

## **FIRST AMENDED PARAMETERS FOR USE OF BENCH BAR FUNDS**

The Bench Bar Fund<sup>1</sup> is intended to support matters that involve the interests of this Court, the federal courts in general, and the Bar, and for which appropriated funds are not available. As noted in the *Guide to Judicial Policy*, (the “Guide”), “[a]ttorney admission funds must be used only for purposes that benefit the members of the bench and bar in the administration of justice.” Guide, Vol. 4, Chapter 6, § 670.20. These first amended parameters are intended to amend and clarify the original parameters adopted for consideration of funding requests and supplement, not supplant, those found at Section IV of the Eighth Amended and Restated Guidelines and Plan for Administration of Non-Appropriated Funds (2016 revision) (the “Plan”). These parameters are only intended to provide guidance to members of the Bar in making requests and to future Bench Bar Fund Committee (“Committee”) considerations. The Committee remains free to consider each request on its own merit.

1. The Committee has from time to time received funding requests from various bar associations to fund events such as receptions, breakfasts, etc. The Committee has struggled to determine which of these funding requests should be approved. Events which are incident to an official function of the Court are appropriately funded by the Bench Bar Fund. These events include but are not limited to investiture or portrait ceremony receptions; receptions upon the opening of

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<sup>1</sup> Also known as the Middle District of Florida Non-Appropriated Fund. See Eighth Amended and Restated Guidelines and Plan for Administration of Non-Appropriated Funds.

a courthouse or exhibit within a courthouse; receptions, programs, or meals in connection with courthouse visits by legislative leaders or visiting judicial delegations from other jurisdictions or countries; receptions in connection with attorney admission ceremonies and naturalization ceremonies.

2. The presumptive spending limit for investiture and senior status portrait receptions is \$15,000.00.<sup>2</sup> Judges generally should not solicit any additional funds for these receptions from members of the Bar. The presumptive expenditure limit for senior judges' portraits is \$10,000.00.

3. Bench Bar Funds are available to assist bar associations in presenting CLE programs on topics such as professionalism, ethics, or federal practice so long as: (1) attendance at the program is open to all members of the Bar of the Middle District, subject to physical capacity, and (2) the program is not intended to generate a profit to the sponsoring organization. Additionally, bar associations (or other lawyer groups) may seek Bench Bar funding for other activities or events which benefit the bench and the Bar in advancing the administration of justice in the Federal Courts. However, events sponsored by bar associations, which have traditionally been supported by membership dues, such as lunches or dinners honoring judges or other officials, monthly lunches or annual dinners generally will not qualify for Bench Bar funding.

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<sup>2</sup> Some Judges taking senior status have chosen to forego a formal portrait ceremony and reception and instead have another event. The Bench Bar Fund has funded these substituted events, subject to the same spending limitations as the more traditional reception.

4. Bench Bar funds also may be used for other educational programs sponsored by the Court, including food, beverages and educational materials, as well as for programs or receptions for events commemorating Constitution Day, Law Day or similar occasion.

5. Whenever feasible, attendance at events funded by Bench Bar funds shall be open to all members of the Bar of the Middle District, subject to physical capacity restrictions.

6. Bench Bar funded events may include the service of alcohol but no Bench Bar funds can be used for the purchase of alcoholic beverages.

7. Ordinarily, the Committee will not approve expenditures for events which have already occurred or for which approval is sought with insufficient time for the Committee to properly consider the request. Generally, funding requests to the Committee should be made as early as possible and at least 60 days before the scheduled expenditure (although the Committee recognizes this may not always be possible). Requests for expenditures requiring approval by the Board of Judges, in addition to the Committee, should be made 90 days in advance of the event. An approved Request for Funding is strictly limited to the amount specified. The need for additional funding over the approved amount requires approval of a supplemental Request for Funding prior to the event or purchase. The Committee may decline a Request for Funding seeking reimbursement of funds expended without prior approval.

8. The Court's Consumer's Certificate of Exemption for Florida Sales and Use Tax does not apply to expenses paid with Bench Bar Funds. Applicable sales tax must be included in the total sum requested for reimbursement.

9. Bench Bar Funds may be used for travel expenses for invited speakers or dignitaries incident to an official function of the Court, or appropriate programs, including CLE presentations. Ordinarily, the Committee will not approve funding requests for travel or for events which occur outside of the Middle District of Florida.

10. If the Committee approves a funding request in special circumstances, the Committee will so note and will state that the approval is not intended to set a precedent for future funding requests. Also, the Committee, through its designated record keeper, will maintain an up to date list of all approved expenditures, as well as any qualifications or caveats attached to that expenditure.