



Exhibit A

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

PLAN FOR THE ADMINISTRATION AND OPERATION  
OF THE COURT NON-APPROPRIATED PLAN

I. Introduction

In conformity with Volume I, Chapter VII, Part O of the Guide to Judiciary Policies and Procedures, the Court adopts this Plan to establish standards and procedures for the administration and operation of non-appropriated funds held and collected by the Court for the benefit of the bench and the bar.

II. Sources of Funds

a. Attorneys admitted to practice in the United States District Court for the Northern Mariana islands under the conditions prescribed in Local Rule 83.5.b are required to pay to the Clerk a fee of \$100.00, which will be deposited in the name of the United States District Court for the Northern Mariana Islands Attorney Admission Fee Fund, to be administered as provided herein.

b. Pro Hac Vice applications, as prescribed in Local Rule 83.5.b, must be accompanied by a fee of \$100.00 per case, which will be deposited in the account established for the United States District Court for the Northern Mariana Islands, Attorney Admission Fee Fund.

c. Users of the library photocopying machine shall be charged a fee of \$.15 per page, which will be deposited in the Treasury of the United States as required by 28 U.S.C. 751(e).

### III. Fund Custodian

The Clerk of Court is hereby appointed custodian of the Fund. He shall:

- a. Receive, safeguard, deposit, disburse and account for all funds, as prescribed in this Plan and in pertinent laws;
- b. Establish an accounting system approved by the Court;
- c. Ensure that a financial statement and operating reports are prepared in a timely fashion and sign these statements, thereby verifying that the statements and reports accurately represent the financial condition of the Fund. This shall be done at least annually;
- d. Invest funds in a federally insured interest bearing account, government securities or money market funds invested in government obligations;
- e. Perform such other functions as the Court may direct;

The Clerk of Court is authorized to delegate these responsibilities to a subordinate.

### IV. Purpose and Uses of the Fund

The Fund is to be used for the benefit of the bench and the bar in the administration of justice. Its uses include, but are not limited to:

- a. Attorney admission proceedings (including expenses of admissions, committees, and admission ceremonies);
- b. Attorney discipline proceedings (including expenses of investigation counsel for disciplinary enforcement, travel expenses and witness fees in disciplinary proceedings);
- c. Periodicals and publications for the chambers law library for which appropriated funds are not available;

- d. Computerization of library catalog;
- e. Courthouse facilities and equipment benefitting lawyers, witnesses, and jurors;
- f. Surety bond for the Custodian of Fund. (May only cover monies in the Fund);
- g. Fees for services rendered by outside auditors in auditing the Fund;
- h. Costs of special projects and acquisitions to further the administration of justice within the District.
- i. 10% of the balance then existing in the Attorney Admission Fee Fund account at the conclusion of each fiscal year shall go to the “Ninth Judicial Circuit Historical Society”.

V. Administration of the Fund

The Chief Judge of this court shall administer the Fund.

VI. Audit

The financial records, disbursements, receipts, and earning statements shall be audited by the Administrative Office of the United States Courts. The Court may direct that an audit be performed by an outside auditor at any time. The cost of such audit, if any, shall be paid out of the Fund.

Dated at Garapan, Saipan, this 16th day of November, 2001.

  
\_\_\_\_\_  
ALEX R. MUNSON, Chief Judge

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS

PROCEDURE FOR THE OPERATION AND MAINTENANCE  
OF THE COURT NON-APPROPRIATED FUND

I. Introduction

In accordance with Part III(b), (c), (d), and (e) of the Plan for the administration and operation of the court non-appropriated fund, hereinafter referred to as the Attorney Admission Fee Fund (or Library Fund), the Clerk of Court shall set up and maintain the necessary accounting records. The following procedures shall govern the operation and maintenance of the accounting and other financial records. Part III of the in-house internal control procedures shall govern the maintenance of receipts. The above-cited part of the internal control procedures is incorporated herein and made a part hereof.

II. Attorney Admission/Pro Hac Vice Application Fees

1. The Clerk of Court or any deputy clerk shall collect from the applicant, after determining that all of the requirements for admission are met, a \$100.00 fee. The fee shall be payable to "Clerk, U. S. District Court, NMI" for deposit to the Court's Attorney Admission Fee Fund.

2. A fee of \$100.00 per case shall be collected for court-approved pro hac vice applications, payable to "U. S. District Court, NMI," for deposit to the Court's Attorney Admission Fee Fund.

3. The official receipt form (AO-82) shall be issued for both attorney admission fee and pro hac vice application fee.

### III. Photocopy Fees

#### 1. Assignment of Duties and Responsibilities

##### A. Secretary to the Chief Judge (Secretary)

1. Assignment of use code numbers
2. Preparation of quarterly invoices
3. Monitoring of non-payment

##### B. Clerk of Court (or Designated Deputy Clerk)

1. Receipt of Fees
2. Custody of Fund
3. Issuance of Reports

#### 2. Assignment of Use Code Numbers/Quarterly Invoices/Monitoring of Nonpayment

- a. Upon request, the secretary shall assign and record the assigned user code numbers for each individual attorney or law firm and shall maintain a list of such numbers. A copy shall be provided to the Clerk of Court for accounting purposes. The list shall be kept confidential.
- b. As soon as practicable after the end of each quarter, the secretary shall prepare and send out invoices to all users of the library photocopying machine. The Clerk of Court shall be provided with a copy of each invoice for accounting purposes. The assigned user code numbers will serve as the invoice numbers.

### IV. Receipt Form

The official receipt form (AO-82) shall be issued for photocopying fees collected.

V. Classification of Funds Collected

For accounting and statistical purposes, funds collected from the two sources provided herein (Parts II and III) shall be classified as follows:

- 01 - Photocopy Fees
- 02 - Regular Admission Fee
- 03 - Pro Hac Vice Fee

VI. Security of Funds and Receipt Books

After the issuance of receipts, funds collected shall be securely placed in the designated locking cash box. The cash box shall at all times be placed in the safe.

VII. Deposit of Funds

The Clerk of Court or the designated deputy clerk shall deposit funds at an FDIC member bank, as often as necessary, i.e. if the collections total \$500.00 or more. The procedures contained in Part VI of the in-house Internal Control Procedure on preparation for deposit of funds shall be followed. The cited part of the internal control procedures is incorporated herein and made a part hereof.

VIII. Disbursement

1. All requests for disbursements shall be made to the Clerk of Court or his designated deputy clerk.
2. No disbursement shall be made without the approval of the Chief Judge.
3. A checking account shall be established with an FDIC member bank through which disbursements shall be made.
4. A record of all disbursements shall be maintained.

IX. Investment of Funds

As directed by the Chief Judge, the Clerk or his designated deputy clerk shall invest funds in an interest bearing account with a local FDIC member bank.

X. Reports

The Clerk or his designated deputy clerk shall prepare and sign a financial statement and operating report annually which shall be submitted to the Chief Judge before January 31<sup>st</sup> of each calendar year.

XI. Periodic Audit by Clerk of Court

The Clerk of Court shall periodically conduct an audit on the receipts and disbursements. Results of the audits shall be documented.

XII. Reporting of Discrepancies

Any discrepancies found in the operation and maintenance of the Fund shall be reported forthwith to the Clerk of Court, who shall immediately conduct an investigation.

Dated this 16<sup>st</sup> day of November, 2001.

  
\_\_\_\_\_  
Clerk of Court