

Civil Rule 67. Deposit into Court

67.1 Order for Deposit.

(a) Terms governing registry funds and payment of associated fees are set forth in a Standing Order that may be found on the court’s website. The Court Registry Investment System (“CRIS”) is the sole authorized investment mechanism for money deposited in the court’s registry. Parties will save time and effort by contacting the Financial Unit for guidance on Judicial Conference policy before preparing documents to file with the court.

(b) Prerequisites to Filing Motion to Deposit Funds.

- (1) Before filing a motion to deposit money in the court’s registry, a party must deliver the following documents to the clerk’s office:
 - (A) a motion for an order to deposit funds into the court’s registry, stating whether ownership of the funds is disputed;
 - (B) a completed and signed Registry Deposit Information Form from the court’s website; and
 - (C) a proposed order stating the amount to be deposited.
 - (2) When the Financial Unit confirms the documents are correct, the party must file the motion, the Registry Deposit Information Form, and a proposed order and serve all other parties who have appeared.
- (c) The clerk is not authorized to accept funds for deposit without a court order.

67.2 Order for Disbursement of Funds.

(a) Whenever a party seeks a court order for money to be disbursed, it must include the following:

- (1) the name(s) of the payee;

- (2) the address(es) of the payee;
- (3) the social security and/or tax ID number of the payee; and
- (4) the amount of principal and interest for each payee.

(b) The party must file a redacted version of its motion in the public record, *see* Fed. R. Civ. P. 5.2(a), and an unredacted version under seal.

67.3 Security for Costs.

(a) On a party's or its own motion, the court may at any time order any party to file a bond for costs in such amount and so conditioned as the court may designate.

(b) Whenever a security is required to be given, in unspecified form, except in bankruptcy proceedings, and except when given to secure the appearance of a defendant in a criminal case, it must be given in substance and form as provided by Montana law. The bond is deemed sufficient unless the secured party objects in writing to the sufficiency of the surety and applies to the court for a hearing.