

UNITED STATES DISTRICT COURT
DISTRICT OF MARYLAND



PLAN FOR THE ADMINISTRATION OF
ATTORNEY ADMISSIONS FUND

FEBRUARY 2023

A. Creation of the Fund; Purpose of the Plan

Attorneys seeking to be members of the bar of this Court are required to pay to the Clerk admissions, pro hac vice, and renewal fees which are in addition to the fees established by the Judicial Conference pursuant to 28 U.S.C. § 1914. These fees are deposited into the Court's Attorney Admissions Fund ("the Fund"), established by the bench in 1985, and constitute a source of non-appropriated funds to be used only for purposes which inure to the benefit of the bench and the bar in the administration of justice. *See* Guide to Judiciary Policy, Vol. 4, Sec. 670, *et seq.* This Plan is adopted to set policies and procedures for the administration of the Fund.

B. Advisory Committee

There shall be an Advisory Committee to advise the Court on matters of policy relating to the administration of the Fund. The Committee shall include at least one district judge, magistrate judge, and bankruptcy judge; the chair of the Court's Disciplinary and Admissions Committee; the Clerk of Court; and two attorneys. Judicial members shall be appointed by the Chief Judge or his/her designee on an annual basis, subject to approval by the bench. Attorney members shall be appointed by the Chief Judge or his/her designee to four-year terms, subject to approval by the bench.

C. Custodian of the Fund

The Clerk of the Court is designated as the Custodian. In the event of the death, retirement, or resignation of the Clerk, the Chief Deputy Clerk, or such other person as the Chief Judge or his/her designee appoints, shall become the Custodian until such time as the next Clerk assumes office.

D. Duties and Responsibilities of the Custodian

The responsibilities of the Custodian are as follows:

1. To receive, safeguard, deposit, disburse, and account for all funds in accordance with the law, this Plan, and the policies established by the Court;
2. To establish an accounting system for the Fund;
3. To ensure that financial statements and operating reports are prepared in a timely fashion and to sign such statements and reports, thereby certifying that they accurately present the financial condition of the Fund;
4. To sign paper checks drawn on the Fund;
5. To authorize electronic payments by credit card or bill pay;
6. To invest funds in accordance with the provisions of this Plan; and
7. To perform such other functions as may be required by the Court.

E. Audits and Inspections

The Fund is subject to audit by the Administrative Office of the United States Courts. Quarterly financial statements and an annual summary report shall be prepared by the chief financial officer in the District Court Clerk's Office, or by some other person designated by the Committee. The statements and the annual report shall be provided to the members of the Committee and to all judges. Further, the Committee, or the Chief Judge or his/her designee independently, may appoint an auditor or disinterested inspector (who may be a government employee) to conduct such additional audits as may be necessary. Reasonable compensation may be paid from Fund assets if the auditor or inspector is not a government employee acting in an official capacity. In the event that the Court orders the Fund dissolved, a final audit or inspection will be performed and a written accounting rendered to the Court.

F. Protection of the Fund's Assets

All receipts shall be deposited in federally insured and/or backed accounts sanctioned by the Administrative Office of the United States Courts. All such depositories shall be interest bearing. Efforts should be made to maximize the return on investments consistent with the requirements of convenience and safety. Such investments shall be made at the direction of the Custodian of the Fund, subject to these guidelines.

Funds held by the Custodian must be segregated from all other monies in the custody of the Court, including other non-appropriated funds.

G. Uses of the Admissions Fund

Funds are to be used for the benefit of the bench and the bar in the administration of justice. They are by definition non-appropriated funds and are not the property of the United States. Therefore, these funds shall not be used to pay for, in whole or part, material, supplies, services, or salaries available from statutory appropriations.

