

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA**

**PLAN FOR THE ADMINISTRATION
OF THE SPECIAL ATTORNEY ADMISSIONS FUND**

The following plan has been adopted by the United States District Court for the Southern District of Alabama for the administration and operation of non-appropriated funds of which it is the custodian. The guidelines governing this fund are in accordance with the Guidelines of the Judicial Conference of the United States for Attorney Admissions Funds Maintained by the Courts of the United States and Volume 4, Chapter 6 of *The Guide to Judicial Policy*.

1. Custodian

The custodian of non-appropriated funds shall be the Clerk of Court, who shall perform his duties under the supervision of the Chief Judge. He shall ensure that all funds are properly received, safeguarded, deposited, maintained separately from appropriated funds, disbursed and accounted for. He shall establish an accounting system for all funds and shall maintain the funds in bank accounts and/or investments approved by the Chief Judge.

2. Receipt and Deposit of Non-Appropriated Funds

The special attorney admission fees shall be received by the Clerk of Court and shall be deposited into the District Court's Deposit Fund until which time they will be transferred to the Special Attorney Admission Fund Checking Account held at a local depository. The funds are transferred monthly via EFT initiated by the Court.

3. Disbursement of Funds

Disbursements from the special attorney admission fund shall be made only by Order of the Court in such amount as approved by the Chief Judge, or designee and only for purposes that benefit the members of the bench and the bar in the administration of justice. After consulting with the other Judges of the Court, the Chief Judge may set an approximate maximum annual amount to be expended from the Fund. All checks for disbursements of these funds shall be signed by the Chief Judge and countersigned by the Clerk as custodian. In the absence of the Clerk or the Chief Judge, disbursements shall be made on joint signatures of signatories as designated by the Chief Judge.

4. Accounting of Funds

It shall be the responsibility of the custodian to establish acceptable procedures for the proper accounting of these non-appropriated funds similar to those required by the Administrative Office for the management and accounting of appropriated funds and to supervise the activity of said accounting procedures to ensure that the non-appropriated funds are being properly handled and that the accounting records are being properly maintained. The custodian shall render an accounting to the Court at least annually, within two months after the end of the calendar year, signed by him and certifying that it accurately reflects the financial condition of the non-appropriated funds. Copies of the

accounting statement shall be furnished to all Judges of the Court. The Special Attorney Admissions Fund shall be subject to periodic audits as required by the Administrative Office of the United States Courts. The Chief Judge, on his own authority and in order to ensure the integrity of the Fund, may also require periodic audits to be conducted by impartial public accounting firms or other impartial individuals.

5. Use of Special Attorney Admission Fee Funds

The court policy, as recommended by the Judicial Conference of the United States, is that attorney admission fees shall be used for the benefit of bench and bar in the administration of justice and shall not be used to supplement appropriated funds, to supplement the salary of any court officer or employee, or to pay for materials or supplies currently available from statutory appropriations.

Examples of proposed expenditures that may be made from attorney admissions fee funds when appropriated funds are not currently available include, but are not limited to, the following:

- A. Attorney admission proceedings (including expenses of admission committees and admission ceremonies).
- B. 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).
- C. Furnishings, equipment, and amenities for lawyer lounges that may not be purchased or funded from appropriations. Examples: furniture; photocopiers and fax machines; beverage supplies or service; microwave, refrigerator and other appliances; television, telephone and Internet service.
- D. Surety bond for the custodian of the fund. (The bond may only cover monies in the fund.)
- E. Fees for services rendered by outside auditors or accountants in auditing the fund.
- F. Reimbursement of pro bono counsel for out-of-pocket expenses, payment of compensation to pro bono counsel, and payment of witness fees and other expenses on behalf of indigent pro se civil litigants. In the event of an award of attorney's fees or costs to pro bono counsel during such litigation, the Court may order return to the fund of any payments made from the fund to counsel for fees and expenses in an amount equal to the award.
- G. Reimbursement by district courts 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.
- H. Hospitality items (e.g., food, beverages, mementos) for which appropriated funds may not be used.

- I. 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.
- J. Expenses of circuit judicial conferences, to the extent permitted by the policy of the Judicial Conference of the United States. Expenditures may be paid from either a district court or court of appeals attorney admission fund.
- K. Periodicals, law books and other resource materials for the Court's library for which appropriated funds are not otherwise available.
- L. Any other purpose for which appropriated funds may not legally be used that will benefit the bench and the bar in the administration of justice.

Approved:

A handwritten signature in blue ink, appearing to read "Jeffrey U. Beaverstock", written over a horizontal line.

4 MARCH 2024

Jeffrey U. Beaverstock, Chief Judge

Date