IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER
ESTABLISHING BENCH AND BAR FUND

Misc. Case No. 4:95mc40112

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This Court has considered the recommendations of the Civil Justice Advisory Group, the attorneys belonging to the Bar of this Court, and to the Court Staff, and it appearing to the Court that there is a need to incur certain expenses for the use of the federal bench and bar in the administration of justice for the benefit of the public, it is, therefore,

ORDERED that a fund be established and called "The Federal Bench and Bar Fund." The Fund will be derived from attorney admission fees collected in excess of the basic fees set by the Judicial Conference. The amount may be set from time to time by the Court, and is initially set at $20.00 as a one-time fee for all existing members and for all future admittees or applicants (including pro hac vice admittees) on and after the effective date of this order. The Fund may also receive gifts, bequests, devises, and other additions from individuals and organizations. The Fund shall not be used to supplement appropriated funds, to pay for materials or supplies available from statutory appropriations, or to supplement the salary of any court officer or employee. **Attorney Wright Moulton**, Pensacola, Florida, is appointed to the office of Custodian of the Fund to serve without compensation. **Attorney Barbara S. Sanders**, Port St. Joe, Florida; **Attorney Pamela J. Bernard**, Gainesville, Florida; **Attorney Alphonse G. Condon, Jr.**, Pensacola, Florida, and **Judge Roger Vinson**, ex officio, are appointed as an Advisory Committee, to serve without compensation and

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ENTERED ON DOCKET 8-1-96 BY [illegible]
[Rules 58 & 79(a) FRCP or 32(b)(1) & 55 FRCRP]
Copies mailed to: All judicial officers and FLN court officers, Custodian and Advisory Comm

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to advise the Court and the Custodian on matters of policy in the administration of the Fund. Successors to the office of Custodian and successor members of the Advisory Committee will be appointed by subsequent order of the Court. Checks must be signed by the Custodian and one other member of the Advisory Committee and in accordance with the Judicial Conference Guidelines.

It is further ORDERED that the Fund shall be organized as a tax exempt organization under Section 501(c) of the Internal Revenue Code of 1986, as amended; that the Fund shall be operated exclusively in the administration of justice for the benefit of the public; that no part of the net earnings of the Fund shall inure to the benefit of any private entity or individual; and that the Fund is prohibited from carrying on propaganda, from attempting to influence legislation, and from participating or intervening in any political campaign in any manner whatsoever.

It is further ORDERED that the Fund expenditures are to be used exclusively in the administration of justice for the benefit of the public, as recommended by the Advisory Committee from time to time and approved by the Court, and in accordance with the Judicial Conference Guidelines, Vol. 1A of the Guideline to Judiciary Policies and Procedure, Ch.VII, Part O, Section 4, including without limitation the following uses:

(a) Attorney admission proceedings (including expenses of admissions, examining/review committees, and admissions ceremonies);

(b) Attorney discipline proceedings (including expenses of investigating counsel for disciplinary enforcement, travel expenses and witness fees in disciplinary proceedings);

(c) Periodicals, publications, and materials for court libraries for which appropriated funds are not available;

(d) Anatomical charts, display boards, and stands for courtroom use;

(e) Computerization of library catalog;

(f) Lawyer lounge facilities, furnishings, and equipment;

(g) Surety bond for the Custodian of the Fund (Bond may only cover total amount in the Fund or anticipated to be in the Fund in the period);

(h) Fees for services rendered by outside auditors in auditing the Fund;

(i) Judicial investitures, retirements, and portrait presentations, naturalization proceedings, and Law Day programs;

(j) Judicial portraits (which cannot be purchased with appropriated funds) for common areas of courthouse and courtrooms, and historic items or photographs.

(k) Court-approved payment or reimbursement of expenses for meals and lodging necessarily and reasonably incurred by indigent, non-resident, and non-custodial defendants for purpose of trial or hearing in criminal cases;

(l) Court-approved payment or reimbursement of expenses (e.g., for travel, depositions, copies, records) necessarily and reasonably incurred by court appointed attorneys representing indigents in civil cases; and

(m) Sponsor or provide attorney educational seminars and workshops (civil and criminal) for attorneys within the district and for attorneys who belong to the bar of this Court.

It is further ORDERED that the Custodian shall:

1) Receive, safeguard, deposit, disburse, and account for all funds. The countersignature of a member of the Advisory Committee is required for the expenditure of funds;

(2) Secure a bond, to be paid from assets of the Fund, if required by the Court;

(3) Establish an accounting system as required by the outside auditors auditing the Fund and in accordance with the Judicial Conference Guidelines;

(4) Insure that financial statements and operating reports are prepared in a timely fashion and sign these statements, thereby certifying that the statements and reports accurately present the financial condition of the Fund; and

(5) Perform such other functions as the Court may direct.

It is further ORDERED that all receipts shall be deposited in federally insured banks or savings institutions, and, whenever practical and feasible, all substantial sums shall be placed in interest-bearing accounts, government securities, or money market funds invested in government obligations. Funds held by the Custodian must be segregated from all other funds in the custody of the Court, including other non-appropriated funds.

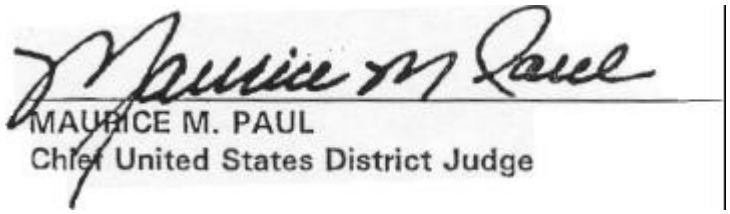
It is further ORDERED that the Fund shall be subject to the following audit procedures:

> Funds are subject to audit by the Administrative Office of the United States Courts. The Court may appoint an outside auditor or disinterested person (who may be a government employee) to conduct such additional audits as the Court determines may be necessary or appropriate. The written results of such audits shall be provided to the Court and may be made available upon request to members of the bar of the Court. Reasonable compensation may be provided from Fund assets if the auditor is not a government employee acting in an official capacity.

It is further ORDERED that the Court may dissolve the Fund at any time upon direction to the Custodian to pay all outstanding obligations of the Fund, including any expenses resulting from the final audit, and to utilize or dispose of the assets of the Fund in ways which will fulfill the purposes of the Fund.

This order will become effective July 31, 1996.

DONE AND ORDERED this 30TH day of July, 1996.



MAURICE M. PAUL
Chief United States District Judge