U. S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED
OCT - 7 1997
NANCY DOHERTY, CLERK
By Y. Kelly
Deputy

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE NORTHERN DISTRICT OF TEXAS**

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**MISCELLANEOUS ORDER NO. 45**

Pursuant to the direction of the judges of the United States District Court for the Northern District of Texas, Miscellaneous Order No. 45 is hereby amended to read as follows:

Money ordered to be paid into the court's registry or received by its officers in any case pending or adjudicated 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 depositaries designated by the Treasury to accept such deposit on its behalf. The party making the deposit or transferring funds to the court's registry shall serve the order permitting the deposit or transfer on the clerk of court as required by local rule.

Unless the chief judge or a judge designated by the court otherwise directs, all monies deposited into the registry of the court which pertain to civil matters will be invested in the Court Registry Investment System (CRIS) administered through the United States District Court for the Southern District of Texas. Under CRIS, monies deposited will be "pooled" together with those on deposit with Treasury to the credit of other courts in CRIS and used to purchase Treasury Securities which will be held at the Federal Reserve Bank of Dallas in a safekeeping account in the name and to the credit of "Clerk, United States District Court for the Southern District of Texas," hereby designated custodian for CRIS.

An account for each case will be established in CRIS titled in the name of the case giving rise to the investment. Earnings received from fund investments will be distributed to each case based on the ratio each account's principal and earnings has to the aggregate principal and income total in the fund each week. Weekly reports showing the 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 counsels.

The custodian is authorized and directed by this Order to deduct a registry fee for maintaining accounts in CRIS. The proper registry fee is to be determined on the basis of the rates published by the Director of the Administrative Office as approved by the Judicial Conference. If registry fees were assessed against a case under the old 45 day requirement prior to deposit in CRIS, no additional registry fee will be assessed.

Funds in existing investment instruments will be transferred to CRIS as follows:

1) Money Market and Savings Accounts. The clerk will prepare an order to transfer and will transfer funds in existing money market and savings accounts upon approval of the presiding judge.

2) Certificates of Deposit. As each Certificate of Deposit (CD) matures, the clerk will compare interest rates. If the CRIS interest rate is higher than the current interest rate on the CD, the clerk will prepare an order to transfer and will transfer funds upon approval of the presiding judge.

Parties not wishing to transfer existing investment instruments into CRIS may object on proper motion and approval of the presiding judge.

The effective date of this Order is 10-7-97.

SO ORDERED.

DATED: October 7, 1997

Jerry Buchmeyer

JERRY BUCHMEYER, CHIEF JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS