

Operations during the government shutdown

The Western District of Wisconsin is now operating in Phase 2 of its government shutdown plan. During Phase 1, the federal judiciary had been able to maintain full operations using funds other than annual congressional appropriations. But those funds were exhausted at the end of Friday, October 17, 2025.

During Phase 2, which will continue for the duration of the shutdown, the court will continue its core constitutional functions, which includes the processing of civil, criminal, and bankruptcy cases, and maintaining both pre-trial and post-trial supervision by the probation office. Most external users of the court will see no difference in our operations. We will hold hearings and trials as scheduled, and jurors will be paid. All case deadlines remain in place unless otherwise ordered in individual cases.

Pursuant to the Antideficiency Act, which bars most federal government expenditures during a lapse in appropriations, we will need to defer some important tasks that are not directly required by our core constitutional functions. We will institute limited staff furloughs commensurate with these deferred tasks.

The biggest consequence of the shutdown's continuing into Phase 2 is that non-judge staff, even those required to continue to work, will no longer be paid during the shutdown. Likewise, we will not be able to pay counsel appointed to represent defendants in criminal cases until the shutdown ends. All court staff, even those who have been furloughed, will be paid once the shutdown ends, as required by the Government Employee Fair Treatment Act of 2019, which was enacted after the last shutdown.

Phase 2 is severe hardship on court personnel, appointed counsel, and many other employees and contractors of the federal government. We ask for your patience and understanding as we do our best to meet our constitutional duty to keep the court running.