

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 88- 45

IN RE: GENERAL LOCAL RULE 24 :
AS AMENDED :
_____ :

For good cause shown, it is

ORDERED and ADJUDGED that Rule 24, Local Rules, United States District Court, Southern District of Florida, is hereby MODIFIED and AMENDED by the following, effective immediately, to-wit:

C. All funds placed in the Court registry shall be deposited by the Clerk on a continuing basis with a Court designated depository bank and shall earn interest at a competitive market rate negotiated by the Clerk for similar (deposits) cases on deposit. This provision shall not apply to deposits for attorney's fees, costs and expenses required before the issuance of any writ of garnishment. Such deposits for garnishment proceedings will be placed in a non-interest bearing U.S. Treasury account.

D. At the time of disbursement of funds from the registry, the litigants shall advise the Court as to the proper recipient of any earned interest and prior to the release of funds shall provide the Clerk's Financial Administrator or other designated deputy clerk with the proper tax number or tax status of the recipient for subsequent reporting to the Internal Revenue Service.

E. Upon issuance of any order of disbursement on the Court registry, the concerned party shall provide a copy of such order to the Clerk's Financial Administrator or other designated deputy.

F. The Clerk shall assess a users fee, as promulgated by the Judicial Conference of the United States, on deposits in the interest bearing Court registry. Such fees shall be deducted at disbursement and be deposited into a special fund established to reimburse the Judiciary for maintaining registry accounts.

G. Nothing in this rule shall prevent the Court from granting the motion of interested parties for special arrangements for investment of funds. If such investments are in the name of or assigned to the Clerk, the account will be subject to the collateral provisions

of Treasury Circular 176 (31 C.F.R. Subsection 202) and the requirements of Local Rule 24.

H. In any case wherein an Order of Court directs the Clerk to handle a specific investment in a different manner than Section C of this Rule, the interested party shall serve a copy of the Order upon the Clerk personally, or a deputy clerk specifically designated, in accordance with the wording of Civil Procedure Rule 67, to-wit:

"The party making the deposit shall serve the Order permitting deposit on the Clerk of this Court".

DONE and ORDERED at Miami, Southern District of Florida, this 30 day of December, 1988.

FOR THE COURT



JAMES LAWRENCE KING
CHIEF UNITED STATES DISTRICT JUDGE