

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

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**PLAN FOR THE ADMINISTRATION OF THE  
DISTRICT COURT PRO BONO FUND**

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**A. CREATION OF THE PRO BONO FUND; PURPOSE OF THE PLAN**

By order of the Court dated April 8, 2008, effective April 17, 2008, attorneys who are newly admitted to the Eastern District of Wisconsin are required to pay to the clerk of the court a fee of \$25.00 in addition to the fee established by the Judicial Conference of the United States pursuant to 28 U.S.C. § 1914. The receipts from these fees are to be deposited in the District Court Pro Bono Fund. This plan is adopted to provide procedures for the administration of funds devoted in the District Court Pro Bono Fund.

**B. PURPOSE OF THE PRO BONO FUND**

The District Court Pro Bono Fund shall be used for prepayment or reimbursement of out-of-pocket expenses necessarily incurred by court-appointed attorneys representing indigents pro bono in civil cases not covered by the Criminal Justice Act.

The Fund also may be used for purposes which enhance the purpose and goal of creating, supporting and maintaining a group of volunteer lawyers who will assist the Court in representing indigents pro bono in civil cases. Application for such funds shall be approved by the Court.

**C. ADVISORY COMMITTEE**

There shall be an Advisory Committee for the Administration of the District Court Pro Bono Fund to advise the Court on matters of policy relating to the administration of the Fund. The committee shall consist of the chief judge, one or more district judges or magistrate judges designated by the chief judge, and the clerk of the court.

**D. CUSTODIAN OF THE PRO BONO FUND**

Pursuant to the order, the clerk of this Court is the custodian of the District Court Pro Bono Fund. In the event of the death, retirement, or resignation of the clerk, the chief deputy clerk, or such other person as the chief judge designates, shall become the custodian until such time as the next clerk of the court assumes office.

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**E. DUTIES AND RESPONSIBILITIES OF THE CUSTODIAN**

The responsibilities of the custodian are as follows:

- A. to receive, safeguard, deposit, disburse, and account for all funds in accordance with the law, this Plan, and the policies established by the Court;
- B. to sign checks drawn on the District Court Pro Bono Fund, upon receipt of approval for payment from the Court;
- C. to invest the funds in accordance with the provisions of this Plan; and
- D. to perform such other functions as may be required by the Court.

**F. RESPONSIBILITIES UPON APPOINTMENT OF SUCCESSOR CUSTODIAN**

When a successor custodian is appointed, the outgoing custodian shall prepare and sign the following statements in conjunction with an exit audit or inspection conducted by an auditor or disinterested inspector designated by the chief judge:

- 1. a statement of assets and liabilities;
- 2. a statement of operations or of receipts and disbursements since the end of the period covered by the last statement of operations and net worth; and
- 3. a statement of the balance in any Fund accounts as of the date of transfer to the successor custodian.

The successor custodian shall execute a receipt for all funds after being satisfied as to the accuracy of the statements and records provided by the outgoing custodian. Acceptance may be conditioned upon an audit and verification where circumstances warrant.

**G. AUDITS AND INSPECTIONS**

The District Court Pro Bono Fund is subject to audit by the appropriate staff of the Administrative Office of the United States Courts. The chief judge may appoint an auditor or disinterested inspector (who may be a government employee) to conduct such audits as the Court determines to be necessary. The written results of such audit or inspection shall be provided to members of the advisory committee, each district judge, magistrate judge, and, upon request, any member of the bar of the Court.

In the event that the Court orders a dissolution of the District Court Pro Bono Fund, a terminal audit or inspection shall be performed and a written accounting rendered to the Court.

#### **H. PROTECTION OF THE PRO BONO FUND'S ASSETS**

Except as otherwise provided in this Plan, all receipts will be deposited in banks or savings institutions where accounts are insured by the Federal Deposit Insurance Corporation (FDIC) or the Federal Savings and Loan Insurance Corporation (FSLIC). Where practicable and feasible, the custodian shall place any substantial sums into interest bearing accounts, government securities, or a money market fund invested in government obligations. Such investment shall be at the direction of the advisory committee. Efforts should be made to maximize the return on investments consistent with the requirements of convenience and safety.

These funds held by the custodian must be segregated from all other monies in the custody of the clerk of court, including other non-appropriated funds, if any.

#### **I. LIMITATIONS ON USE OF THE PRO BONO FUND**

Monies deposited in the Fund must not be used to pay for materials or supplies available from statutory appropriations. Under no circumstances are such monies to be used to supplement the salary of any court officer or employee.

#### **J. DISSOLUTION OF THE PRO BONO FUND**

Should this Court decide to dissolve the Fund, the custodian shall liquidate all outstanding obligations prior to the dissolution, including making provisions for the payment of any fees and expenses resulting from the required terminal audit or inspection. The Court shall direct the disposition of the assets of the Fund in ways which fulfill the purpose of the Fund.