



**PLAN FOR ADMINISTRATION OF THE ATTORNEY ADMISSION FUND
OF THE DISTRICT COURT FOR THE NORTHERN MARIANA ISLANDS**

Effective October 23, 2020

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A. Attorney Admission Fund

Attorneys seeking to be members of the bar of this court are required to pay admissions, pro hac vice, and renewal fees which are in addition to the fees established by the Judicial Conference pursuant to 28 U.S.C. § 1914. These fees are deposited into the court's Attorney Admission Fund (the Fund) and constitute a source of non-appropriated funds to be used only for purposes which inure to the benefit of the bench and the bar in the administration of justice.

B. Advisory Committee

An Advisory Committee may be established to advise the court on matters of policy relating to the administration of the Fund. The Committee may include the Chief Judge, the Clerk of Court/Magistrate Judge, and at least two members of the district court bar appointed by the Chief Judge.

C. Uses of the Admission Fund

1. Prohibited Expenditures:

- a. Attorney admission funds must not be used to pay for goods or services for which appropriations may legally be used, even if the appropriated funds are exhausted or otherwise not available (e.g. because an expenditure would exceed a judiciary spending limit). These funds may not be used to pay for, in whole or part, material, supplies, services, or salaries available from statutory appropriations.
- b. Attorney admission funds must not be used to supplement the salary of any judge or court employee, or to provide a personal benefit to any judge or court employee, or his or her family member. As a limited exception, a judge or court employee, or his or her family member, may receive *de minimis* personal benefit incidental to a proper expenditure from the attorney admission fund, (e.g., meals, refreshments or hospitality items).

2. Permissible Expenditures:

The Attorney Admission fund may be used for the following

- a. *Attorney admissions proceedings*, including expenses of admissions committees and admissions ceremonies.
- b. *Attorney disciplinary proceedings*, including expenses of investigating counsel for disciplinary enforcement, travel expenses, and witness fees in disciplinary proceedings.
- c. *Attorney amenities*, such as internet and telephone service, furnishings, equipment, appliances, and similar supplies and materials for use by attorneys while in the courthouse.
- d. *Legal services for indigent pro se civil litigants*, reimbursement of fees (attorney and witness), and expenses for representation of indigent pro se civil litigants when appointed by the court, including appointments for limited purposes, such as settlement conferences. 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.
- e. *Continuing Legal Education*, including expenses, such as travel costs for presenters who are not federal judges or court employees, for court-related and continuing legal educational programs and conferences for members of the bar, their support staff, the CJA Panel, law clerks, law students, or members of the public.
- f. *Court Ceremonies*, including expenses for ceremonies for investitures, memorial or historical events, portrait hangings and reentry program graduations.

- g. *Projects, Programs, Meetings and Conferences*, including expenses for awards, supplies and publications for legal education and community outreach programs, bench and bar meetings and settlement conferences.
- h. *Hospitality items* (e.g., food, beverages, mementos) for the ceremonies, programs, meetings, conferences and other events described in this section and for which appropriated funds may not be used, including refreshments and meals for judges and employees attending a bench/bar meeting or similar event at their official duty station in a non-official capacity.
- i. *Juror Expenditures*, including the purchase of items, which cannot be purchased with appropriated funds, for the comfort and convenience of jurors, including 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.
- j. *Cash Donations* to law-related educational or charitable organizations, such as the Pacific Judicial Council, historical societies, schools, or bar associations, for purposes that advance the administration of justice in the courts.
- k. *Attorney Awards*, including non-cash awards and commendations for members of the bar.
- l. *Portraits*, including paintings or photographs of individual judges or court employees for display in the courthouse.
- m. *Books, periodicals and other resource materials* for court libraries,

notwithstanding the rule against augmentation. This exception was recognized by the General Accounting Office (now Government Accountability Office (GAO)).

- n. *Lawyer Representative Reimbursement* for expenses incurred to participate in circuit meetings and conferences, such reimbursement may follow court employee travel guidelines.
- o. *Surety bond* for the custodian of the fund. The bond may only cover monies in the fund.
- p. *Auditing Fees* for services rendered by outside auditors or accountants in auditing the fund.
- q. *Other Authorized Purpose*, 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.

D. Custodian of the Fund

The Clerk of Court (“Clerk”) is designated as the Custodian. In the event of the death, retirement, or resignation of the Clerk, the Chief Deputy Clerk, or such other person as the Chief Judge appoints, will become the Custodian until such time as the next Clerk assumes office. Transfers of custodianship must include an updated report on recent activities and balance of the Fund.

E. Duties and Responsibilities of the Custodian

The responsibilities of the Custodian are as follows:

1. To receive, safeguard, deposit, disburse, and account for all funds in accordance with the law, this Plan, and the policies established by the court;
2. To establish an accounting system for the Fund;
3. To ensure that financial statements and operating reports are prepared in a timely fashion, at least annually, and to sign these statements and reports;

4. To sign checks drawn on the Fund;
5. To report on the activities and the balance of the Fund, at least annually, to the Chief Judge and Advisory Committee, if appointed.
6. To perform such other functions as the court may direct.

F. Protection of the Fund's Assets

Funds must be segregated from all other monies in the custody of the court and must be deposited in federally insured banks or savings institutions. When practical and feasible, all substantial sums should be placed in interest-bearing accounts, government securities, or money market funds invested in government obligations, at the direction of the Chief Judge or Advisory Committee.

G. Disbursements from the Fund

Requests for payments from the Fund should be submitted in writing to the Custodian. If the purpose is authorized under the Plan, the Custodian may approve payments up to \$2,000.00 (or such different amount as the Chief Judge may from time to time determine). Any payment over that amount, or which the Custodian declines to authorize, must be submitted to the Chief Judge.

H. Audits and Inspections

Funds are subject to audit by the Administrative Office of the U.S. Courts. The court may appoint an outside auditor or disinterested inspector (who may be a government employee) to conduct such additional audits as the court determines may be necessary or appropriate. The written results of each such audit or inspection will be provided to the Chief Judge and Advisory Committee, if appointed. Reasonable compensation may be provided from Fund assets if the auditor or inspector is not a government employee acting in an official capacity.

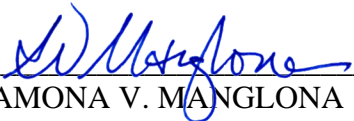
Reasonable compensation may be paid from Fund assets if the auditor or inspector is not a government employee acting in an official capacity. In the event that the court orders the Fund dissolved, a final audit or inspection will be performed, and a written accounting rendered to the court.

I. Dissolution of the Fund

Should the court decide to dissolve the Fund, the Custodian will liquidate all outstanding obligations prior to the dissolution, including making provision for the payment of any fees and expenses resulting from the required final audit or inspection. The court will direct the disposition of the assets of the Fund in ways which fulfill the purpose of the Fund.

J. Effective Date

This Plan is adopted this 23rd day of October 2020 and supersedes all prior versions.



RAMONA V. MANGLONA
Chief Judge