

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY**

**IN RE: AMENDED PLAN FOR THE ADMINISTRATION  
OF THE BENCH AND BAR FUND**

**GENERAL ORDER  
NO. 25-01**

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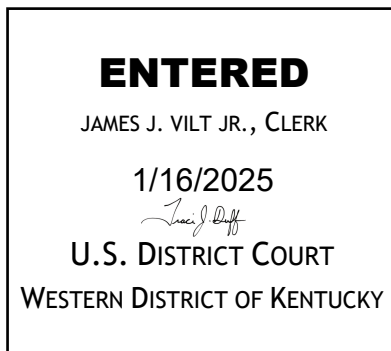
Pursuant to LR 83.1 and LCrR 57.1, each applicant for admission to the Bar of the United States District Court for the Western District of Kentucky shall pay the Clerk the admission fee prescribed by the Judicial Conference of the United States (JCUS), plus an additional fee of \$30.00. Pursuant to LR 83.2 and LCrR 57.2, each applicant seeking permission to appear *pro hac vice* in a particular case shall pay the Clerk a fee of \$150.00 per case, in addition to a renewal fee of \$150.00 each year until the case is concluded.


The attorney admission fee required by the JCUS is deposited in the United States Treasury as required by 28 U.S.C. § 751(e). The additional attorney admission fees, *pro hac vice* fees, and *pro hac vice* renewal fees are deposited in bank accounts denominated as the Bench and Bar Fund.

The Court hereby adopts the attached Amended Plan for the Administration of the Bench and Bar Fund to govern expenditures of monies contained in the Fund. The monies contained therein may be used only in accordance with said Plan and the provisions of the *Guide to Judiciary Policy*, Volume 4, Chapter 6.

The Order supersedes General Order 23-01.

DATED: January 16, 2025



  
Greg N. Stivers, Chief Judge  
United States District Court

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY**



**PLAN FOR THE ADMINISTRATION  
OF THE BENCH AND BAR FUND**

Revised January 16, 2025

## I. ESTABLISHMENT OF THE BENCH AND BAR FUND

- A. **Authority.** The United States District Court for the Western District of Kentucky ("Court") established the Bench and Bar Fund ("Fund") pursuant to the policies of the Judicial Conference of the United States ("Judicial Conference"), as set forth in the *Guide to Judiciary Policy*, Volume 4, Chapter 6 ("*Guide*"), and other related provisions; 28 U.S.C. §§ 1913 and 1914; and the Court's inherent authority. Volume 4, Chapter 6 of the *Guide to Judiciary Policy* is incorporated herein by reference. This General Order serves to set forth the guidelines for the Fund's use and amends and supersedes General Order 23-01.
- B. **Purpose.** The Fund exists for the management and expenditure of attorney admission funds maintained locally by this Court.
1. **Attorney Admission Funds.** Attorney admission funds are non-appropriated funds segregated from all other monies in the Court's custody.
  2. **Permissible Sources.** Sources of monies placed in the Fund include attorney admission fees that are in addition to the basic attorney admission fee prescribed by the Judicial Conference under 28 U.S.C. §§ 1913 and 1914, and earnings from the investment of monies in the Fund.
  3. **Excluded Sources.** Monies from any other sources, including those specified in the *Guide* § 670(d), will not be placed in the Fund.

## II. POLICIES FOR FUND EXPENDITURES

- A. **Permissible Uses.** The Fund may only be used for purposes that inure to the benefit of the members of the bench and the bar in the administration of justice. Proper uses of the Fund include those listed in the *Guide*, Volume 4 § 670.20, to wit:
1. Attorney admission proceedings, including expenses of admission committees and admission ceremonies.
  2. Attorney discipline proceedings, including, but not limited to, expenses of investigating counsel for disciplinary enforcement, stenographers, meeting room rentals, postage, travel expenses and fees of witnesses.

