

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

**REGULATIONS GOVERNING THE DISBURSEMENT
OF FUNDS FROM THE NON-APPROPRIATED FUND
FOR NEUTRAL FEES INCURRED BY A NEUTRAL APPOINTED
TO SERVE *PRO BONO* PURSUANT TO LOCAL RULE 16-6.03(C)(2)**

A. Eligibility for Reimbursement of Fees

When a neutral has been appointed to serve *pro bono* pursuant to Local Rule 16-6.03(C)(2), that neutral may request from the court reimbursement of fees incurred during the referral of the case to Alternative Dispute Resolution, subject to the restrictions of these regulations.

B. Limitations

1. *Limit on Fee Authorized by Fund*

The judge to whom the case is assigned is authorized to approve reimbursement not to exceed seven hundred fifty dollars (\$750.00). Any request for reimbursement in excess of seven hundred fifty dollars (\$750.00) will not be considered by the court.

2. *Reimbursement Limited to Fee that has been Waived or Reduced*

Only a neutral fee that has been waived or reduced by the Court may be reimbursed. If other parties to the case are able to pay the fee, they shall bear their *pro rata* portion of the fee, and the neutral shall not include that portion of the fee in the request for reimbursement. Similarly, if a neutral fee has been reduced, the neutral shall not seek reimbursement for that portion of the fee that is to be paid.

3. *Expenses are Not Reimbursable*

Only the neutral's fee for conducting the mediation or evaluation is reimbursable. The neutral shall not claim reimbursement for any expenses incurred during the appointment.

C. Procedures for Obtaining Reimbursement

1. *Application for Reimbursement of Neutral Fee*

Any application for the reimbursement of a neutral fee shall be on the *Pro Bono* Neutral's Request for Reimbursement of Services form approved by the non-appropriated fund committee and available on request from the Clerk of Court. The request shall be accompanied by sufficient documentation to permit the court to determine that the request is appropriate and reasonable and that the time for the fee was actually spent. The request shall be filed with the judge to whom the case is assigned. A request must be made within thirty (30) days of the neutral's filing of a notification in writing that the referral has been concluded. The assigned judge may, for good cause shown, extend the time for filing a request.

2. *Action by Assigned Judge*

The assigned judge may refuse to permit reimbursement of the fee if it lacks documentation that such fee is appropriate and reasonable or lack evidence of the time actually spent.

3. *Processing by the Clerk*

On receipt of the court order indicating the amount approved for reimbursement, the Clerk shall promptly issue the required check in the amount indicated on the order.

SO ORDERED BY THE COURT *EN BANC* THIS 24th day of February, 2004.

/s/ Carol E. Jackson
CAROL E. JACKSON, CHIEF DISTRICT JUDGE

/s/ Jean C. Hamilton
JEAN C. HAMILTON, DISTRICT JUDGE

/s/ Donald J. Stohr
DONALD J. STOHR, DISTRICT JUDGE

/s/ Charles A. Shaw
CHARLES A. SHAW, DISTRICT JUDGE

/s/ Catherine D. Perry
CATHERINE D. PERRY, DISTRICT JUDGE

/s/ E. Richard Webber
E. RICHARD WEBBER, DISTRICT JUDGE

/s/ Rodney W. Sippel
RODNEY W. SIPPEL, DISTRICT JUDGE

/s/ Henry E. Autrey
HENRY E. AUTREY, DISTRICT JUDGE