

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

IN RE: AMENDMENTS TO RULE 6 OF THE SUPERIOR COURT)
Plaintiff)
Vs.)
RULES AND THE CREATION OF RULES 6a. THROUGH 6e.)
Defendant)

CASE NO. SX-11-MC-16

ACTION FOR:

NOTICE
OF
ENTRY OF JUDGMENT/ORDER

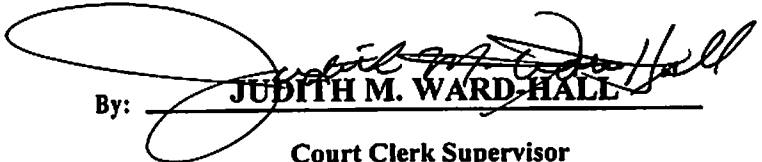
TO: JUDGES OF THE SUPERIOR COURT Esquire MEMBERS OF THE VIRGIN ISLANDS BAR
MAGISTRATES OF THE SUPERIOR COURT Esquire INFORMATION TECHNOLOGY
JUSTICES OF THE SUPREME COURT Esquire DIVISION SUPERVISORS

Please take notice that on APRIL 5, 2011 Order was
entered by this Court in the above-entitled matter.

Dated: April 5, 2011

Venetia H. Velazquez, Esq.

Clerk of the Superior Court

By: 
JUDITH M. WARD-HALL
Court Clerk Supervisor

**SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISIONS OF ST. THOMAS AND ST. JOHN AND ST. CROIX**

IN RE:)

AMENDMENTS TO RULE 6 OF THE)
SUPERIOR COURT RULES AND THE)
CREATION OF RULES 6a. THROUGH 6e.)

MISC.NO. 16/11


ORDER

It is hereby **ORDERED** that, pursuant to the provisions of Section 21(c) of the Revised Organic Act of 1954, as amended, 4 V.I.C. 32(f)(1) and 4 V.I.C. §514, the rules of the Superior Court of the Virgin Islands are amended to amend Rule 6 to create Rule 6(a) and 6(b) thereunder, and to add new rules as Rules 6a. through 6e. to establish certain fees. These amendments shall become effective June 1, 2011. The amended rules are attached hereto. It is further

ORDERED that this Order shall be distributed to the members of the Bar, through the Virgin Islands Bar Association. It is finally

ORDERED that the Clerk of the Court shall take all necessary steps to implement the new fees.

SO ORDERED, this 5th day of April, 2011.


DARRYL DEAN DONOHUE, SR.
PRESIDING JUDGE

ATTEST:


VENETIA H. VELAZQUEZ, ESQ.
CLERK OF THE COURT

cc: Judges and Magistrates of the Superior Court
Justices of the Supreme Court
Members of the Virgin Islands Bar

CERTIFIED TO BE A TRUE COPY
This 6th day of Apr 20 11
VENETIA H. VELAZQUEZ, ESQ.
CLERK OF THE COURT

By  Court Clerk

Rule 6.

Rule 6 of the Superior Court Rule is amended to designate the prior text as Rule 6(a) and to create a Rule 6(b) as follows:

Rule 6(b). Electronic Transcripts. At the request of any party to a proceeding before the Court, the Clerk of the Court shall provide electronic transcripts of the proceedings, if such proceedings were digitally recorded. The requesting party shall pay a fee of \$50.00 to the Clerk of the Court for such electronic transcript. Upon payment of the designated fee, the Clerk shall submit copies of the transcript, to be distributed as follows: One electronic transcript copy shall be submitted to the requesting party, one to each opposing party, and one to the case file. Such fee shall include a maximum of five electronic copies.

Rules 6a. through 6e.

The Rules of the Superior Court are further amended to insert, following Rule 6, Rules 6a. through 6e, as follows:

Rule 6a. Exemplification of Court Records (Clerk's Certificate, Judge's Certification and Exemplification)

Any party to a proceeding before the Court may request from the Clerk of the Court an official attested copy of the court documents pertaining to the proceeding, along with an Exemplification by the Clerk.

The Clerk of the Court may, upon request by a party or an entity, be required to provide an Exemplification of Court Records, where a mere certification of record is deemed insufficient to assure the authentication of a document. Such exemplification consists of a tripartite document that includes: the Exemplification of Records by the Clerk, the Judge's Certification and the Clerk's Certificate. Whenever the Clerk of the Court is required to exemplify any record of the Court, there shall be imposed a fee for exemplification of court records of \$50.00, payable to the Clerk of the Court.

Rule 6b. Record Searches

An individual may request a record search of any public court document by the Clerk of the Court. If the disposition of the matter occurred more than fifteen (15) years from the date the search is requested, the requestor shall pay a fee of \$75.00. If the disposition occurred less than fifteen (15) years but over five (5) years from the date the search is requested, the requestor shall pay a fee of \$25.00. If the disposition occurred less than five (5) years from the date the search is requested, the requestor shall pay a fee of \$10.00. All fees shall be payable to the Clerk of the Court.

Rule 6c. Copying Fees

A fee of \$1.00 per page shall be charged for copying a document. This fee is in addition to applicable fees to be applied for certifying such copies. All fees shall be payable to the Clerk of the Court.

CERTIFIED TO BE A TRUE COPY
This 6th day of Apr 2011
VENETIA H. VELAZQUEZ, ESQ.
CLERK OF THE COURT

By [Signature] Court Clerk Sup

Rule 6d. Return Check Fee

A fee of \$50.00 shall be assessed for any check payable to the Clerk of the Court which is returned by the payor's bank for insufficient funds, stop payment, or any other reason. The return check fee is in addition to any fees due and owing the Court and shall be paid before receipt of the requested document or any future documents that may be requested. The Clerk of the Court is authorized to refuse to accept checks from individuals whose checks have been returned.

Rule 6e. Payment of Costs for Storage of Personal Property

Whenever the Office of the Marshal of the Superior Court of the Virgin Islands is required to store items of personal property taken into custody by court order, a fee payable to the Clerk of the Court shall be imposed. Upon personal property being taken into custody, and upon satisfaction of all proceedings required to legally transfer ownership, the Marshal Office shall provide written notice of such custody to the new owner of the property, along with instructions for taking possession of the same. After the expiration of five (5) days after such notice, the Marshal Office shall assess, against the owner of the property, a fee of \$10 per day, which fee shall be imposed for thirty (30) days. Thereafter, the fee shall be increased to \$25.00 per day for the next fifteen days. If the owner fails to collect the property after receiving notice and fails to pay the storage fee as outlined above, the Court may dispose of the property by any lawful method. Written notice must be provided to the owner of the property of the intent to dispose of the property at least ten days prior to the disposition.

CERTIFIED TO BE A TRUE COPY
This 6th day of April 20 11
VENETIA H. VELAZQUEZ, ESQ.
CLERK OF THE COURT
By:  Court Clerk