

1 b. The Clerk of the United States District Court for the District of Arizona is designated
2 as Custodian of the Non-Appropriated (Library) Fund.

3 c. The Custodian shall cause the fund to be audited on at least an annual basis, and at
4 such other times as deemed necessary or as directed by the Advisory Committee or the Court, and
5 will provide an annual report to the Court on the status, balance, and utilization of the fund.

6 d. The Custodian will be responsible for the following:

7 (1) Receiving, safeguarding, depositing, distributing, and accounting for all
8 funds in accordance with this Plan or as directed by the Advisory Committee.

9 Recurring expenses that have been authorized by the Advisory Committee for
10 payment, non-recurring expenses that have been specifically so authorized, and
11 expenses authorized by paragraph IV.d(9) of this Order shall be paid by the

12 Custodian. All disbursements shall require the signature of the Custodian or the
13 Custodian's designee in his absence and will be countersigned by a member of the
14 Advisory Committee or designated second signature for the fund.

15 (2) Establishing a checking and deposit account in a local bank.

16 (3) Establishing and maintaining an accounting system that provides the
17 records necessary for audit trail and recordation of all funds and
18 disbursements.

19 (4) Preparing periodic financial statements and operating reports as required,
20 and certifying that the statements and reports accurately reflect the financial
21 condition of the fund.

22 (5) Upon recommendation and advice of the Advisory Committee, investing
23 funds in excess of immediate needs in appropriate interest bearing accounts.

24 **III. RESPONSIBILITIES UPON APPOINTMENT OF A SUCCESSOR**

25 a. When a successor Custodian is appointed, the outgoing Custodian will prepare and
26 sign the following statements in conjunction with an exit audit conducted by an auditor or
27 disinterested person designated by the Advisory Committee:

28 (1) A statement of assets and liabilities.

1 (2) A statement of operation or of receipts and disbursements since the period
2 covered by the last statement of operation prepared by the Court.

3 (3) A statement of the balance in any fund account as of the date of transfer to
4 the successor Custodian.

5 b. The successor Custodian will execute a receipt for all funds after being satisfied as to
6 the accuracy of the statements and records provided by the outgoing Custodian.

7 **IV. ADVISORY COMMITTEE**

8 An Advisory Committee, to be appointed by the Court, for the purpose of advising the Court
9 and the Custodian on matters of policy in the administration of the fund will be composed as
10 follows:

11 Chief Judge or Designee
12 Tucson Division Judge
13 Phoenix Division Judge
14 A Bankruptcy Judge
15 A Full-time Magistrate
16 District Court Executive/Clerk of Court - Custodian
17 Representative of the Bar

18 The fund is subject to audits by the Administrative Office of the United States Courts if
19 requested or authorized by the United States District Court for the District of Arizona, or the Ninth
20 Circuit Council Executive Committee. The court may appoint an outside auditor to conduct such
21 audits as the Court determines may be necessary or appropriate.

22 a. All receipts should be deposited only in federally insured banks (FDIC), and
23 whenever practical or feasible, all substantial sums should be placed in secured interest-bearing
24 accounts. Efforts will be made to maximize the return on instruments consistent with the
25 requirements of convenience and safety and with the approval of the Advisory Committee.

26 b. Attorney admission fees collected by the Clerk which are in excess of the amount
27 prescribed by the Judicial Conference and deposited to the Treasury of the United States, constitute
28 non-appropriated funds and shall not be used for purposes which do not insure to the benefit of the
members of the Bench and Bar in the administration of justice.

c. Non-appropriated funds will not be used to pay for material or supplies available
from statutory appropriations. Under no circumstances should the fund be used to supplement the

1 salary of any court officer or employee.

2 d. The following are examples of proper use of the fund but are not intended to be all
3 inclusive.

4 (1) Attorney admission proceedings (including expenses of admissions
5 committee and admissions ceremonies.)

6 (2) Attorney discipline proceedings (including expenses of investigating
7 counsel for disciplinary enforcement, travel expenses, and witness fees in
8 disciplinary proceedings.)

9 (3) Periodicals and publications for court library for which appropriated funds
10 are not available.

11 (4) Anatomical charts and stands for courtroom use.

12 (5) Computerization of library catalog.

13 (6) Lawyer lounge facilities.

14 (7) Surety bond for the Custodian of the fund. (Bond may only cover monies in the
15 fund.)

16 (8) Fees for services rendered by outside auditors in auditing the trust.

17 (9) Reimbursement of out-of-pocket expenses necessarily incurred by court
18 appointed attorneys representing indigents in civil cases not covered by the
19 Criminal Justice Act. Reimbursements will be limited to no more than \$1,000
20 per case in the discretion of the trial judge and will be payable at the
21 conclusion of the case.

22 (10) Expenses for the training of court personnel for which appropriated funds
23 are not available, including attendance at conferences and seminars.

24 e. The following recurring expenses may be paid by the Custodian without reference of
25 the matter to the full committee:

26 (1) Subscriptions, Publications, Internet Access and Data Link \$ 1,500.00

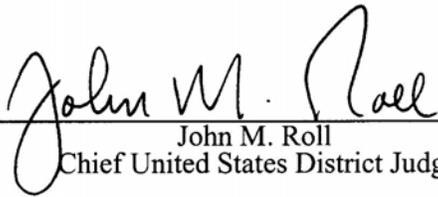
27 (2) AZALL Professional Dues 150.00

28 (3) U.S. District Court Awards 250.00

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| (4) | Attorney Admission Certificate Production | 100.00 |
| (5) | Floral arrangements for funeral services of members of the bench, bar and court staff. | 100.00 |
| (5) | Ad Hoc expenses with notification to the full committee within 30 days of the expenditure. | 500.00 |

DATED this 29th day of August, 2007.



John M. Roll
Chief United States District Judge