

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE:

**ESTABLISHMENT OF NON-SUFFICIENT
FUND POLICY AND FEES.**

S. Ct. ADM. No. 2020-0014

NOTICE OF ENTRY OF JUDGMENT/ORDER

**TO: Justices of the Supreme Court
Judges & Magistrate Judges of the Superior Court
Nesha R. Christian-Hendrickson, Esq., President, V.I. Bar Association
Hinda Carbon, Executive Director, V.I. Bar Association
Regina D. Petersen, Administrator of Courts
Veronica J. Handy, Esq., Clerk of the Supreme Court
Tamara Charles, Clerk of the Superior Court
Supreme Court Law Clerks
Supreme Court Secretaries
News Media
Order Book**

Please take notice that on July 24, 2020, a(n) **ORDER** dated July 24, 2020, was entered by the Clerk in the above-entitled matter.

Dated: July 24, 2020

**VERONICA J. HANDY, ESQ
Clerk of the Court**

By: /s/ Jessica Grant

**Jessica Grant
Deputy Clerk II**

IN THE SUPREME COURT OF THE VIRGIN ISLANDS

IN RE:) ADMIN ORDER. No. 2020-0014
ESTABLISHMENT OF NON-)
SUFFICIENT FUND POLICY AND FEES.)
_____)

ADMINISTRATIVE ORDER

WHEREAS, the Memorandum of Understanding (MOU) Addendum No. 1 signed between the Department of Finance (DOF) and the Judicial Branch of the Virgin Islands on February 25, 2020 and amended in June 2020, allows the Judicial Branch to deposit collections on behalf of the Government of the Virgin Islands (GVI) into the Judicial Branch's trust account, and later remitting the GVI funds to the DOF on a weekly basis; and

WHEREAS, the Judicial Branch of the Virgin Islands collects personal checks according to the Government of the Virgin Islands (GVI) policies set forth by the Department of Finance; and

WHEREAS, the Judicial Branch is subjected to non-sufficient funds (NSF) transactions and charges by its Financial Institution; and

WHEREAS, title 4, section 514 of the Virgin Islands Code provides for the Supreme Court of the Virgin Islands to fix the amount of any fee not specifically covered in title 4, chapter 31 of the Virgin Islands Code; and

WHEREAS, it is necessary to establish general controls for management of NSF transactions in accordance with the minimum requirements set by the DOF;

NOW, THEREFORE, IT IS HEREBY ORDERED that **EFFECTIVE 12:00 a.m. on July 25, 2020**, the Schedule of Fees for the Superior Court and the Supreme Court **SHALL BE AMENDED** to establish a return check fee of fifty dollars (\$50.00) to cover NSF fees and

administrative costs of processing NSF transactions for checks up to \$1,000.00, and a return check fee of fifty dollars (\$50.00) plus 1% of the face value of the check for checks over \$1,000.00. Such fee will be remitted into the Judicial Branch's Internal/Operating account and used to offset any bank charges or Case Management System (CMS) related costs. It is further

ORDERED that any person who submits an NSF check will be flagged in the Courts Case Management System as an NSF offender. It is further

ORDERED that the Judicial Branch of the Virgin Islands shall utilize Telecheck processing system for the acceptance of all personal checks. It is further

ORDERED that if automated systems to clear checks are not available, all check collections over fifty (\$50.00) dollars shall be certified with the exception of business checks, and checks remitted by attorneys. It is further

ORDERED that the Judicial Branch of the Virgin Islands shall otherwise adhere to the DOF Statement of Policies and Procedures (SOPP) #122 regarding Dishonored Checks dated June 27, 2012. It is further

ORDERED that copies of this order be directed to the appropriate parties.

SO ORDERED this 24th day of July, 2020.

/s/ Rhys S. Hodge
RHYS S. HODGE
Chief Justice

ATTEST:

VERONICA J. HANDY, ESQ.
Clerk of the Court

By: /s/ Jessica Grant
Deputy Clerk

Dated: July 24, 2020

Copies to:

Justices of the Supreme Court

Judges & Magistrate Judges of the Superior Court

Nesha R. Christian-Hendrickson, Esq., President, V.I. Bar Association

Hinda Carbon, Executive Director, V.I. Bar Association

Regina D. Petersen, Administrator of Courts

Veronica J. Handy, Esq., Clerk of the Supreme Court

Tamara Charles, Clerk of the Superior Court

Supreme Court Law Clerks

Supreme Court Secretaries

News Media

Order Book