

## Filing Tips – Deposit of Interpleader Funds 28 U.S.C. § 1335

Federal Rule of Civil Procedure 67 governs the deposit and disbursement of Interpleader Funds (otherwise referred to as Disputed Ownership Funds)\*.

A few tips for parties seeking to deposit these types of funds with the court or the disbursement of such funds:

1. Generally, deposits and disbursements must be court ordered.
2. Motions to deposit should be accompanied when possible with a proposed court order referencing 28 U.S.C. § 1335, and including the following information:

- Actual amount of the deposit;
- Funds presented to the Court must be in the form of a cashier's or certified check made payable to Clerk, United States District Court; and
- The funds are to be deposited into the Court's Interest Bearing-Registry Account and invested in the Court Registry Investment System ("CRIS").

3. Motions to deposit and any proposed order must contain the actual amount of funds to be deposited. If the funds have been on deposit and earning interest in a state court action removed here, the amount should state "plus any accrued interest."

4. Motions to deposit filed electronically should use the ECF motion event titled "**Motion to Deposit Interpleader (28 U.S.C. 1335)**".

5. Motions for disbursement filed electronically should use the ECF motion event titled "**Motion for Disbursement Interpleader (28 U.S.C. 1335)**."

\* Deposits and disbursements of other funds with the court must follow the requirements of Fed. R. Civ. P. 67 and generally the steps outlined above, but do not use the special Interpleader-Disputed Ownership Funds events. Instead, motions to deposit or for disbursement of other funds held by the court use: ECF motion event "**Deposit Funds**" and ECF motion event "**Disbursement of Funds**".