with private law firms but also with other government departments offering higher compensation.

Senator Kurt Violet described resolving compensation disparities among government attorneys as “tricky.”

He said increasing salaries at one agency could lead attorneys employed elsewhere to seek comparable adjustments or move to the office offering better compensation.

When one entity receives additional support, he said, “the attorneys at the next entity that were not taken care of go to the [other] entity.”

Mr. Violet encouraged lawmakers to “look at it overall” and establish a “balancing act” across government legal offices.

Mr. Meade said parity between prosecutors and public defenders “extends beyond salaries.”

While prosecutors may have access to government resources and specialized experts, the Public Defender’s Office must independently secure expert witnesses and litigation support to examine evidence and defend its clients.

He said the prosecution “may have access to government resources and specialized experts, public defenders must secure independent experts and litigation support to effectively challenge evidence and protect the rights of their clients.”

Adequate funding for experts and specialized services helps ensure that cases are “decided based on the fact and the law,” Mr. Meade testified.

He said the FY2027 budget request addresses those “essential needs,” along with staff retention and professional development.

To fill its vacancies, the OTPD has “contacted HBCUs” and is advertising available positions through print and electronic media, according to Mr. Meade.

The office also plans to develop a resource-development strategy that creates a “pipeline for new hires from law schools by offering internships and fellowships.”

Meanwhile, the OTPD has continued to “reimagine, restructure, and realign job functions” to meet demand with its existing personnel.

Grant Losses Could Reduce Training

Mr. Meade said training is a critical component of the office’s resource-development strategy, but some grant funding previously used for professional development is no longer available.

Grants through programs including the Violence Against Women Act allowed LSVI to train attorneys and “anyone who had constant contact with victims of domestic violence.”

The office has used “other funds from our other budget sources in order to make sure that our people are still trained and that they’re still sensitized,” Mr. Meade explained.

St. Thomas Building Purchase Under Negotiation

The OTPD is continuing to explore the purchase of a building on St. Thomas.

Mr. Meade told Senator Hubert Frederick that the office has identified a property and is “actively looking at purchasing that property.”

Negotiations remain underway.

The building has two stories, and the office plans to consider leasing part of the property to generate additional revenue.

St. Croix Renovation Remains Partially Unfunded

On St. Croix, the OTPD has begun renovating its district office.

The work completed or underway includes new flooring and the construction of additional office space.

The FY2027 proposal does not include funding for the second phase of improvements. That work would include repairing the roof and air-conditioning system, paving the parking lot, addressing limited employee parking and improving compliance with the Americans with Disabilities Act.

Mr. Francis told Mr. Meade that the office's request is "reasonable and it will be considered during our budget mark up period."