

## **Rule 67.2 Disbursements**

Whenever a party seeks a court order for the distribution of funds which have been invested by the Court, the party shall file a motion and attach a proposed order with the Court, “Order of Disbursement,” in the form provided in Appendix E-1, which directs the Clerk to withdraw principal plus interest accrued less the CRIS fee of an annualized 10 basis points on assets on deposit in the CRIS for the management of investments in the CRIS. Per the Court’s Miscellaneous Fee schedule, the CRIS fee is assessed from interest earnings to the pool of investments before a pro rata distribution of earnings is made to court cases. After filing the proposed order but prior to signature by the Judge for whom the order is prepared, the proposed order will be forwarded to the Finance Department for review to ensure compliance with this rule.

When a party seeks a court order for the distribution of interpleader funds which have been invested by the Court pursuant to 28 U.S.C. § 1335, the party shall file a motion and attach a proposed order with the Court, “Order of Disbursement 28 U.S.C. § 1335 Interpleader Funds,” in the form provided in Appendix E-2, which directs the custodian of the DOF fund to withdraw principal plus interest accrued less the DOF fee of an annualized 20 basis points on assets on deposit in the DOF fund for the management of investments and tax administration. The DOF fee is assessed from interest earnings to the pool of investments before a pro rata distribution of earnings is made to court cases. After filing the proposed order but prior to signature by the Judge for whom the order is prepared, the proposed order will be forwarded to the Finance Department for review to ensure compliance with this rule.

All motions for disbursement of registry funds shall specify the principal sum initially deposited, the amount(s) of principal funds to be disbursed, and to whom the disbursement is to be made. Each proposed order shall contain the following language: “... the Clerk is authorized and directed to draw a check(s) on the funds deposited in the registry of this Court in the principal amount plus all accrued interest, less any statutory users fees, payable to (name of payee) and mail or deliver the check(s) to (name of payee).” If more than one check is to be issued pursuant to a single order, the portion of principal and interest due each payee must be separately stated.

The IRS Form W-9 is to be provided to the Clerk of Court or Financial Deputy and shall not be filed electronically or scanned into the Court’s electronic filing system.