



e-News

“STRIVING FOR JUSTICE...SERVING
OUR COMMUNITY”

February 2011



Mark Your Calendar!

Quarterly Membership Meeting

March 30, 2011

June 29, 2011

September 28, 2011

Legal Services Video Conference Room

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Midyear CLE

June 10, 2011

Wyndham Sugar Bay Beach Resort, St. Thomas, VI

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Almeric L. Christian Golf Tournament

November 20, 2011

Mahogany Run Golf Course
St. Thomas, VI

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Almeric L. Christian Tennis Tournament

November 10-13, 2011

Carambola Tennis Club
St. Croix, VI

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Annual Meeting & CLE Program

December 9, 2011

Wyndham Sugar Bay Beach Resort, St. Thomas, VI
St. Thomas, U.S. V.I.

- Don't say no until you've exhausted all means of saying yes

2011 Officers and Board of Governors

NAME	TITLE	FIRM	PHONE	E-MAIL
Richard T. Evangelista	PRESIDENT	V.I Department of Labor	773-1994	rtestx@gmail.com
Karin A. Bentz	President-Elect	Law Offices of Karin A. Bentz, PC	774-2669	kbentz@virginlaw.com
Ernest E. Morris, Jr.	Secretary	Office of the Territorial Public Defender	773-6312	ernest.morris@yahoo.com
Nagesh Tammara	Treasurer	Smock & Moorehead	777-5737	ntammara@smvilaw.com
K. Glenda Cameron	ABA Delegate	Law Offices of K. G. Cameron	773-3444	kglenda@cameronlawvi.com
Trudy Fenster	Board Member	29th Legislature of the V.I	773-2424	tfenster@legvi.org
Susan Bruch Moorehead	Board Member	Smock & Moorehead	777-5737	susanmvi@aol.com
Natalie Nelson Tang How	Board Member	Law Offices of Natalie Nelson, PLLC	773-0378	nnlaw@vipowernet.net
Emile Henderson III	Board Member	Law Offices of Yvette Ross-Edwards	772-4444	emile@rossedwardslaw.com
G. Alan Teague	Board Member	Dudley Clark & Chan, LLP	776-7474	teague@dudleylaw.com

Superior Court Case Management System



PRESS RELEASE

(December 14, 2010):

SUPERIOR COURT ON PATH TO IMPLEMENT NEW CASE MANAGEMENT AND E-FILING SYSTEMS

Presiding Judge Darryl Dean Donohue announced today that the Superior Court of the Virgin Islands has entered into a contract to implement a new case management system. The \$1.6 million contract would bring the Court into the 21st Century with a fully automated case processing system, and e-filing capabilities.

Automated case processing would end the Court's reliance on its existing archaic system and implement a system that: improves the timeliness of case processing, while reducing the potential for human error. Moreover, upon full implementation, attorneys and other court users will be able to file pleadings and documents electronically and review the Court's case records from their offices or other off-site location via the worldwide web. Over time, the Court's goals are to have a virtually paperless process and provide for the quick resolution of claims.

The contract, with American Cadastre, LLC ("AmCad"), of Herndon, Virginia, calls for full implementation over an 18-month period.

"The new system is part of our ongoing efforts to reduce case delays, improve access to justice for our citizens, and improve our records management, thereby improving our delivery of service to court users," said Presiding Judge Darryl Dean Donohue, Sr. "The Court remains cognizant of continuing delays in the resolution of cases that come before it and recognizes that justice delayed is justice denied. Accordingly, we have taken the first major steps toward addressing this serious issue by joining other contemporary courts in adopting a technology solution that would improve case processing and improve accountability," said Judge Donohue.

Moreover, Judge Donohue explained that the e-filing component of the system is a major initiative which will aid, primarily, practicing attorneys by providing the ability to file case documents without ever entering the courthouse. Additionally, electronic filings will be immediately available for viewing and resolution by assigned trial judges, thereby providing a mechanism for the swift resolution of motions and other matters that come before the Court. In turn, the public will be able to view case files, within the parameters of the Rules of the Court, from public access computers provided on-site, as well as through the web."

The Court is well aware of many of the challenges facing attorneys practicing before the Court and other court users and is attempting to address these issues through a multitude of approaches, said Judge Donohue. Implementation of the Magistrate's Division in 2009 introduced the first step toward delay reduction, by freeing trial judges from magisterial duties so they may conduct more civil and criminal trials, said Judge Donohue. The implementation of this technology solution provides yet another approach toward improving service to the community, he added.

"The Superior Court is excited about the prospects the adoption of a new system holds, in terms of improved case flow, reduction of case delays, improvement in quality control, improved service to court users and reduced manual functions that invite human error."

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Blurbs

CLE Annual Audit

We are preparing to conduct a random audit of 15% of active members to determine compliance with Rule 208. Members who are audited will receive a Notice of Non-compliance, and will have an opportunity to cure by submitting Certification of Attendance within a ninety (90) day period, along with a \$50 delinquency fee. Failure to comply within the Ninety (90) day period shall result in automatic suspension. Rule 208(e)(2)(3)(4)95).

