

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

**PLAN FOR THE ADMINISTRATION OF LOCALLY HELD ATTORNEY ADMISSION
FUNDS**

This plan governs the management and expenditure of attorney admission funds maintained locally by the court (“the funds”). The funds are non-appropriated funds held in trust by the court. This plan is established pursuant to the Guide to Judiciary Policy, Volume 4, Chapter 6, and supersedes the previous plan approved on April 2, 2014.

I. CUSTODIAN

The custodian of the funds shall be the clerk of the court, under the supervision of the chief judge. The custodian shall receive, safeguard, deposit, disburse, and account for the funds in accordance with this plan and pertinent laws. The funds shall be kept separate and distinct from any other money received by the court.

Upon appointment by the court of a successor custodian, the outgoing custodian shall, in conjunction with an exit audit or inspection, prepare and sign a statement listing the assets, liabilities, and balance of the funds as of the date of the transfer. The successor custodian shall execute a receipt for the funds.

II. RECEIPT AND DEPOSIT OF THE FUNDS

The custodian shall receive the attorney admission funds and deposit the locally retained portion of such funds into District Court deposit fund 6855xx. The custodian shall then transfer the funds into account(s) maintained at a federally insured bank or savings institution, and may, if approved by the chief judge, invest the funds, in whole or in part, in U.S. government securities or money market funds invested in U.S. government obligations.

III. DISBURSEMENT OF THE FUNDS

The custodian shall disburse the funds only for expenditures authorized by this plan. The custodian is authorized to disburse sums of \$500 or less, per expenditure. Disbursements in excess of \$500 but not more than \$2500, per expenditure, must be approved by the chief judge. All other disbursements must be approved by the court.

IV. FISCAL ACCOUNTING OF FUNDS

The custodian shall establish and implement procedures, similar to those required by the Administrative Office for the management and accounting of appropriated funds, for the maintenance and accounting of the funds.

The custodian shall direct that financial statements and operating reports be prepared quarterly, and shall certify that the statements and reports accurately present the financial condition of the funds. The quarterly statements shall include the following information:

- beginning balance of assets;
- revenue during reporting period including collections and investments;
- disbursements during reporting period;
- ending balance of assets (bank balances and undeposited collections);
- obligations, accounts payable or known future expenditures; and
- available balance.

Judicial officers may obtain copies of these reports upon request.

The court may also require periodic audits by impartial public accounting firms or other impartial individuals, and may authorize payment of reasonable compensation for such services from the funds if the auditor is not a government employee acting in an official capacity. The written results of each such audit shall be provided to the court.

V. USE OF FUNDS

The funds shall be used solely for the benefit of the bench and bar in the administration of justice, and shall not be used to supplement appropriated funds or to supplement the salary of any court officer or employee. Expenditures that may be made from the funds include, but are not limited to, the following:

- 1) Expenses related to attorney admission proceedings, including expenses of admission committees and admission ceremonies;
- 2) Expenses related to attorney discipline enforcement and proceedings, including, but not limited to, expenses of investigating counsel for disciplinary enforcement, stenographers, meeting room rentals, postage, travel expenses and fees of witnesses;
- 3) Purchase of periodicals, law books, treatises, newspapers, and other publications for the court's library;
- 4) Equipment and materials to assist attorneys in the courtroom;
- 5) Furnishing and maintenance of lawyers' lounge facilities where space permits;
- 6) Fees for services rendered by outside auditors in auditing the fund;
- 7) Procurement of appropriate fidelity or surety bonds, if required by the court;
- 8) Court projects and programs the purposes of which are to enhance the quality of advocacy in the court;

- 9) Expenses incurred in recording and preserving matters of historical significance in the district;
- 10) Expenses in connection with court ceremonial and commendation services;
- 11) Hospitality items (e.g., food, beverages, 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;
- 12) Attorney expenses for meetings of committees appointed by the court;
- 13) Reimbursement of pro bono counsel for out-of-pocket expenses and payment of witness fees and other expenses for indigent pro se civil litigants. In the event of an award of attorney's fees or costs to pro bono counsel in the course of 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;
- 14) 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;
- 15) 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; provided that 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 (Guide, Vol 2A); and
- 16) 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.
- 17) Other expenses as approved by the court in accordance with the Guide to Judiciary Policy.

VI. AMENDMENT OR TERMINATION OF THE PLAN

The plan will be reviewed by the court every five years calculated from the date of its adoption. The court may amend or terminate this plan or any portion thereof whenever appropriate. If the plan is terminated, a final audit or inspection shall be performed prior to the termination of the plan and a written accounting provided to the court. All outstanding obligations shall be paid, including any expense resulting from the required final audit or inspection. Assets shall be disposed of in ways which fulfill the purposes of the plan as previously set forth.

APPROVED BY THE COURT in Denver, Colorado on the 5th day of February, 2020.