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1. Unless an applicable statute requires the deposit of funds without leave of court, no funds governed by Fed. R. Civ. P. 67 shall be tendered to the court or the clerk's office for deposit into the court's registry absent court order signed by a judge.
2. All funds received by the court or the clerk's office for any case pending or in the process of adjudication 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. Such deposits shall be made through depositories authorized to accept deposits on behalf of the Treasury Department of the United States.
3. 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 or, in the clerk's absence, upon the chief deputy clerk or financial administrator.
4. The procedures for the receipt and handling by the clerk of any funds deposited with the court shall not be waived except by order of the court. Any such order submitted for the court's consideration must reflect the clerk's signature.

b. Investment of Registry Funds. A motion and a proposed order setting forth the manner in which the funds will be deposited in an interest-bearing account or invested in an interest-bearing instrument must be submitted prior to the tender of such funds to the court.**1. Court Registry Investment System.**

- A. Unless otherwise ordered, the **Court Registry Investment System (CRIS)**, administered through **the United States District Court for the Southern District of Texas**, shall be the investment mechanism authorized.
- B. Under CRIS, monies deposited in each case under subsection (a)(1) will be "pooled" together with those on deposit with the 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 the Dallas/Houston Branch** in a safekeeping account in the name and to the credit of the Clerk, **United States District Court for the Southern District of Texas**, hereby designated custodian for the CRIS.
- C. A separate account for each case will be established in CRIS titled **in the name of the case giving rise to the investment**. All income received from each investment will be distributed on a pro-rata basis based upon the ratio of each account's principal to the total aggregate income received. Weekly reports indicating the amount of principal contributed and the income earned will be prepared and distributed to each court participating in CRIS and shall also be made available to the parties to the action or their counsel.

2. Other Investments and Instruments. Should an investment mechanism other than CRIS be utilized, the written stipulation filed by counsel must contain the following information:

- A. the amount to be invested;
- B. the form of interest-bearing account or instrument;
- C. the name and address of the federally insured local institution where the deposit is to be made or by whom the interest-bearing instrument is to be issued;
- D. the **name, address, social security number** or taxpayer identification number of the party or parties with a real or potential interest in the deposit or instrument;
- E. the form of additional collateral to be posted by the private institution in the event that standard FDIC or FSLIC coverage is insufficient to insure the total deposit;
- F. a direction to the clerk to deduct from the income earned on the investment a fee not exceeding that authorized by the Judicial Conference of the United States and set by the Director of the Administrative Office as published in the Federal Register; and
- G. such other appropriate information that may be deemed applicable under the facts and circumstances of the particular case.

Upon court order to deposit and invest registry funds locally, the clerk shall serve as custodian of the account or financial instrument and shall keep such account, certificate of deposit, or financial instrument in a secure and safe place subject to further order of the court.

c. Registry Investment Fee. Pursuant to 28 U.S.C. § 1913 and this rule, the custodian is authorized and directed to deduct the registry fee. The proper registry fee shall be determined on the basis of the rates authorized by the Judicial Conference of the United States and set by the Director of the Administrative Office as published in the Federal Register. The authorized custodian of an investment account shall deposit such fee with the Treasury Department to the credit of the Administrative Office of the United States Courts. In cases where funds are ultimately disbursed to the United States or to agencies or officials thereof, the clerk shall refund the registry fee to those agencies or officials upon application filed with the court.**d. Cash Bail.** If cash bail in an amount in excess of \$10,000 is deposited with the court, it may be placed in an interest-bearing account upon motion of the submitting party. The deposit shall comply in all respects with the requirements of this rule except that there shall be no administration fee assessed.[Return](#)

