

JAN 14 2013

SEAN F. McAVOY, CLERK
 DEPUTY
SPOKANE, WASHINGTON

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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON
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8 In Re

9 ADEQUATE
10 COLLATERALIZATION OF
11 REGISTRY FUNDS.
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GENERAL ORDER NO. 13-112-1

RE ESTABLISHMENT OF BASE
DOLLAR AMOUNT FOR INTEREST
BEARING REGISTRY DEPOSITS AND
PROCEDURES GOVERNING MONIES
PAID INTO THE COURT

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15 Under 28 U.S.C. § 2041, all monies paid into any Court of the United States,
16 or received by the officers thereof, in any case pending or adjudicated in such
17 Court, shall be forthwith deposited with the Treasurer of the United States or a
18 designated depository, in the name and to the credit of such Court. Therefore,
19 when parties in a contested matter are ordered to submit registry funds, pending
20 resolution of litigation or determination of ownership, the Court acts solely as
21 custodian of these funds. Once the Court resolves the pending litigation or
22 determines ownership, the funds are released to the rightful owner or recipient,
23 again by Court order. This General Order establishes the policy governing the
24 Court's handling of, and accounting for, registry funds. Orders entered in cases
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1 pending before this Court, entered on or after the date of this General Order, shall
2 comport with the requirements established herein.

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4 **IT IS HEREBY ORDERED, EFFECTIVE IMMEDIATELY,**

5 I. No money shall be sent to the Court or its officers for deposit in the Court's
6 registry without a Court order by the presiding Judge in the case proceeding.

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8 II. Court ordered deposits of registry funds of less than \$5,000 will be deposited
9 by the Clerk of Court directly into the United States Treasury, and shall earn
10 no interest while on deposit with the Court.

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12 III. Court ordered deposits of registry funds of \$5,000 or greater will be
13 deposited by the Clerk of Court into an interest bearing account with the
14 United States Treasury utilizing the Court Registry Investment System
15 (CRIS), administered through the Administrative Office of the United States
16 Courts. Procedures for utilization of the Court Registry Investment System
17 (CRIS) are attached to this General Order as Exhibit 1. Pursuant to LR
18 67.1(b) of this Court, the name of the depository approved by the Treasury
19 of the United States to be included on any order directing the clerk to invest
20 in an interest-bearing account shall be the "Court Registry Investment
21 System (CRIS)."

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26 IV. The Clerk of Court is authorized and directed by this General Order to
27 deduct, for maintaining accounts in the Fund regardless of amount
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1 deposited, the registry fee. The proper registry fee is to be determined on
2 the basis of the rates published by the Director of the Administrative Office
3 as approved by Judicial Conference.
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6 The Clerk is also directed to post a copy of this General Order to the Court's public
7 web site so that it is available to all attorneys who are admitted to practice before
8 this Court, either as a member of the bar of the district or *pro hac vice* in a pending
9 case.
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12 This General Order was approved by the District Judges January 14, 2013
13 and takes effect February 1, 2013.
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15 DATED this 14th day of January, 2013.
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19 FOR THE COURT
20 ROSANNA MALOUF PETERSON
21 CHIEF UNITED STATES DISTRICT JUDGE
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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON
INVESTMENT OF REGISTRY FUNDS - \$5000 AND OVER**

1. Where by stipulation of the parties and approval of the Court, funds on deposit with the Court are to be placed in some form of interest-bearing account, the Court Registry Investment System (CRIS) administered by the Administrative Office of the United States Courts, shall be the only investment mechanism authorized.
2. The basic CRIS procedures start when the Clerk of Court deposits the registry funds at the designated Federal Reserve depository bank. On a weekly basis, the Clerk of Court or designee will send a report to the CRIS Fund Manager at the Administrative Office of the United States Courts, listing the case number and the amount(s) deposited or required for disbursement for each case in their respective registry. The transfer of accountability for the funds is documented by a SCHEDULE TO EFFECT CORRECTION OF RECEIPT TRANSACTIONS (Form AO283).
3. Under CRIS, monies deposited in each case will be “pooled” together with those on deposit with Treasury to the credit of other Courts in CRIS and used to purchase Government Account Series securities through the Bureau of Public Debt, which will be held at the Treasury, in an account in the name and to the credit of the Director, Administrative Office of the United States Courts, hereby designated as custodian for CRIS.
4. An account for each case will be established in CRIS titled in the name of the case giving rise to the investment in the system. Income generated from fund investments will be distributed to each case based on the ratio each account’s principal and earnings has to the aggregate principal and income total in the fund. Reports showing the interest earned and the principal amounts contributed in each case will be prepared and distributed to each Court participating in CRIS and made available to litigants and/or their counsels.
5. To effect a withdrawal of funds from CRIS for distribution in accordance with an order of this Court, the Clerk of Court or designee notifies the CRIS Fund Manager of the case number and amount to be withdrawn. The fund manager transfers accountability for the funds from CRIS to the participating Court by means of a SCHEDULE TO EFFECT CORRECTION OF RECEIPT TRANSACTIONS (Form AO283).
6. After making the appropriate accounting entries to record the SCHEDULE TO EFFECT CORRECTION OF RECEIPT TRANSACTIONS (Form AO283) received from the CRIS Funds Manager, the Clerk of Court or designee may process a Treasury check for the ordered amount following standard procedures.
7. The Director of Administrative Office of the United States Courts is designated as custodian for CRIS. The Director or the Director’s designee shall perform the duties of custodian. Funds held in the CRIS remain subject to the control and jurisdiction of the Court.

**General Order
Exhibit No. 1**

- 8. The custodian is authorized and directed by this Order to deduct the investment services fee for the management of investments in the CRIS and the registry fee for maintaining accounts deposited with the Court.**
- 9. The investment services fee is assessed from interest earnings to the pool according to the Court's Miscellaneous Fee Schedule and is to be assessed before a pro rata distribution earnings to court cases.**
- 10. The registry fee is assessed by the custodian from each case's pro rata distribution of the earnings and is to be determined on the basis of the rates published by the Director of the Administrative Office of the United States Courts as approved by the Judicial Conference of the United States.**