Membership Dues Reminder

Your 2011 Dues were due on or before January 1, 2011 (Civil Misc. No. 115/2000). An administrative late fee of \$25.00 was assessed if your dues payment was not received by February 1, 2011. An additional \$25.00 administrative late fee will be assessed if your dues payment is not received on or before March 1, 2011 (Civil Misc. No. 88/2000).

Failure to bring your account current may result in suspension per Rule 205 (1) (10), in pertinent-part, "It shall be the duty of the Treasurer of the Virgin Islands Bar promptly to file a motion during the second week of April of each year in the Supreme Court for the suspension from membership and the practice of law in the Virgin Islands of all delinquent members." We look forward to receiving your payment.

If you have any questions please do not hesitate to contact our Financial Manager, Shirlene Taylor at (340) 778-7497 or financials@vibar.org.

Bar Cards

Bar cards are being printed and will be mailed in the upcoming weeks for those members that are current with their dues.

New Board Member (Taken from email dated /21/2011)

As some of you are aware, since the election of the 2011 Board of Governors at the Annual Meeting in December, one of the elected members was determined to be ineligible to serve and gracefully resigned her position. While the Association bylaws are silent as to how this type of situation is to be resolved, they clearly state that the Board must consist of ten members. The Board of Governors, after lengthy discussion, decided to replace the ineligible member by elevating the candidate who received the next highest amount of votes. Accordingly, please join me in congratulating Trudy Fenster, Esq., the tenth member of the 2011 Board of Governors. We all look forward to serving you and advancing the work of the VI Bar through the year!

Ernest E. Morris, Jr., Esq.
Nominating Committee Chairperson

Donations Needed for New Bar Office on St. Thomas

As mentioned at the annual meeting in December 2010, we have entered into a contractual agreement for office space on St. Thomas to house a Bar office. We are in need of some office furnishing, if you have office furniture, computers, fax/copier, etc. that you would like to donate, please let us know by calling 340-778-7497. In advance, we appreciate your support.

Help Wanted: Office Assistant

We are seeking a reliable, courteous, well-spoken, part-time customer service representative for our St. Thomas office. A minimum of 2 years work experience is required; candidate must have a high school diploma and some college and must be computer literate. References will be verified. Fax cover letter and resume to (340) 773-5060.

Death

Attorney Omeya Leftawe passed away on January 22, 2011. He was recently admitted to the Bar in November 2010 .

Public Education & The Law Committee

The VIBA in partnership with the United States Department of Justice, Office of the United States Attorney with assistance from the Department of Homeland Security Immigration and Customs Enforcement (ICE) will informally present a short, age-sensitive, educational program designed to sensitize primarily 12th graders about the dangers of Sexting. During the presentation, the students will be able to ask questions and discuss the issues raised.

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Amendments to Local Rules of Civil Procedure

FEB-02-2011 WED 02:52 PM Clerks Office

FAX NO. 3407731563

P. 01/02

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DISTRICT COURT OF THE VIRGIN ISLANDS

IN RE:)
)
) Misc. No. 2003-06
AMENDMENTS TO THE LOCAL RULES OF)
CIVIL PROCEDURE)
_____)

ORDER

On January 3, 2011 the Court ordered the addition of Local Rule of Civil Procedure (LRCi) 82.1 and amendments to LRCi 83.1. It made such amendments effective on January 3, 2011. The Court gave notice and opportunity to comment on the amendments to the Rules, as required by 28 U.S.C. § 2071(e). Further, the Court ordered that any amendments incorporating such comments would take effect on February 4, 2011.

On January 21, 2011, the Court proposed the amendment of subsection (b) (1) and the addition of subsections (b) (10) - (b) (12) to LRCi 83.1. The Court gave notice and opportunity to comment, as required by 28 U.S.C. § 2071(b). The Court ordered that such amendments would take effect on February 4, 2011, unless modified as a result of comment from the public and bar.

The Court finds that additional time is required to fully consider: (1) the comments of the public and (2) the utility of the new rule and the amendments.

Accordingly, it is hereby **ORDERED** that the public and members of the bar are hereby given further notice and opportunity to comment on new rule LRCi 82.1 and amendments to LRCi 83.1. Such

FEB-02-2011 WED 02:52 PM Clerks Office

FAX NO. 3407731563

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comment may be submitted to the Clerk of Court in writing not later than **February 22, 2011**; it is further

ORDERED that this Order has retroactive effect to January 3, 2011; it is further

ORDERED that new rule LRCi 82.1 and amendments to LRCi 83.1 outlined in the Court's January 3, 2011 Order shall not be effective on **January 3, 2011**; it is further

ORDERED that the proposed amendments to LRCi 83.1 outlined in the Court's January 21, 2011 Order shall not be effective on **February 4, 2011**; and it is further

ORDERED that the new rule and amendments outlined in the Court's January 3, 2011 Order and the Court's January 21, 2011 Order shall be effective on **February 25, 2011**, unless modified as a result of comments from the public and the bar.

S\ _____
CURTIS V. GÓMEZ
Chief Judge

copies: Hon. Raymond L. Finch
Hon. Ruth Miller
Hon. George W. Cannon
Wilfredo Morales, Clerk of the Court
Members of the V.I. Bar