

General Order No. 90-12

JUN 07 1990

MURRAY L. HARRIS, CLERK

IN THE UNITED STATES DISTRICT COURT

BY DEPUTY

FOR THE EASTERN DISTRICT OF TEXAS

ORDER ADOPTING COURT REGISTRY INVESTMENT SYSTEM, DEVELOPED
BY SOUTHERN DISTRICT OF TEXAS, DIRECTING CLERK TO
DEPOSIT ALL INTEREST BEARING REGISTRY FUNDS THEREIN

- 1.0 **Receipt of funds**
- 1.1 No money shall be sent to the court or its officers for deposit into the court's registry without a court order by the presiding Judge in the case or proceeding.
- 1.2 Unless provided for elsewhere in this order, all money ordered to be paid into the court or received by its officers in any case pending or adjudicated shall be deposited with the Treasurer of the United States in the name and to the credit of this court pursuant to 28 U.S.C. 2041 through depositories designated by the Treasury to accept such deposit on its behalf.
- 1.3 The party making the deposit or transferring funds to the court's registry shall serve the order permitting the deposit or transfer on the clerk of court.
- 2.0 **Investment of Registry funds**
- 2.1 Where, by order of the court, funds on deposit with the court are to be placed in some form of interest-bearing account, the Court Registry Investment System administered through the United States District Court for the Southern District of Texas, shall be the only investment mechanism authorized.
- 2.2 Under C.R.I.S., monies deposited in each case under 1.2 will be "pooled" together with those on deposit with the Treasury to the credit of other courts in the Court Registry Investment System and used to purchase Treasury securities which will be held at the Federal Reserve Bank, Houston Branch, in a Safekeeping account in the name and to the credit of the Clerk, United States Court for the Southern District of Texas, hereby designated custodian for the Court Registry Investment System.
- 2.3 An account for each case will be established in the C.R.I.S. titled in the name of the case giving rise to the investment in the system. Income received from fund investments will be distributed to each case based on the

ratio each accounts principal and income has to the aggregate principal and income total in the fund each week. Weekly reports showing the income earned and the principal amounts contributed in each case will be prepared and distributed to each court participating in C.R.I.S. and made available to litigants and/or their counsels.

3.0 Registry investment fee

3.1 The custodian is authorized and directed by this order to deduct, for maintaining accounts in the Fund, a fee equal to 100% of the income earned in the first 45 days such funds remain in the system except where noted below. The fee may be deducted on prorated basis over the course of the first 52 weeks the funds are deposited in C.R.I.S., provided the total amount deducted does not exceed that which would be charged if deducted in the first 45 days.

3.2 No additional fee shall be assessed with respect to investments for which a fee has already been deducted prior to the establishment of C.R.I.S. in this district.


4.0 Transition from former investment procedure

4.1 The clerk of the court is further directed to develop a systematic method of redemption of all existing investments and their transfer to the Court Registry Investment System.

4.2 Parties not wishing to transfer existing investment instruments into C.R.I.S. may transfer them to the litigants or their designees on proper motion and approval of the court.

4.3 This order shall take precedence over "Order Adopting Guidelines For The Deposit Of Registry Funds Pursuant To Amended Rule 67", filed October 22, 1985, recorded in General Orders Vol. R, pg. 107, and shall amend such Order in that numbered paragraph 1, items b, c and d shall be no longer necessary or included in the Order directing investment of funds.

Signed this 07th day of June, 1990.


Robert M. Parker
Chief Judge