

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

IN RE:

DIRECTIVES FOR OPERATIONS IN THE ABSENCE
OF APPROPRIATIONS FOR THE DISTRICT COURT
AND BANKRUPTCY COURT FOR THE WESTERN
DISTRICT OF WISCONSIN

ORDER

WHEREAS, (a) the federal judiciary is currently operating without an appropriation by using fees and no-year appropriations;

(b) the Administrative Office of the United States Courts estimates that those funds may expire on or about January 11, 2019, which will require the judiciary to operate under the terms of the Anti-Deficiency Act (31 U.S.C. §§ 1341, 1342) allowing essential work to continue during a lapse in appropriations;

(c) the Guide to Judiciary Policy, Volume 13, Chapter 2, § 220.30. 10(c) states that each court shall determine the need for retention of personnel in order to perform the essential work of the judiciary;

(d) all existing staff are needed to maintain essential work of the judiciary;

Now, therefore, IT IS HEREBY ORDERED that:

1. This order shall take effect upon the exhaustion of all fees and no-year appropriations and be in effect until superseded by an appropriation, continuing resolution, statute or further order of this court.

2. The court has determined that the remaining District Judges, Magistrates Judges, Bankruptcy Judges, Clerk of the District Court, Clerk of the Bankruptcy Court, Chief of Probation and their staff are essential to the continued resolution of the cases before it.
3. Essential staff must report to work during the absence of the appropriation to ensure the activities necessary to support the exercise of the Article III judicial power, the emergency activities necessary for the safety of human life and protection of property, and the activities authorized by law, either expressly or by necessary implication.
4. All cases shall continue as scheduled unless otherwise notified.
5. Travel should be delayed or avoided if doing so does not jeopardize safety or mission-critical work. Supervision-related travel by probation officers should continue as needed. Other essential travel should be approved by the Chief Judge of the District or the Bankruptcy Court.
6. No new expenditures of funds shall be made without the written approval of the Clerk of the District or the Bankruptcy Court after determining that funds are available.
7. No new personnel shall be hired without the written approval of the Chief Judge.
8. The General Services Administration and the United States Marshals Service shall maintain all functions necessary for the continued safe use of all courthouses in the Western District of Wisconsin.

Dated this 9th day of January, 2019.

BY THE COURT:

/s/

JAMES D. PETERSON
Chief United States District Court Judge

/s/

CATHERINE J. FURAY
Chief United States Bankruptcy Court Judge