

**UNITED STATES BANKRUPTCY AND DISTRICT COURTS
FOR THE DISTRICT OF NORTH DAKOTA**

NON-APPROPRIATED DISTRICT COURT FUND PLAN

Effective March 11, 2024

The District of North Dakota maintains a Non-Appropriated District Court Fund (“the Fund”) for the use and benefit of the bar and bench in the administration of justice. Each attorney admitted to the bar of this Court must pay a one-time fee of fifty dollars (\$50.00) at the time of admission for the Fund’s maintenance. An attorney appearing *pro hac vice* before this Court or the United States Bankruptcy Court for the District of North Dakota must pay a fee of one hundred and fifty dollars (\$150.00) per case at the time of first appearance for the Fund’s maintenance. These assessments are in addition to any admission fees imposed by the Judicial Conference of the United States. The following plan for administering and operating the Fund is adopted by the Court in conformance with the *Guide to Judiciary Policy*, Vol. 4, Ch. 6, § 670 and D.N.D. Gen. L.R. 1.12.

I. Advisory Committee

The Advisory Committee consists of the Chief District Judge, Chief Bankruptcy Judge, Chairperson of the Federal Practice Committee and the Clerk of Court. The Advisory Committee is the trustee of the Fund tasked with administration and operation of the Fund in compliance with the requirements of the *Guide to Judiciary Policy* and D.N.D. Gen. L.R. 1.12.

II. Custodian

The Clerk of Court serves as the Custodian of the Fund. The Custodian supervises the receipt, deposit, and disbursement for all fees maintained in the Fund. The Custodian is charged with effecting all audits and accountings and for carrying out all responsibilities tasked by the *Guide* or the Advisory Committee.

III. Funds

Local admission fees collected under the authority of this Plan must be deposited in the Court's Deposit Fund and posted in the Treasury Control Account ledger maintained by the Court. At least once each fiscal quarter, the Custodian will cause fees to be transferred from the Court's Deposit Fund to the Non-Appropriated District Court Fund. Whenever practical and feasible, the Fund should be invested in interest-bearing accounts, money market funds, or government obligations. The Fund must be segregated from all other monies in the Court’s custody.

IV. Disbursement of Funds

The Fund may be used only for purposes to benefit the bar and bench in the administration of justice. The Fund may not be used for any purposes for which appropriated funds may be legally used, even if the appropriated funds are exhausted or otherwise not available, or to supplement the salary of any court officer or employee. The Advisory Committee must approve all requests for payment of expenditures from the Fund. The Custodian will issue payment upon direction of the Advisory Committee and upon presentation of proper receipts

for which advance approval was obtained from the Advisory Committee. Examples of proper uses of the Fund may include:

1. Attorney admission proceedings;
2. Attorney discipline proceedings;
3. Lawyer lounge facilities, other than construction or build-out expenses;
4. Fees for services rendered by independent Fund auditors;
5. Judicial investitures and ceremonies for expenditures not permissible from appropriated funds;
6. Compensation and expenses for Court-appointed attorneys to represent indigent civil litigants;
7. Litigation expenses of civil litigants permitted to proceed in forma pauperis;
8. District Historical Society Projects;
9. Federal Practice Committee Projects;
10. Continuing Legal Education Seminars for the bar;
11. Refreshments for court sponsored training to the public;
12. 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; or
13. Public wireless internet access for attorneys and legal staff.

V. Audits

The Custodian must conduct, at a minimum, an annual audit and accounting of the Fund. In addition to the audits and accounting mandated by the *Guide*, an exit audit must be conducted when a successor Custodian is appointed. The departing Custodian must sign the exit audit’s final report. The successor Custodian must execute a receipt acknowledging transfer of the Fund.

Dated this 11th day of March, 2024.

FOR THE COURT:

/s/ Shon Hastings
 Shon Hastings, Chief Bankruptcy Judge
 U.S. Bankruptcy Court

/s/ Peter D. Welte
 Peter D. Welte, Chief District Judge
 U.S. District Court

Reviewed, Amended	7/22/2021	RA
Reviewed	8/23/2022	RA
Reviewed, Amended	3/11/2024	KMK

