

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

JAN 25 1991

Robert M. Mach
CLERK

IN THE MATTER OF THE ESTABLISHMENT
OF THE ADMINISTRATION AND OPERATION
OF THE FEDERAL BENCH AND BAR FUND

MISC. NO. 91-09

ORDER

It appearing to the Court that there is a need to incur certain expenses for the benefit of the Federal Bench and Bar in the administration of justice, it is, therefore,

ORDERED that a fund be established and called, "The Federal Bench and Bar Fund." Such fund will be derived from fees collected in conjunction with the admission of new attorneys to the Federal Bar in the District of New Mexico and from the interest accruing on such balances. The federal district court clerk shall be the custodian of the Fund.

IT IS FURTHER ORDERED that a committee of four admitted attorneys and the federal district court clerk, shall be appointed by the federal district judges *en banc* for this district. Each member shall serve without compensation. The committee shall transact business by majority vote and four members shall constitute a quorum.

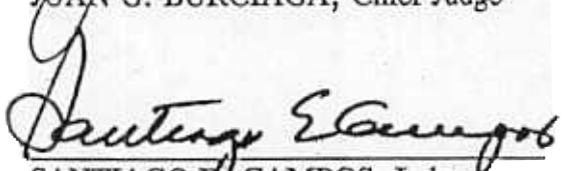
IT IS FURTHER ORDERED that an appropriate audit of the Federal Bench and Bar Fund will be conducted as agreed between the Court and the committee, but at least every two years. The expense incurred in the performance of such an audit shall be paid out of the Fund.

IT IS FURTHER ORDERED that in so far as these funds are non-appropriated government funds, expenditures shall be permitted by majority vote of the committee and

submitted to the Federal District Judges *en banc* for their approval. Any expenditures of funds shall be in accordance with Volume I, Chapter VII, Part 0, S.4 of the *Guide to Judiciary Policies and Procedures* and attachments A and B to this Order.



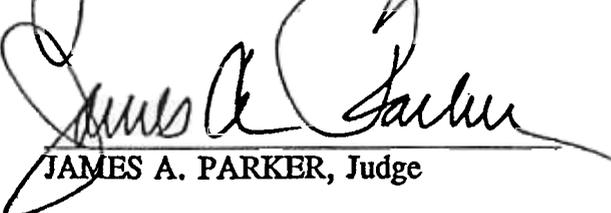
JUAN G. BURCIAGA, Chief Judge



SANTIAGO E. CAMPOS, Judge



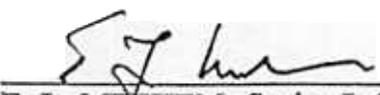
JOHN E. CONWAY, Judge



JAMES A. PARKER, Judge



HOWARD BRATTON, Senior Judge



E. L. MECHEM, Senior Judge

Attachment A

Examples of Appropriate Uses of Attorney Admission Funds

- (a) Attorney admission proceedings (including expenses of admissions committees, admissions ceremonies).
- (b) Attorney discipline proceedings (including expenses of investigating counsel for disciplinary enforcement, travel expenses and witness fees in disciplinary proceedings).
- (c) Periodicals and publications for court library when they cannot be purchased with appropriated funds.
- (d) Equipment and material to assist attorneys in the courtroom, including, but not limited to videotape equipment, and anatomical charts and stands, and other audio-visual aids.
- (e) Lawyer lounge facilities, including convenience equipment.
- (f) Local telephone service in lawyer lounge.
Duplication and copying facilities for use by attorneys.
Legal research equipment and facilities for attorneys preparing for trial.
- (i) Computer equipment and services for use by attorneys preparing for trial.
- (j) Continuing legal education (CLE) programs.
- (k) Equipment and materials in support of CLE programs.
- (l) Law Day programs.
- (m) Reimbursement of out-of-pocket expenses necessarily incurred by court-appointed attorneys representing indigents in civil cases not covered by the Criminal Justice Act.
- (n) Indexing and/or computerization of library catalogue.
- (o) Non-cash awards and commendations for members of bar.
- (p) Out-of-pocket expenses necessarily incurred by attorney members of advisory committees on attorney admission funds in relation to fund business.
- (q) Educational programs for law students.
- (r) Fees for services rendered by outside attorneys in drafting local guidelines and plans for administration of the fund.
- (s) Surety bond for custodian of the fund (bond may only cover money in the fund).

Attachment B

Examples of Inappropriate Use of Attorney Admission Funds

- (a) Supplementation of salary of court personnel (including incentive and performance awards).
- (b) Salaries for part-time library personnel.
- (c) Library materials purchaseable with appropriated funds.
Business cards for court personnel.
- (e) Office supplies for court personnel.
- (f) Dry cleaning expenses for court personnel.
- (g) Expenses relating to recruitment of court employees such as travel expenses, payments for classified advertisements, agency placement fees.
Social events limited to court personnel.
- (i) Payment of law students participating in work study programs.
- (j) Travel by librarians to conventions or other professional meetings.
- (k) Professional dues of librarians and/or court personnel.
- (l) Seminars for court staff or judges' law clerks.
Flowers for court personnel or their families in event of death or illness.
- (n) Expenses incurred by court personnel for attendance at funerals.
- (o) Purchase of microwave ovens, refrigerators, and other convenience items for exclusive use of court personnel.
Memorial fund donations for court personnel and relatives.
- (q) Reimbursement for excess costs of travel of court personnel when travel is covered by appropriated funds.
- (r) Purchases of artwork and decorative items for chambers.
- (s) Purchases of computer equipment and services primarily for use of court.

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~~(t) Fees for services rendered by outside auditors in auditing the trust.~~

(u) Purchase of artwork and decorative items for common areas of courthouse and courtrooms that cannot be purchased with appropriated funds.

(v) Expenditures for comfort and convenience of jurors for items that cannot be purchased with appropriated funds.

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