

Rule 67.1. Deposit into Court Pursuant to Rule 67

(a) Order for Deposit-Interest Bearing Account. When a party seeks a court order for money to be deposited by the clerk in an interest-bearing account, the party must file, by delivery or by mailing by certified mail, return receipt requested, the proposed order with the clerk or financial deputy who will inspect the proposed order for compliance with this rule prior to signature by the judge for whom the order is prepared. The proposed order must be substantially in the form set forth in Form 16-1, 16-2, 16-3, 16-4 or 16-5 of the Appendix of Forms.

(b) Orders Directing Investment of Funds by Clerk. Any order obtained in an action that directs the clerk to invest in an interest-bearing account or instrument funds deposited in the registry of the court pursuant to 28 U.S.C. § 2041 must include the following:

- (1) the amount to be invested;
- (2) the name of the depository approved by the Treasurer of the United States as a depository in which funds may be deposited;
- (3) a designation of the type of account or instrument in which the funds should be invested;
- (4) wording which directs the clerk to deduct from the income earned on the investment a fee, consistent with that authorized by the Judicial Conference of the United States and set by the Director of the Administrative Office, when such income becomes available for deduction from the investment and without further order of the court.

(Added Oct. 3, 1990, eff. Jan. 1, 1991; as amended, Mar. 1, 1991, eff. Mar. 1, 1991; Sept. 30, 2003, eff. Jan. 1, 2004; Nov. 25, 2009, eff. Jan. 1, 2010; Aug. 2, 2010, eff. Sept. 1, 2010.)