3. Furnishings, equipment, and amenities for lawyer lounges that may not be purchased or funded from appropriations. Examples:
  - a. furniture;
  - b. photocopiers and fax machines;
  - c. beverage supplies or service;
  - d. microwave, refrigerator, and other appliances; and
  - e. television, telephone and internet service.
2. Surety bond for the custodian of the fund. (The bond may only cover monies in the fund.)
3. Fees for services rendered by outside auditors or accountants in auditing the fund.
4. Reimbursement of pro bono counsel for out-of-pocket expenses, payment of compensation to pro bono counsel, and payment of witness fees and other expenses for indigent pro se civil litigants.
5. Donations to organizations that provide legal representation, advice, or assistance to unrepresented litigants in federal civil matters, including representation for settlement conferences or other alternative dispute resolution activities, provided that such organizations use the donation for no other purpose.
6. Reimbursement by district courts to jurors for lost or damaged personal property incident to their jury service when compensation is not available under a statute such as the Federal Tort Claims Act.
7. Hospitality items (e.g., food, beverages, mementos) for which appropriated funds may not be used, including meals and beverages for judges and employees attending a bench/bar meeting or similar event at their official duty station in a non-official capacity.
8. Cash donations to law-related educational or charitable organizations, such as a historical society, law school, or bar association, for purposes that advance the administration of justice in the courts. In considering such donations, care should be exercised to avoid the appearance of impropriety, undue favoritism, conflicts of interest and other concerns under the Codes of Conduct for United States Judges and Judicial Employees (*Guide*, Vol. 2A).

9. Expenses of a circuit judicial conferences, to the extent permitted by the policy of the Judicial Conference. Expenditures may be paid from any court's attorney admission fund. See: JCUS-MAR 05, p. 5.
  10. Any other purpose for which appropriated funds may not legally be used that will benefit the bench and the bar in the administration of justice. For limitations, see *Guide* § 670.30.
  11. For internal control requirements applicable to the attorney admission fund, see: *Guide*, Vol. 11, Ch 2, § 270.
- B. Uses Approved by General Counsel.** The Court will maintain a compilation of requests for Fund expenditures for which the Court has sought advice from the Office of General Counsel of the United States Courts, along with an explanation of whether General Counsel allowed each expenditure.
- C. Approval of Expenditure Requests.** Expenses less than \$500 in the aggregate may approved by individual district court judges. Expenses in excess of \$500 must be approved by the Chief Judge, subject to the provisions of subsection II(C)(3) below.
1. **Disbursement Directives.** Judges must direct the Clerk to make disbursements from the Fund in writing with attached receipts, specifying the amount to be disbursed.
  2. **Authority to Exceed Authorized Amount.** The Clerk has authority to exceed the authorized amount by no more than 10%.
  3. **Reoccurring Expenditures.** The Clerk, as custodian of the Bench and Bar Fund, is authorized to make the following recurring expenditures without prior approval. The Clerk shall provide the Chief Judge with a memo documenting each such expenditure.
    - a. **Dinner Fees for the Law Club.** The Clerk is authorized to pay the cost for judicial officers' dinners held at the Law Club.
    - b. **Veterans Treatment Court Incentive Awards.** The Court has concluded that the provision of program incentive awards to participants in the Veterans Treatment Court at various stages of the program will benefit the bench and bar in the

administration of justice. These incentive awards may include token gifts and snacks, vouchers and gift cards along with ceremonies at which light refreshments may be provided.

The U.S. Probation Office will purchase the incentive awards and seek reimbursement by submitting to the Clerk a memo that explains the expenditure(s), attaching all associated receipt(s). The Clerk is authorized to reimburse the relevant U.S. Probation Officer up to \$30.00 for each voucher or gift card and up to \$100.00 for each graduation or promotion ceremony without additional approval from the Court.

- c. **Public WiFi Access for Attorneys and Court Participants.** The Court maintains public WiFi in each of its courthouses for the benefit of attorneys and other court participants. The Clerk is authorized to pay both the annual licensing fee associated with this service as well as the monthly service fees.

