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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

1 UNITED STATES BANKRUPTCY COURT
2 EASTERN DISTRICT OF CALIFORNIA

3 In re:

4 ORDER REGARDING DEPOSIT
5 AND INVESTMENT OF REGISTRY
6 FUNDS

GENERAL ORDER 13-01

7
8 **ORDER REGARDING DEPOSIT AND INVESTMENT OF REGISTRY FUNDS**

9 The Court, having determined that it is necessary to adopt local procedures to
10 ensure uniformity in the deposit and investment of funds in the Court's Registry,

11 **IT IS ORDERED** that the following shall govern the receipt, deposit and investment
12 of registry funds:

13 **I. Receipt of Funds**

- 14 A. No money shall be sent to the Court or its officers for deposit in the Court's
15 registry without a court order signed by the presiding judge in the case or
16 proceeding.
- 17 B. The party making the deposit or transferring funds to the Court's registry
18 shall serve the order permitting the deposit or transfer on the Clerk of Court.
- 19 C. Unless provided for elsewhere in this Order, all monies ordered to be paid
20 to the Court or received by its officers in any case pending or adjudicated
21 shall be deposited with the Treasurer of the United States in the name and
22 to the credit of this Court pursuant to 28 U.S.C. § 2041 through depositories
23 designated by the Treasury to accept such deposit on its behalf.

24 **II. Investment of Registry Funds**

- 25 A. Where, by order of the Court, funds on deposit with the Court are to be
26 placed in some form of interest-bearing account, the Court Registry
27 Investment System ("CRIS"), administered by the Administrative Office of the
28

1 United States Courts under 28 U.S.C. § 2045, shall be the only investment
2 mechanism authorized.

3 B. The Director of Administrative Office of the United States Courts is
4 designated as custodian for CRIS. The Director or the Director's designee
5 shall perform the duties of custodian. Funds held in the CRIS remain subject
6 to the control and jurisdiction of the Court.

7 C. Money from each case deposited in the CRIS shall be "pooled" together with
8 those on deposit with Treasury to the credit of other courts in the CRIS and
9 used to purchase Government Account Series securities through the Bureau
10 of Public Debt, which will be held at Treasury, in an account in the name and
11 to the credit of the Director of Administrative Office of the United States
12 Courts. The pooled funds will be invested in accordance with the principals
13 of the CRIS Investment Policy as approved by the Registry Monitoring
14 Group.

15 D. An account for each case will be established in the CRIS titled in the name
16 of the case giving rise to the investment in the fund. Income generated from
17 fund investments will be distributed to each case based on the ratio each
18 account's principal and earnings has to the aggregate principal and income
19 total in the fund. Reports showing the interest earned and the principal
20 amounts contributed in each case will be prepared and distributed to each
21 court participating in the CRIS and made available to litigants and/or their
22 counsel.

23 **III. Deductions of Fees**

24 A. The custodian is authorized and directed by this Order to deduct the
25 investment services fee for the management of investments in the CRIS and
26 the registry fee for maintaining accounts deposited with the Court.
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1 B. The investment services fee is assessed from interest earnings to the pool
2 according to the Court's Miscellaneous Fee Schedule and is to be assessed
3 before a pro rata distribution of earnings to court cases.

4 C. The registry fee is assessed by the custodian from each case's pro rata
5 distribution of the earnings and is to be determined on the basis of the rates
6 published by the Director of the Administrative Office of the United States
7 Courts as approved by the Judicial Conference of the United States.

8 **IV. Transition From Former Investment Procedure**

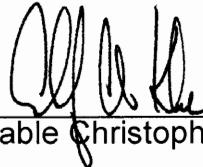
9 A. The Clerk of Court is further directed to develop a systematic method of
10 redemption of all existing investments and their transfer to the CRIS.

11 B. Parties not wishing to transfer certain existing registry deposits into the CRIS
12 may seek leave to transfer them to the litigants or their designees on proper
13 motion and approval of the judge assigned to the specific case.

14 **IT IS FURTHER ORDERED** that this order supersedes and abrogates all prior
15 orders of this Court regarding the deposit and investment of registry funds.

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17 DATED: JAN 10 2013

FOR THE COURT:



Honorable Christopher M. Klein, Chief Judge