The Fund may also be used for the following purposes:

1. Attorney admissions proceedings (including expenses of admissions committees and admissions ceremonies).
2. Attorney disciplinary proceedings (including expenses of investigating counsel for disciplinary enforcement, travel expenses, and witness fees in disciplinary proceedings).
3. Creation, renovation, and maintenance of attorney conference rooms within a courthouse, including but not limited to furnishings and periodic payments for local telephone and fax service, photocopying, computer equipment and services, legal research facilities, and related supplies and materials for use by attorneys in

connection with trial or other court proceedings.

4. Equipment and facilities to assist attorneys in the courthouse, including but not limited to courtroom automation technology, electronic evidence presenters, televisions, monitors, video equipment, anatomical charts, easels, and other evidence display facilities.
5. Reimbursement of out-of-pocket expenses reasonably incurred by court-appointed attorneys representing indigents in civil cases, subject to the Court's Regulations Governing the Reimbursement of Expenses in Pro Bono Cases (Appendix C to the Local Rules).
6. Expenses of court-related training and continuing legal educational programs for members of the bar, their support staff, the CJA Panel, law clerks, law students, or members of the public, including but not limited to the preparation and duplication of materials and the provision of refreshments in connection with such programs.
7. Expenses for other court and law-related programs and ceremonies for the benefit of the bench and bar, including but not limited to Law Day; bench-bar conferences; international judicial programs; POWER Act events; and investiture, historical, and portrait ceremonies, including the preparation and duplication of materials and the provision of refreshments in connection with such programs and ceremonies.
8. Purchase or loan of artwork, portraits and photographs of judges and members of the bar, other decorative items, historical materials, and display facilities for common areas of the courthouse.

9. Expenditures for the comfort and convenience of jurors for items that cannot be purchased with appropriated funds.
10. Reimbursement 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.
11. Non-cash awards and commendations for members of the Bar.
12. Out-of-pocket expenses necessarily incurred by members of the bar as members of a court committee in connection with committee business.
13. Periodicals and publications for the court library for which appropriated funds are not available.
14. Surety bond for Custodian of the Fund.
15. Donations to organizations that provide legal representation, advice, or assistance to unrepresented litigants in federal civil matters, including representation for settlement conferences or other alternative dispute resolution activities, provided that such organizations use the donation for no other purpose.
16. Cash donations to law-related educational or charitable organizations, such as a law school or bar association, for purposes that advance the administration of justice in the courts.
17. Hospitality items, such as food, beverages, and mementos, 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.

18. Compensation for services rendered by an auditor or disinterested inspector in connection with the Fund.
19. Professional consultation and services with regard to any of the purposes stated above.
20. Contributions to the Historical Society of the United States District Court for the District of Maryland, Inc.
21. Other specific purposes approved by the bench on the advice of the Committee.

H. Disbursements from the Fund

Requests for payments from the Fund should be submitted in writing to the Custodian. If the purpose is authorized under the Plan, the Custodian may approve payments up to \$2,000.00 (or such different amount as the Committee may from time to time determine). Any payment over that amount, or which the Custodian declines to authorize, shall be submitted to the Committee for decision. The Committee in its discretion may approve, deny, or submit an expenditure to the bench for approval. Expenditures over \$15,000.00 must be submitted to the bench for approval. The decision of a majority of the district judges present at a duly constituted bench meeting shall be final.

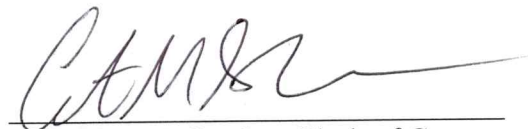
I. Dissolution of the Fund

Should the Court decide to dissolve the Fund, the Custodian shall liquidate all outstanding obligations prior to the dissolution, including making provision for the payment of any fees and expenses resulting from the required final audit or inspection. The Court will direct the disposition of the assets of the Fund in ways which fulfill the purpose of the Fund.

This Plan was adopted by the United States District Court for the District of Maryland on February 8, 2023, and supersedes all prior versions.


James K. Bredar, Chief Judge

2/17/23


Catherine M. Stavlas, Clerk of Court