

UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ALABAMA

REVISED PLAN FOR THE ADMINISTRATION OF NON-APPROPRIATED FUNDS

This Court, by Order dated January 16, 1990, created the Special Attorney Admission and Appearance Fund. This Revised Plan for the administration and operation of non-appropriated funds Supercedes that Order and follows the current guidelines for such funds found in the Guide to Judicial Policies, Vol. 13, Ch. 12.

I. Funding

Funding for the Special Fund comes from that portion of the attorney admission fee charged in this Court that is greater than the basic fee set by the Judicial Conference of the United States. The Special Fund constitutes non-appropriated funds, must be segregated from all other moneys of the Court, and cannot be used for any purpose for which appropriated funds may be used, nor to augment appropriated funds. The Fund shall be used only for purposes that benefit members of the Bench and the Bar in the administration of justice.

II. Custodian

The Clerk of the Court shall serve as Custodian of the Special Fund. The Custodian will be responsible for the following:

1. Receiving, safeguarding, depositing, distributing, and accounting for all funds.
2. Establishing and maintaining an accounting system for these non-appropriated funds similar to that required by the Administrative Office of the Courts.
3. Rendering an annual accounting of all disbursements to the Court, within two months

after the end of the fiscal year, and certifying that the reports accurately reflect the financial condition and disbursements of the Fund.

4. Providing for periodic audits of the Fund by an impartial auditor chosen by the Chief Judge, and paying for such audit from the Fund.

III. Bench & Bar Advisory Committee

The Court creates a Bench & Bar Advisory Committee to advise the Court and the Custodian on matters of policy in administration of the Fund and in disbursements of the funds. The Committee will be appointed by the Chief Judge, in consultation with the Court, and will be comprised of two district court judges, one magistrate judge, one bankruptcy judge, and seven attorney members of the Northern District Bar. The attorney members will be selected from the jury divisions of the district in an approximate ratio of the membership from each jury division, with at least one attorney from each jury division. The judge members will serve at the pleasure of the Chief Judge. The attorney members will serve three-year terms, with staggered terms; three attorneys of the first class will serve a three-year term; two will serve two-year terms; and two will serve one-year terms. Attorney members may serve no more than two full consecutive terms.

Members of the Committee will serve without compensation, but may seek reimbursement for travel expenses at the current government rate.

The Committee may receive from the Court or constituents requests for use of non-appropriated funds. The Committee may make recommendations to the Court as to appropriate uses of the Fund, but the Committee's recommendation does not bind the Court.

IV. Use of Special Funds

Special Funds shall be used for the benefit of the Bench and Bar in the administration of justice and shall not be used to supplement appropriated funds, or to supplement the salary of any court officer or employee, or to pay for materials and supplies available from statutory appropriations.

(a) The Chief United States District Judge may authorize expenditure from the Special Fund not to exceed \$4,000.00 per authorization for any purpose for which appropriated funds may not legally be used that will benefit the Bench and Bar in the administration of justice; provided, however, that non-routine expenditures authorized by the Chief Judge shall be provided as an information item on the agenda of the next regular meeting of the judges of the Northern District of Alabama. The Court allows the Chief Judge to routinely authorize the following expenditures without report to the Court, but they shall be included in the annual report from the Custodian: (1) snacks for CJA panel training sessions; (2) bi-annual coffees with members of the Bar; (3) monthly internet access for attorneys; (4) bi-annual State Bar receptions for new attorneys; (5) Congressional appreciation luncheons with members of the Bar; and (6) maintenance/repairs to equipment, such as icemakers, used by jurors and counsel.

(b) In addition to the authorizations granted the Chief Judge, the Court, without financial limitation, may approve other expenditures from the Special Fund that are in keeping with the intent of the use of non-appropriated funds. The Court may refer any request for funds to the Bench & Bar Committee for advice, but need not do so.

(c) Non-appropriated funds must be used only for purposes that benefit the members of the Bench and the Bar in the administration of justice. Examples of proper uses of attorney

admission funds include, but are not limited to, the following:

1. Attorney admission proceedings, including expenses of admission committees and admission ceremonies.
2. Attorney discipline proceedings, including but not limited to, expenses of investigating counsel for disciplinary enforcement, stenographers, meeting room rentals, postage, travel expenses and fees of witnesses.
3. Furnishings, equipment, and amenities for lawyer lounges that may not be purchased or funded from appropriations.
4. Surety bond for the custodian of the Fund, if one is required. (The bond may only cover monies in the fund.)
5. Fees for services rendered by outside auditors or accountants in auditing the fund.
6. Reimbursement of pro bono counsel for out-of-pocket expenses, and payment of witness fees and other expenses for indigent pro se civil litigants.
7. Reimbursement by district court to jurors for lost or damaged personal property incident to their jury service, when compensation is not available under a statute such as the Federal Tort Claims Act.
8. Hospitality items (e.g., food, beverages, mementoes) for which appropriated funds may not be used, including meals and beverages for judges and employees attending a bench/bar meeting or similar event at their official duty station in a non-official capacity.
9. Cash donations to law-related educational or charitable organizations, such as a historical society, law school, or bar association, for purposes that advance the administration of

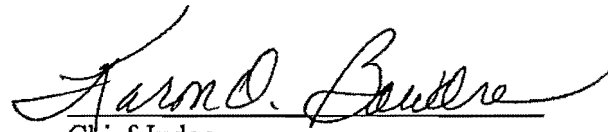
justice in the courts. In considering such donations, care should be exercised to avoid the appearance of impropriety, undue favoritism, conflicts of interest and other concerns under the Codes of Conduct for United States Judges and Judicial Employees.

10. Expenses of circuit judicial conferences, to the extent permitted by the policy of the Judicial Conference of the United States.

11. Any other purpose for which appropriated funds may not legally be used that will benefit the Bench and Bar in the administration of justice.

12. For internal control requirements applicable to the attorney admission fund.

So ORDERED by the Court, 12th day of December, 2014.


Chief Judge