

SUBCHAPTER V—JUDICIAL BRANCH

§ 1611. District Court of Virgin Islands; local courts; jurisdiction; practice and procedure**(a) District Court of Virgin Islands; local courts**

The judicial power of the Virgin Islands shall be vested in a court of record designated the "District Court of the Virgin Islands" established by Congress, and in such appellate court and lower local courts as may have been or may hereafter be established by local law.

(b) Jurisdiction

The legislature of the Virgin Islands may vest in the courts of the Virgin Islands established by local law jurisdiction over all causes in the Virgin Islands over which any court established by the Constitution and laws of the United States does not have exclusive jurisdiction. Such jurisdiction shall be subject to the concurrent jurisdiction conferred on the District Court of the Virgin Islands by section 1612(a) and (c) of this title.

(c) Practice and procedure

The rules governing the practice and procedure of the courts established by local law and those prescribing the qualifications and duties of the judges and officers thereof, oaths and bonds, and the times and places of holding court shall be governed by local law or the rules promulgated by those courts.

(July 22, 1954, ch. 558, §21, 68 Stat. 506; Oct. 5, 1984, Pub. L. 98-454, title VII, §702, 98 Stat. 1737.)

AMENDMENTS

1984—Pub. L. 98-454 designated existing provisions as subsec. (a), inserted "established by Congress" before "and in such" and substituted "appellate court and lower local courts as may have been or may hereafter be established by local law" for "court or courts of inferior jurisdiction as have been or may hereafter be established by local law", and added subsections (b) and (c).

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-454 effective on ninetieth day following Oct. 5, 1984, see section 1005 of Pub. L. 98-454, set out as a note under section 1424 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1613a of this title.

§ 1612. Jurisdiction of District Court**(a) Jurisdiction**

The District Court of the Virgin Islands shall have the jurisdiction of a District Court of the United States, including, but not limited to, the diversity jurisdiction provided for in section 1332 of title 28 and that of a bankruptcy court of the United States. The District Court of the Virgin Islands shall have exclusive jurisdiction over all criminal and civil proceedings in the Virgin Islands with respect to the income tax laws applicable to the Virgin Islands, regardless of the degree of the offense or of the amount involved, except the ancillary laws relating to the income tax enacted by the legislature of the Virgin Islands. Any act or failure to act with respect to the income tax laws applicable to the Virgin Islands which would constitute a criminal offense

described in chapter 75 of subtitle F of title 26 shall constitute an offense against the government of the Virgin Islands and may be prosecuted in the name of the government of the Virgin Islands by the appropriate officers thereof in the District Court of the Virgin Islands without the request or the consent of the United States attorney for the Virgin Islands, notwithstanding the provisions of section 1617 of this title.

(b) General jurisdiction; limitations

In addition to the jurisdiction described in subsection (a) the District Court of the Virgin Islands shall have general original jurisdiction in all causes in the Virgin Islands the jurisdiction over which is not then vested by local law in the local courts of the Virgin Islands: *Provided*, That the jurisdiction of the District Court of the Virgin Islands under this subsection shall not extend to civil actions wherein the matter in controversy does not exceed the sum or value of \$500, exclusive of interest and costs; to criminal cases wherein the maximum punishment which may be imposed does not exceed a fine of \$100 or imprisonment for six months, or both; and to violations of local police and executive regulations. The courts established by local law shall have jurisdiction over the civil actions, criminal cases, and violations set forth in the preceding proviso. In causes brought in the district court solely on the basis of this subsection, the district court shall be considered a court established by local law for the purposes of determining the availability of indictment by grand jury or trial by jury.

(c) Criminal offenses; concurrent jurisdiction with local courts

The District Court of the Virgin Islands shall have concurrent jurisdiction with the courts of the Virgin Islands established by local law over those offenses against the criminal laws of the Virgin Islands, whether felonies or misdemeanors or both, which are of the same or similar character or part of, or based on, the same act or transaction or two or more acts or transactions connected together or constituting part of a common scheme or plan, if such act or transaction or acts or transactions also constitutes or constitute an offense or offenses against one or more of the statutes over which the District Court of the Virgin Islands has jurisdiction pursuant to subsections (a) and (b) of this section.

(July 22, 1954, ch. 558, §22, 68 Stat. 506; Nov. 6, 1978, Pub. L. 95-598, title III, §336(a), 92 Stat. 2680; Oct. 5, 1984, Pub. L. 98-454, title VII, §703(a), title X, §1001, 98 Stat. 1738, 1745; Oct. 22, 1986, Pub. L. 99-514, §2, 100 Stat. 2095.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning act July 22, 1954, ch. 558, 68 Stat. 497, as amended, known as the Revised Organic Act of the Virgin Islands, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1541 of this title and Tables.

AMENDMENTS

1986—Subsec. (a). Pub. L. 99-514 substituted "Internal Revenue Code of 1986" for "Internal Revenue Code of