

UNIFIED JUDICIAL SYSTEM

Policy 208

May 29, 2002

BANK ACCOUNTS

A. Establishment of Bank Accounts - Limitations

1. Bank accounts for use within the unified judicial system may be established as provided by this policy.
2. A clerk of district court employed by the unified judicial system or other court personnel may not establish a bank account or deposit monies in a bank account except as provided by this policy.
3. If it is necessary for funds associated with a case to be deposited in a bank for any purpose other than provided in this policy, the judge or referee to which the case is assigned shall order the appropriate party or parties to arrange for establishment of a bank account. Money deposited in the account may be disbursed as directed by court order.

B. Use of Bank Accounts - Clerks of District Court

1. The Director of Finance shall provide for the establishment of a bank account to be used by a clerk of district court employed by the unified judicial system in disposing of monies received by the clerk.
2. The clerk may use the designated bank account for the following purposes:
 - a) For the temporary deposit of monies received each month as fees for services provided by the clerk. Within six days after the end of each calendar month, the clerk shall deposit the prior month's receipts with the state or county treasurer as provided in N.D.C.C. 27-05.2-04.
 - b) For the temporary deposit of monies received by the clerk for bail or for other purposes specified by statute or court rule and which are not required to be deposited with the state or county treasurer. The clerk shall disburse bail monies within 14 days of a court order exonerating bail. The clerk shall disburse other funds within 14 days of a court order or as otherwise directed by statute or court rule.

3. If the clerk of district court is directed to establish an interest-bearing account or obtain an interest-bearing instrument for money received in accordance with Rule 67, N.D.R.Civ.P., the clerk shall establish the account or obtain the instrument through the Bank of North Dakota. The account or instrument must be in the name of the party or parties depositing the money with the clerk. the clerk, in establishing the account or obtaining the instrument, must be identified as the individual responsible for release of the money or instrument to the party or parties, as directed in a subsequent order of the court. The clerk shall inform the Director of Finance that an interest-bearing account or instrument is required pursuant to a court order under Rule 67.

C. Miscellaneous Bank Accounts

The Director of Finance may authorize the establishment of a bank account for the deposit of receipts and disbursement of payments which arise in hosting the Regional Judicial Conference.

D. Disbursement of Monies

1. The following individuals may authorize disbursement of monies from bank accounts:
 - a) State Court Administrator.
 - b) Director of Finance.
 - c) District Court Administrator or Administrative Assistant.
 - d) Clerk of District Court or designee.
2. Individuals authorized to disburse monies should not directly receive monies deposited in the bank account.
3. The individual authorized to disburse monies shall sign each check with an authentic signature. A copy of the authorized signature card for each account must be filed with the Director of Finance. Use of a signature stamp or signature plate in a check-signing machine to authorize payments from an account is not permitted.