### III. LIMITATIONS ON USE OF THE FUND

Limitations on use of the Fund include those found in the *Guide* § 670.30:

- A. **Impermissible Augmentation of Appropriation.** Attorney admission funds must not be used to pay for goods or services for which appropriations may legally be used, even if the appropriated funds are exhausted or otherwise not available.
- B. **Personal Benefit or Salary.** Attorney admission funds must not be used to supplement the salary of any judge or court employee, or provide a personal benefit to any judge or court employee, or his or her family member. As a limited exception, a judge or court employee, or his or her family member, may receive a *de minimis* personal benefit incidental to a proper expenditure from the attorney admission fund, e.g., meals, refreshments or hospitality items provided under § 670.20(b)(9). See above, II(A)(9).
- C. **Travel.** Attorney admission funds must not be used to pay for official or personal travel by a judge or court employee or by his or her family member. As a limited exception, attorney admission funds may be used to pay for local transportation of a judge or court employee to attend bench/bar events for which appropriated funds are unavailable.
- D. **Printing of Local Rules.** Attorney admission funds must not be used to pay for the printing of local rules.

- E. **Unreasonable Accumulation of Funds.** The Court must avoid unreasonable accumulation of attorney admission funds.
- F. **Equipment Purchases.** If the Fund is used to purchase equipment for the bench, the equipment becomes the property of the United States District Court for the Western District of Kentucky and will be available for use by the members of the Court's bar subject to any guidelines established by the district court judges. The Fund may not be used to augment the purchase of computers and other information technology equipment that is otherwise subject to funding by the Judiciary Information Technology Fund.

#### IV. Duties of the Custodian

- A. **Clerk as Custodian.** The Clerk of the Court is appointed custodian of the Fund. The custodian's duties are detailed in the *Guide*, § 670.70 as set forth below:
  - 1. Ensure that all monies for the fund are received, safeguarded, deposited, disbursed, and accounted for in accordance with any pertinent laws.
  - 2. Secure a bond, to be paid for from the fund, if required by the Court.
  - 3. Establish an accounting system as required by the Court.
  - 4. Ensure that financial statements and operating reports are prepared in a timely fashion and sign these statements, thereby certifying that the statements and reports accurately present the financial condition of the fund.
  - 5. Deposit or invest monies of the fund.
  - 6. Perform such other functions as the Court may direct.
- B. **Successor Custodian.** Whenever a Clerk of this Court leaves office, his or her successor in office becomes the successor custodian of the Fund. The outgoing custodian is required to participate in an exit audit as provided in the *Guide*, § 670.70.20 The successor custodian must execute a receipt for all monies in the Fund in accordance with the *Guide*, § 670.70.20(b).

## V. Maintenance of the Funds

- A. **Accounts.** The Clerk will segregate monies in the Fund from all other monies in the Court's custody by placing them in interest-bearing accounts in federally insured banks or savings institutions, government securities, or money market funds invested in government obligations. The Clerk will leave sufficient liquid funds available to meet known or anticipated obligations, while maximizing, to the extent practicable, the amounts earning income.
- B. **Reports.** At least quarterly, but more frequently if the Chief Judge directs, the Clerk will provide the judges of this Court a report showing the following: beginning balance of assets; revenue during the reporting period, including collections and investments; disbursements during the reporting period; ending balance of assets (bank balances and undeposited collections); obligations, accounts payable, or known future expenditures; and available balance.
- C. **Audits.** Audits of the Fund are conducted according to the provisions in the *Guide*, § 670.80.20. The Clerk will arrange for an audit of the funds by an outside auditor or disinterested inspector (which maybe a government employee) periodically as deemed necessary or appropriate. The written results will be provided to the Court.
- D. **Disbursements.** All disbursements from the Fund will be made by check or debit card. All checks must be signed by the Clerk or the Chief Deputy Clerk. Before signing checks, the Clerk or Chief Deputy Clerk separately satisfy themselves that all disbursements are made in accordance with this Plan.

## VI. Dissolution of the Fund

- A. **By Vote.** A majority of the active district court judges may vote to dissolve the Fund. Any balances in the Fund shall be disposed of in accordance with the majority vote of the active district judges in ways that fulfill or further the purposes of the Fund.
- B. **Final Audit.** If the active district judges vote to dissolve the Fund, a final audit will be conducted and a written accounting rendered to the Court, according to the *Guide*, § 670.80.30.



- C. **Notice to Claimants.** At the time of dissolution, the custodian will give notice to all persons known or believed to have incurred expenses for which the Fund may be authorized or obligated to pay. Such persons will be given at least 30 days to submit their claims for payment.