

**FIRST JUDICIAL DISTRICT OF PENNSYLVANIA
IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
President Judge Administrative Docket
No. 01 – 2005**

In re: Deposit of Escrow - Custodia Legis Funds

ORDER

AND NOW, this 11th day of March, 2005, it appearing that from time to time, funds are paid into Court and held by the Prothonotary in *custodia legis*, the Court hereby adopts the following Rules of Court to control the disbursement of funds paid into the court and held by the Prothonotary in *custodia legis*:

(1) funds paid into the Court and held by the Prothonotary in *custodia legis* shall be directed for deposit by an Order of the Court. The Order of the Court shall instruct the Prothonotary to deposit in his interest bearing account all such monies deposited in any legal proceeding. Upon deposit, a Receipt, substantially as attached hereto, will be issued. All accrued interest on such funds will be determined by the Prothonotary on the day the funds are removed from the Office of the Prothonotary by a Court Order releasing the *custodia legis* funds;

(2) the interest paid by Order of the Court is simple interest. The Prothonotary is not a commercial banking institution and cannot pay compound interest of any kind on funds deposited per Court Order; and

(3) any interest earned in excess of the interest determined to be payable by the Prothonotary on the day of distribution shall be paid to the City Treasurer for the use of the City and County of Philadelphia and its court operations. Any deposit held less than ninety (90) days will not result in the payment of interest on such funds. Any deposit not in excess of Ten thousand (\$10,000.00) Dollars shall not result in the payment of interest, regardless of the length of time said funds are held in deposit by Court Order under the control of the Prothonotary.

This Administrative Order shall become effective immediately. The original Administrative Order shall be filed with the Prothonotary in a docket maintained for Administrative Orders issued by the President Judge of the Court of Common Pleas and copies shall be submitted to the Administrative Office of Pennsylvania Courts, the Legislative Reference Bureau and the Supreme Court Civil Procedural Rules Committee. Copies of the Administrative Order shall also be submitted to *American Lawyer Media*, *The Legal Intelligencer*, Jenkins Memorial Law Library and the Law Library for the First Judicial District of Pennsylvania, and posted on the website of the First Judicial District: <http://courts.phila.gov>.

BY THE COURT:

/s/ **Frederica A. Massiah-Jackson**

**FREDERICA A. MASSIAH-JACKSON
President Judge, Court of Common Pleas
of Philadelphia County**

OFFICE OF THE PROTHONOTARY

vs : COURT OF COMMON PLEAS
: PHILADELPHIA COUNTY
: _____ TERM, _____

RECEIPT FOR DEPOSIT OF ESCROW - CUSTODIA LEGIS FUNDS

DATE: _____

AMOUNT: _____

RECEIVED FROM: _____

Pursuant to Court Order of Judge _____ this date
of _____, and the terms and conditions set forth therein,
the aforesaid amount has been deposited into a designated Court account. The deposited
funds shall be retained in said account, as provided by President Judge Administrative
Docket No. 01 – 2005, until further Ordered by the Court for the release of said funds, at
which time, the deposited funds, together with accrued simple interest, if any, as
determined by the Prothonotary at the time of distribution will be paid from the Court
account. Acceptance and presentation of said funds by Payee(s) will release the
Prothonotary from any further claims for principal, interest and/or other costs.

PROTHONOTARY

I hereby acknowledge that I have received, on behalf of _____
a copy of this Receipt.

Date: _____
Print Name Signature