

*SECOND JUDICIAL CIRCUIT OF THE UNITED STATES
UNITED STATES COURTHOUSE
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**JUDICIAL COUNCIL
APPROVED**

APR 24 2019

C/E

ROBERT A. KATZMANN
CHIEF JUDGE

KAREN GREVE MILTON
CIRCUIT EXECUTIVE

**MEMORANDUM
April 23, 2019**

To: Second Circuit Judicial Council

From: Karen Greve Milton, Circuit Executive 

Re: Proposed Revision to Local Civil Rules – District of Connecticut

The Board of Judges for the District of Connecticut approved a proposal to revise Local Civil Rule 67, Deposit of Funds in Court Registry. The Board of Judges for the District of Connecticut requests the Second Circuit Judicial Council's final approval.

Attached is a redlined version of the Rule that illustrates the specific changes. The proposed changes have been published on the Court's website and in the Connecticut Law Tribune for comment.

Kindly return your ballot by fax 212 857-8680, or by email, by Tuesday, April 30, 2019.

Thank you.

BALLOT

Judge: _____

_____ Yes, I approve the proposed revision to Local Civil Rules – District of Connecticut

_____ No, I do not approve the proposed revision to Local Civil Rules – District of Connecticut

_____ I request additional information and/or further discussion

RULE 67

DEPOSIT OF FUNDS IN COURT REGISTRY

(Amended _____, 2019)

(a) Order for Deposit in Interest Bearing Account

Whenever a party seeks a Court order for money to be deposited by the Clerk in an interest-bearing account, the party shall file the order with the Clerk, who shall inspect the proposed order for proper form and content and compliance with this Rule prior to signature by the Judge for whom the order is prepared.

(b) Orders Directing Investment of Funds by Clerk

~~Any order obtained by a party or parties in an action that directs the Clerk to invest in an interest-bearing account or instrument funds deposited in the registry of the Court pursuant to 28 U.S.C. § 2041 shall include the following: (1) the amount to be invested; (2) the designation of the type of account or instrument in which the funds shall be invested; and (3) a direction that the Clerk deduct from the income earned on the investment a fee of ten percent (10%); whenever such income becomes available for deduction in the investment so held and without further order of the Court.~~

~~Any order obtained by a party or parties in an action that directs the Clerk to invest in an interest-bearing account in the registry of the Court pursuant to 28 U.S.C. § 2041 shall include the following: (1) the amount to be invested; (2) the designation of the type of account or instrument in which the funds shall be invested; and (3) a direction that the Clerk deduct from the income earned on the investment a fee of 0.10% or 0.20%, depending upon the type of account or instrument designated.~~

~~The order shall be consistent with the Order Regarding Deposit And Investment Of Registry Funds, which appears in the Appendix of these Rules, and direct the Clerk to invest the funds in one of two types of interest-bearing accounts: (1) the Court Registry Investment System ("CRIS"), administered by the Administrative Office of the United States Courts under 28 U.S.C. § 2045, or (2) Interpleader Funds or the Disputed Ownership Fund ("DOF") deposited under 28 U.S.C. § 1335, established within the CRIS and administered by the Administrative Office.~~

~~When so directed, the Clerk shall deduct the CRIS fee of an annualized 0.10% (ten basis points) on assets on deposit for all CRIS funds, excluding the case funds held in the DOF, for the management of investments in the CRIS, or the DOF fee of an annualized 0.20% (20 basis points) on assets on deposit in the DOF for management of investments and tax administration.~~

(c) Release of Deposited Funds

Upon final determination of the action or at such other times as may be appropriate, a party or parties may seek a Court order releasing deposited funds, by submitting a proposed order which shall contain the following information: (1) the name, address and taxpayer identification number of any individual(s) or corporation(s) receiving the funds; and (2) the

amount of principal and interest to be paid to any individual(s) or corporation(s). Funds cannot be released from the registry account of the Court without a Court order.

(d) Registry Account

For the purpose of this Rule, the registry account of the Court is held in the United States Treasury.

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