

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GENERAL ORDER 11-02

June 7, 2011

General Order 11-01 dated May 3, 2011, amended local procedures to reflect the transition of accountability and administration of the Court Registry Investment System (“CRIS”) from the United States District Court for the Southern District of Texas to the Administrative Office of the United States Courts, as well as to ensure the continued uniformity in the deposit and investment of funds in the Court’s Registry. In order to be consistent with these procedures, Local Rule 67.2 has been amended to incorporate these changes.

The court has determined that pursuant to 28 U.S.C. § 2071(e) there is an immediate need for the amendment of these Local Rules. The amended rule is attached with changes noted.

So Ordered.

/s/ Mark L. Wolf

Mark L. Wolf
Chief Judge

/s/ Rya W. Zobel

Rya W. Zobel
United States District Judge

/s/ Douglas P. Woodlock

Douglas P. Woodlock
United States District Judge

/s/ Richard G. Stearns

Richard G. Stearns
United States District Judge

/s/ Nancy Gertner

Nancy Gertner
United States District Judge

/s/ George A. O'Toole

George A. O'Toole
United States District Judge

/s/ Denise J. Casper

Denise J. Casper
United States District Judge

/s/ Joseph L. Tauro

Joseph L. Tauro
United States District Judge

/s/ William G. Young

William G. Young
United States District Judge

/s/ Nathaniel M. Gorton

Nathaniel M. Gorton
United States District Judge

/s/ Patti B. Saris

Patti B. Saris
United States District Judge

/s/ Michael A. Ponsor

Michael A Ponsor
United States District Judge

/s/ F. Dennis Saylor IV

F. Dennis Saylor IV
United States District Judge

/s/ Edward F. Harrington

Edward F. Harrington
Senior United States District Judge

RULE 67.2 DEPOSIT IN COURT

The following procedures apply to deposits into the registry of the Court in civil actions.

(a) Receipt of Funds.

(1) No money may be sent to the Court or its officers for deposit into the Court's registry without a Court order by the presiding judge in the case or proceeding.

(2) All money ordered to be paid ~~into~~ the Court or received by its officers in any case pending or adjudicated ~~must~~shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S. C. § 2041 through depositories designated by the Treasury to accept such deposit on its behalf.

(3) The party making the deposit or transferring funds to the Court's ~~R~~registry ~~must~~shall serve the order permitting the deposit or transfer on the Clerk of Court.

(b) Investment of Registry Funds.

(1) Funds on deposit with the Court will be placed in interest-bearing instruments in the Court Registry Investment System (CRIS) administered ~~throughby the Administrative Office of the United States District Court for the Southern District of Texas Courts,~~ which is the only investment mechanism authorized.

(2) Under CRIS, monies deposited in each case under Local Civil Rule 67.2(a) ~~will~~shall be "pooled" together with those on deposit with the Treasury to the credit of other courts in ~~the~~ CRIS and used to purchase ~~Treasury Securities Government Account Series securities through the Bureau of Public Debt,~~ which will be held at ~~the Federal Reserve Bank, Dallas/Houston Branch Treasury,~~ in a ~~safekeeping~~an account in the name and to the credit of the ~~Clerk, Director of Administrative Office of the United States Court for the Southern District of Texas Courts,~~ hereby designated custodian for the Court Registry Investment System.

(3) An account for each case will be established in ~~the~~ CRIS titled in the name of the case giving rise to the investment in the ~~System~~fund. Income ~~received~~generated from fund investments will be distributed to each case based on the ratio each account's principal and ~~income~~earnings has to the aggregate principal and income total in the fund ~~each week~~. ~~Weekly r~~Reports showing the ~~income~~interest earned and the principal amounts contributed in each case will be prepared and distributed to each court participating in CRIS and made available to litigants and/or their counsel.

(c) ~~Registry Investment~~Deductions of Fee:s

(1) The custodian is authorized and directed by this Local Civil Rule to deduct the registry fee for maintaining accounts in CRIS and the Fund investment services fee for the management of investments. The proper registry fee is to be determined on the basis of the rates published by the Director of the Administrative Office of the United States as approved by the Judicial Conference. The investment services fee is assessed from interest earning according to the Court's Miscellaneous Fee Schedule.

(2) If registry fees were assessed against the case under the old 45-day requirement prior to deposit in CRIS, no additional registry fee will be assessed.

Effective September 1, 1990; amended Effective October 3, 2005; amended Effective June 7, 2011.